

North Carolina
Part B Annual Performance Report (APR) for 2008-09
February 1, 2010
Edited April 12, 2010

Overview of the Annual Performance Report Development:

The North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division gathered and analyzed data for the development of the Annual Performance Report (APR). Throughout the year, Exceptional Children Division staff met monthly to review and analyze progress made toward the development of the APR. Following discussions, reviews and analyses at each meeting, staff provided input for use in the continuing development of the APR. In the fall of 2009, during the monthly meetings, staff continued a process of evaluating improvement activities contained in the APR. As a result of this continuing process, some improvement activities were revised, added, and eliminated. The *SPP/APR Improvement Activity Review Checklist* was used to guide and document the evaluation of improvement activities. The Exceptional Children Division plans to continue this evaluation process during 2009-10 to further refine and improve the APR.

The Council on Educational Services for Exceptional Children, the State Advisory Panel, serves as the Stakeholder Steering Committee. At the Council's quarterly meetings, Exceptional Children Division staff presented data and information, reviewed progress made, and solicited members' input toward the development of the APR.

In April of 2010, the North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division will report to the public on the progress and/or slippage in meeting the measurable and rigorous targets. The APR will be posted on the NCDPI web page and distributed directly to the LEAs. In addition, it will be made available to the media. The Exceptional Children Division will report on the performance of each local educational agency (LEA) on the targets in the State Performance Plan by June 1, 2010. The reports will be posted on the Department's website, will be sent to the LEAs and distributed to local and regional media.

The 2008-09 APR contains information specific to measuring progress or slippage against State targets for Indicators 1, 2, 3, 4a, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 and 20. States are not required to submit information on Indicators 4b, 6, 7, 13, and 14 in the 2007-08 APR. Baseline data for Indicator 7 are submitted through the 2008-09 SPP. An OSEP approved sampling plan was used for Indicators 8. North Carolina once again contracted with PEIDRA Services, Inc. to collect and analyze parent involvement data for Indicator 8.

The APR also contains some revisions to the State Performance Plan (SPP). These revisions were also made in the SPP.

NCDPI has developed its *2008-09 Annual Performance Report* with input from the stakeholders' steering committee. Additional stakeholder involvement included input from LEA Special Education Administrators, the Mid-South Regional Resource Center (MSRRC), other federal Training/Technical Assistance Centers, early childhood specialists, and NCDPI staff.

Documents included with the submission of the 2007-08 APR are as follows:

- SPP/APR Improvement Activity Review Checklist
- Indicator 15 Worksheet
- Indicator 20 Rubric

SPP/APR Improvement Activity Review Checklist

Indicator #(s): _____ **Improvement Activity:** _____

Category (indicate one): Training/Professional Development Technical Assistance
 Policies/Procedures Data Collection/Analyses Systems Administration/Monitoring
 Collaboration/Coordination Program Development Increase/adjust FTE Evaluation

Question	Yes	No
1. Are the data, on which the improvement activity is based, timely, accurate, and likely to produce consistent results?		
2. Is the improvement activity aligned to the indicator and/or related indicators? If compliance indicator, will assist in correcting non-compliant finding?		
3. Does the improvement activity reflect state priorities regarding dedicated resources and attention?		
4. Does the improvement activity include expressed or implied action steps that make it clear what must be done to successfully implement the activity?		
5. Is the improvement activity realistic – can and will it be done?		
6. Does the improvement activity include a measure of performance – is it possible to determine and document progress?		
7. Does the improvement activity include a specific timeline?		
8. Is it clear who is responsible for implementation of the improvement activity?		
9. Are necessary resources to implement the activity identified and available?		

Improvement Activity Recommendation (Select One)
<input type="checkbox"/> Yes, continue improvement activity, as is.
<input type="checkbox"/> Yes, continue with the following revision(s):
<input type="checkbox"/> No, do not continue this activity because:

Adapted from: North Central Regional Resource Center's "SPR/APR Improvement Activity Review Form"

SPP/APR Improvement Activity Review Checklist

Outcome Indicators 1, 2, 3, 4a, 5, 7, 14 (Circle the Indicator #)

Key Improvement Activities	A. Does this improvement activity need to be revised? If so, identify revision below.	B. Is this an activity for the selected indicator? If no, go to Column C.	C. Should this activity be added to the selected indicator?
	Yes/No	Yes/No	Yes/No
1. Increasing promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.			
2. Increasing promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.			
3. Professional Development necessary for/specific to the selected indicator.			
4. Focused Technical Assistance specific to the selected indicator.			
5. Other Improvement Activity	Is there another key improvement activity that needs to be added because it cuts across several outcome indicators?		
	Identify new improvement activity, if needed:		
Revised Improvement Activity(ies):			

Adapted from: North Central Regional Resource Center's "SPR/APR Improvement Activity Review Form"

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

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

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

Measurement: 4-Year Cohort Graduation Rate is the ratio of youths with IEPs graduating with a regular diploma in 2007-08, or earlier, to all youths with IEPs entering ninth grade in 2004-05 for the first time.

Youths with IEPs entering ninth grade in 2004-05 & graduating with a regular diploma in 2007-08 or earlier ÷ All youths with IEPs entering ninth grade in 2004-05 for the first time X 100 = Percent of youths with IEPs in the state graduating from high school with a regular diploma.

The 4-Year Cohort Graduation Rate used for youths with IEPs is the same graduation rate calculation and timeline used for all students in North Carolina as established by the Department under the ESEA.

FFY	Measurable and Rigorous Target
2007-08	80% of youths with IEPs graduating from high school with regular diplomas.

Actual Target Data for 2007-08:

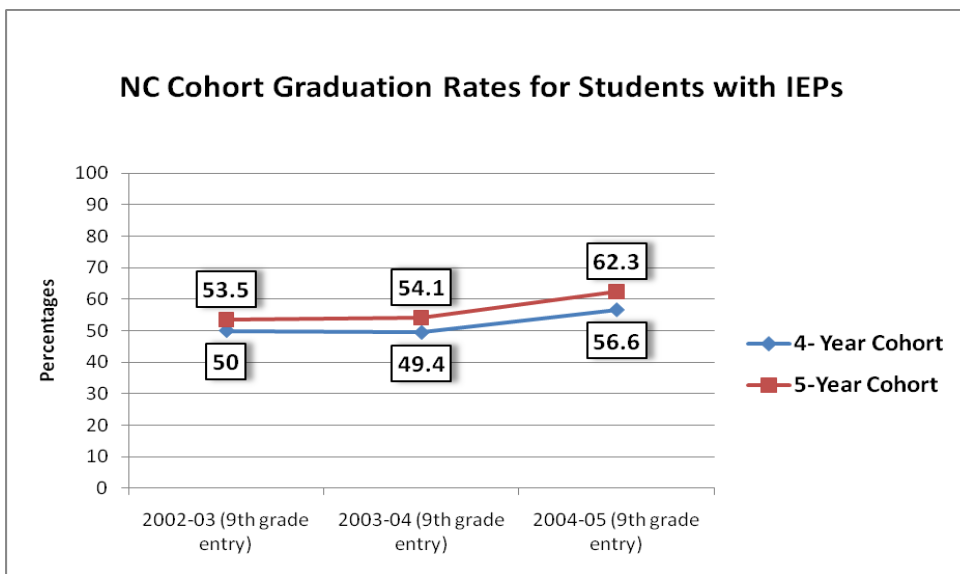
Percent of youths with IEPs entering ninth grade in 2004-05 and graduating with a regular high school diploma in 2007-08 or earlier	Number of youths with IEPs entering 9 th grade in 2004-05 for the first time. (Denominator)	2004-05 entering youths with IEPs, who graduated with a regular diploma in 2007-08 or earlier (Numerator)	Change from 2006-07 cohort graduation rate
56.6 %	9316	5270	+ 7.2 percentage points

Data sources for graduates for cohort graduation rate: SIMS/NCWISE 20th day membership files for 2007-08 & for 4 years in past; the collection of student names associated with Graduation Intention Surveys, and dropout files collected historically (NCDPI\Accountability\Reporting 7/25/08 and NC's Consolidated State Performance Report 12/18/09).

Additional Data

Five-Year Cohort Data:

Percent of youths with IEPs entering ninth grade in 2004-05 and graduating with a regular high school diploma in 2008-09 or earlier	Number of youths with IEPs entering 9 th grade in 2004-05 for the first time. (Denominator)	2004-05 entering youths with IEPs, who graduated with a regular diploma in 2008-09 or earlier (Numerator)	Change from 2007-08 5-year cohort graduation rate
62.3%	9316	5801	+ 8.1 percentage points



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-08:

Activity	Timeline	Status
Focused Monitoring of selected LEAs.	2007-2010	Completed for 2007-08 - Conducted Focused Monitoring in 4 traditional LEAs. This included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes.
Disseminate information to LEAs identifying which systems show high numbers of regular diplomas awarded to students with IEPs and share their process and practices used in	2006-2008	Completed for 2007-08 - Districts' effective processes and practices, regarding increases in regular diplomas awarded to youth with disabilities, were shared during 6

<p>increasing the number of youth with disabilities graduating with a regular diploma.</p>		<p>regional Continuous Improvement Performance Plan (CIPP) follow-up meetings for LEAs and SOPs conducted in February 2008 and one CIPP follow-up meeting for public charter schools conducted in March 2008.</p>
<p>Provide focused technical assistance to LEAs on implementing practices, procedures and strategies to increase the number of regular diplomas awarded to students with disabilities.</p>	<p>2007-2010</p>	<p>Completed for 2007-08 - The EC Division provided follow-up technical assistance to 4 traditional LEAs that were received Focused Monitoring in the pilot year, 2006-07. The focus of the follow-up technical assistance was on implementing practices, procedures, and strategies to increase the number of regular diplomas awarded to students with disabilities and reducing the number of students with disabilities that drop out.</p>
<p>Continue monitoring LEA data to determine increase in number of regular diplomas awarded to students with disabilities compared to regular diplomas awarded to students without an IEP.</p>	<p>2008-2010</p>	<p>Completed for 2007-08 - Although this is no longer a requirement of this Indicator, NCDPI analyzed and used this data (comparison to regular diplomas awarded to students without IEPs) for districts involved in Focused Monitoring. This type of State data comparison has also been presented to the State Board of Education and at statewide conferences.</p>
<p>Professional development will be conducted in NC's 8 regions for all LEAs regarding the new graduation requirements that will take effect in 2010. The professional development will be conducted jointly with other NCDPI divisions.</p>	<p>2009 - 2010</p>	<p>Trainings on the new graduation requirements have been conducted as follows: 4 statewide conferences/ meetings (3 with other NCDPI Division personnel); 8 of 32 regional trainings in collaboration with Vocational Rehabilitation; 2 of 8 regional EC Directors' meetings; and additional trainings upon request, including 7 LEAs and 2 State advisory councils. The remaining regional trainings are scheduled over the next 18 months.</p>

Explanation of Progress:

North Carolina did not meet the proposed target of 80% for the APR; however under Title 1 of the ESEA, North Carolina met, with the required amount of progress, the target for Adequate Yearly Progress (AYP) for students with disabilities. The 2007-08 4-year cohort graduation rate of 56.6% represents a 7.2 percentage point increase from 2006-07 (49.4%). There was a decrease of 1,400 students with IEPs entering ninth grade in 2004-05 (9,316 students with IEPs) and an increase of 247

students with IEPs who graduated with a standard high school diploma in 2007-08 (5,270 students with IEPs).

Of the 114 traditional LEAs that had students with IEPs entering ninth grade for the first time in 2004-05, ten (10) had 4-year cohort graduation rates that met or exceeded the proposed state target of 80%. 104 traditional LEAs that had students with IEPs entering ninth grade for the first time in 2004-05 did not meet the proposed state target of 80%. However, with regard to AYP, forty-five (45) traditional LEAs met the target with the required amount of progress; fifty-three LEAs had insufficient data (< 40 students with disabilities in the subgroup) to meet the target; and sixteen (16) LEAs did not meet the target. Sixteen (16) public charter schools had students with IEPs entering ninth grade for the first time in 2004-05. Ten (10) of the public charter schools had 4-year cohort graduation rates that exceeded the proposed state target of 80%. Six (6) of the public charter schools had 4-year cohort graduation rates that were below the 80% proposed state target. With regard to AYP, all sixteen (16) public charter schools had insufficient data (< 40 students with disabilities in the subgroup) to meet the target.

Although North Carolina uses the 4-year cohort graduation rate as a target for AYP, a 5-year cohort graduation rate for students with IEPs is also calculated. The 5-year cohort graduation rate for students entering ninth grade for the first time in 2004-05 was 62.3% and 6.0 percentage points higher than the 4-year cohort graduation rate for the same group of students. This 5-year cohort graduation rate was also 8.1 percentage points higher than the 5-year cohort graduation rate for students entering ninth grade for the first time in 2003-04 and graduating with a regular high school diploma in 2007-08.

This 5-year cohort graduation rate is important because it includes an additional 531 students with IEPs (entered ninth grade for the first time in 2004-05) who graduated with a regular high school diploma in 2008-09.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-08:

The ESEA data for graduation has been used for the previous two APRs. Targets for 2007-08 and forward have been changed to be the same as the annual graduation rate targets (80%) under Title 1 of the ESEA.

Two improvement activities that are effective in NC are proposed and one improvement activity that is no longer needed has been eliminated as follows:

Improvement Activity	Timeline	Resources
Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to conduct staff development
Increase the promotion and implementation of Positive Behavioral Supports,	2010 – 2011	<ul style="list-style-type: none"> • Funding to support model sites and conduct staff development

<p>Instructional Consultation Teams, and Responsiveness to Instruction Models.</p>		<ul style="list-style-type: none"> • Personnel to conduct staff development
<p>Continue monitoring LEA data to determine increase in number of regular diplomas awarded to students with disabilities compared to regular diplomas awarded to students without an IEP.</p>	<p>2008-2010</p>	<ul style="list-style-type: none"> • PMA Consultants • Regional Consultants

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Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2007-08	Reduce the dropout rate for youth with IEPs in grades 9-12 to 6.5%.

Actual Target Data for 2007-08:

Year	# of youths with IEPs, in grades 9-12, that dropped out of school	# of youths with IEPs in grades 9-12	Rate	Progress or slippage from 2006-07
FFY 2007 (2007-08)	4013*	49875**	8.0%	- 0.2 percentage points

*2007-08 Comprehensive Exceptional Children Accountability System Exit Report for Students with Disabilities

**The State calculation for the denominator that is used for all youths that drop out was used in 2007-2008 for youths with IEPs that dropped out.

Rate = 100 * Numerator ÷ (Denominator 1 + Numerator)

Numerator: Number of Dropouts

Denominator 1: (07 Membership - FM20/initial enrollee count + 08 Membership) ÷ 2

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-08:

Activities	Timelines	Status
Annually review and analyze the LEAs' Continuous Improvement	2005-06 and annually	Completed for 2007-08 - EC Division staff reviewed and

<p>Performance Plans (CIPPs) to identify LEAs that are reducing dropout rates and identify their effective practices as well as those LEAs that are in need of additional and/or targeted technical assistance.</p>	<p>thereafter</p>	<p>analyzed each LEA's CIPP and 2007-08 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2008 and 1 public charter school meeting conducted in March 2008.</p>
<p>Following the review and analyses of the CIPPs, DPI will conduct regional meetings with LEAs to: discuss/review findings; further analyze reasons; and provide technical assistance regarding improvement strategies, including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.</p>	<p>Spring 2007 and annually thereafter</p>	<p>Completed for 2007-08 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2008 and one follow-up meeting for public charter schools was conducted in March 2008 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for increases and decreases in dropout rates; and provide technical assistance regarding improvement strategies including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.</p>
<p>Develop technical assistance and training that specifically focuses on high schools and how to implement practices which will lead to decreasing the number of youth with disabilities who drop out of school.</p>	<p>2006-2010</p>	<p>Partially completed – EC Division staff have collected/analyzed data from various sources including: CIPPs, focused monitoring, a review of trainings that include data and information for high schools, etc. A report has been prepared for a legislative study about secondary education for students with disabilities. Continuing efforts will focus on updating or revising technical assistance and training to specifically focus on high schools and effective practices.</p>
<p>Focused Monitoring of Selected LEAs</p>	<p>2007-2010</p>	<p>Completed for 2007-08 - Conducted Focused Monitoring in 4 traditional LEAs. This included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes.</p>

Explanation of Slippage:

North Carolina did not meet its target of 6.5%. In 2007-08, the grade 9 -12 dropout rate for students with disabilities increased slightly to 8.0%, which was a slippage of 0.2. The minimal slippage in rate was due to a change in the source of data used for the numerator (# of youths with IEPs, in grades 9-12, who dropped out of school). In previous years, the data for the numerator, which was an event rate calculation, came from dropout files collected through the Dropout System on the Dropout website and verified by each LEA, and then was matched to the NCDPI's Comprehensive Exceptional Children Accountability System (CECAS), which is the authoritative source for data for students with disabilities. Due to technical issues, this process did not yield the data required. Therefore, the data for the numerator came from CECAS's 2007-08 Exit Report, which is a leaver rate calculation. Leaver rates tend to yield higher rates than event rates. In 2007-08, the actual number of youths with IEPs in grades 9-12 that dropped out (4013) 2007-08 decreased by 91 students; however the number of youth with IEPs, in grades 9-12 (49,875), decreased by 2750.

Of the 115 traditional LEAs that had students with IEPs in grades 9-12 in 2007-08, thirty-four (34) or 29.6% had dropout rates that met or exceeded the State target of 6.5% (lower rate). Eighty-one (81) traditional LEAs, or 70.4%, did not meet the State target (higher rate). Rates ranged from 6.8% - 16.8%. Thirty-two (32) public charter schools had students with IEPs in grades 9-12, in 2007-08. Twenty-seven (27) of these public charter schools, or 84.4%, met or exceeded the State target (lower rate). Five (5) public charter schools, or 15.6%, did not meet the State target (higher rate). These public charter schools had 1 – 6 students with IEPs, in grades 9 – 12, who dropped out. The focused monitoring process, which includes a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes, continues to be an important factor for making progress on this indicator. This is important for not only decreasing the State dropout rate, but also for increasing the number of traditional LEAs that meet or exceed the State target.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-08:

Two improvement activities that are effective in NC are proposed and two similar improvement activities have been combined as follows:

Improvement Activity	Timeline	Resources
Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to conduct staff development
Increase the promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support model sites and conduct staff development • Personnel to conduct staff development

<p>Annually review and analyze the LEAs' Continuous Improvement Performance Plans (CIPPs) to identify LEAs that are reducing dropout rates and identify their effective practices as well as those LEAs that are in need of additional and/or targeted technical assistance. Following the review and analyses of the CIPPs, DPI will conduct regional meetings with LEAs: to discuss/review findings; further analyze reasons; and provide technical assistance regarding improvement strategies, including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.</p>	<p>2005-06 and annually thereafter</p>	<ul style="list-style-type: none"> • Personnel to analyze plans, develop LEA profiles and conduct meetings. • Funding to conduct regional meetings
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Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

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

FFY	Measurable and Rigorous Target		
2008-09	A. Percentage of Districts Meeting AYP: 45.0%		
	B. Overall Participation Rate:	Grade	Reading
		3	95.0
		4	95.0
		5	95.0
		6	95.0
		7	95.0
		8	95.0
		10	95.0
	C. Overall Proficiency Rate:	Grade	Reading
		3	43.2
		4	43.2
		5	43.2
		6	43.2
		7	43.2
		8	43.2
		10	38.5
		68.4	

Actual Target Data for 2008-09:

A. Percentage of Districts Meeting AYP:

# of LEAs that had a students with disabilities subgroup* for AYP determination	# of LEAs that met AYP targets for students with disabilities subgroup*	Rate	Difference from 2007-08
128	78	60.9%	+ 48.9

*AYP subgroup ≥ 40 students – 113 traditional LEAs and 15 public charter schools

B. Participation Rates:

2008-09 Math Assessment - Participation

Gr	IEPs in regular assessments/no accommodations	IEPs in regular assessments w/ accommodations	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Total Children w/IEPs Denominator	Total # Assessed Numerator	Rate (%)	Difference from 2007-08
3	4631	6814	44	2446	926	14885	14861	99.8	+ 0.2
4	3527	8002	40	2857	907	15358	15333	99.8	+ 0.2
5	2673	7840	41	3181	962	14745	14697	99.7	+/- 0
6	2236	7419	35	3292	780	13830	13762	99.5	+ 0.4
7	2124	7052	30	3073	769	13152	13048	99.2	+ 0.2
8	2130	6974	32	2966	873	13101	12975	99.0	+/- 0
10	2173	4552	31	0*	680	9842	7436	75.6	- 16.2

* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2008-09 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

2008-09 Reading Assessment - Participation

Gr	IEPs in regular assessments/ no accommodations	IEPs in regular assessments w/ accommodations	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Children w/IEPs Denominator	Total # Assessed Numerator	Rate (%)	Difference from 2006-07
3	4632	6384	52	2861	925	14885	14854	99.8	+ 0.2
4	3528	7434	53	3412	907	15356	15334	99.9	+ 0.2
5	2668	7369	51	3651	963	14744	14702	99.7	+/- 0
6	2178	7222	39	3551	780	13830	13770	99.6	+ 0.4
7	2034	6914	30	3311	768	13152	13057	99.3	+ 0.2
8	2070	6878	40	3112	874	13100	12974	99.0	+ 0.3
10	2798	4104	56	0*	676	9917	7634	77.0	-19.5

* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2008-09 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

C. Proficiency Rates:

2008-09 Math Assessment - Proficiency

Gr	IEPs in regular assessments/no accommodations against grade level standards	IEPs in regular assessments w/ accommodations against grade level standards	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Children w/IEPs Assessed - Denominator	Total # Proficient Numerator	Rate (%)	Difference from 2007-08
3	3605	3699	25	860	629	14861	8818	59.3	+ 7.7
4	2705	4344	31	1082	592	15333	8754	57.1	+ 9.4
5	1888	4051	30	1372	716	14697	8057	54.8	+ 9.5
6	1370	3503	27	1761	592	13762	7253	52.7	+ 9.7
7	1225	3230	26	1656	561	13048	6698	51.3	+ 10.3
8	1257	3435	26	1681	523	12975	6922	53.3	+ 12.4
10	1138	1648	29	0*	351	7436	3166	42.6	+ 0.3

* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2008-09 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

Gr	2008-09 Reading Assessment - Proficiency								Difference from 2007-08
	IEPs in regular assessments/no accommodations against grade level standards	IEPs in regular assessments w/ accommodations against grade level standards	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Children w/IEPs Assessed - Denominator	Total # Proficient Numerator	Rate (%)	
3	2762	1720	32	628	620	14854	5762	38.8	+ 9.2
4	2208	2341	35	898	597	15334	6079	39.6	+ 9.0
5	1554	2265	39	1272	647	14702	5777	39.1	+ 12.0
6	1128	2438	31	1226	515	13770	5338	38.8	+ 11.4
7	867	1940	27	1248	532	13057	4587	35.1	+ 12.8
8	901	2018	31	1092	548	12974	4590	35.4	+ 11.1
10	892	760	37	0*	259	7634	1948	25.5	+ 0.2

* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2008-09 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Improvement Activity	Timeline	Status
Disseminate information to LEAs about which systems and practices increase academic achievement of students with disabilities.	2007-2010	Completed for 2008-09 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; and provide technical assistance regarding improvement strategies including information about systems and practices that increase academic achievement of students with disabilities. Additionally, Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Demonstration Centers; 77 reading/ writing sites; 4 Math Demonstration Centers; and 29 math sites, all located in LEAs.

Implement/monitor procedures through NCDPI Accountability Services to further reduce mis-administrations	2006-2010	Completed for 2008-09
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Explanation of Progress or Slippage:

For this report, data from

- A. **Percentage of Districts meeting AYP:** North Carolina met its 45% target for AYP. The number of districts that met AYP rate increased to 60.9% in 2008-09. This is an increase from 12.0 % of districts in 2007-08 or an increase of 48.9 percentage points. The increase is due to several factors including changes to AYP determinations (first retest scores were incorporated into the calculation of AYP and when an existing students with disabilities subgroup missed its AYP target, scores for students with disabilities, who exited special education within the previous two years were included in the AYP calculations); the change in requirements for reporting only on the assessment targets and not graduation or other targets; and the continuing promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.
- B. **Participation Rates:** North Carolina exceeded its targets for participation rates for state reading and math assessments at each grade level 3 – 8 by maintaining and/or slightly increasing participation rates that exceeded 99%. North Carolina did not meet its targets for participation rates for reading and math assessments for grade 10. Significant decreases in participation rates for reading and math assessments for grade 10 were due, in part, to students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) being counted as non-participants. This decision was made after the U.S. Department of Education (USED) disallowed the use of North Carolina’s OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process. Student absence was the other reason most often cited for non-participants for reading and math assessments at grade 10.

Most students with disabilities were assessed on regular assessments with and without accommodations. Of the students with disabilities assessed on alternate assessments, the majority of them took an alternate assessment against modified academic achievement standards.

- C. **Proficiency Rates:** North Carolina did not meet its targets for proficiency rates for math and reading at each grade level 3 – 8 and grade 10 partially due to the increase in proposed targets to align with North Carolina’s proficiency rates under Title 1 of the ESEA. Although targets weren’t met, North Carolina did make significant progress in both math and reading proficiency at each grade level 3 – 8. Increases in math proficiency ranged from 7.7 percentage points at grade 3 to 12.4 percentage points at grade 8. Increases in reading proficiency ranged from 9.0 percentage points at grade 4 to 12.7 percentage points at grade 7. Significant progress is attributed to North Carolina’s continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models. There were slight increases in both math and reading proficiency at grade 10, although students taking the OCS Extend 2 (alternate assessment) were counted as non-participants and their performance scores were not included in the proficiency rates. This decision was made after the USED disallowed the use of North Carolina’s OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Public Reporting Information:

<http://www.ncpublicschools.org/accountability/reporting/leaperformancearchive/>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

Proposed targets for math and reading participation rates are 95% to align with North Carolina’s participation rates under Title 1 of the ESEA.

Proposed targets for math proficiency grades 3-8 are 77.2%, and 68.4% for grade 10 to align with North Carolina’s proficiency rates under Title 1 of the ESEA.

Proposed targets for reading proficiency grades 3-8 are 43.2%, and 38.5% for grade 10 to align with North Carolina’s proficiency rates under Title 1 of the ESEA.

Two improvement activities that are effective in NC are proposed as follows:

Improvement Activity	Timeline	Resources
Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to conduct staff development
Increase the promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support model sites and conduct staff development • Personnel to conduct staff development

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

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

Significant discrepancy is defined as \geq twice the State average rate* of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

*Rates are computed for LEAs with a minimum "n" size of 10 students with disabilities suspended/expelled and/or \leq 1 % of an LEA's EC population. Data is reviewed separately for LEAs with less than the minimum "n"/enrollment size to determine if a significant discrepancy exists.

FFY	Measurable and Rigorous Target
2007-08	8% of LEAs with a rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year that is twice the state average rate or greater.

Actual Target Data for 2007-08:

A.

# of Districts identified by the State as having significant discrepancies in the rates of greater than 10 day suspensions and expulsions of children with disabilities in a school year	# of Districts in the State	Rate	% of Progress or Slippage from 2006-07
7	215*	3.3 %	- 1.9 percentage points

*All LEAs, including traditional school districts, public charter schools, and State-Operated Programs, were included in the calculations.

Data source: 2007-08 Section 618 State Reported Data

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-08:

Activities	Timelines	Status
Analyze LEA long-and short-term suspension data in end-of-year reports and Continuous Improvement Performance Plans (CIPPs) to identify LEAs that need targeted technical assistance.	2006 – 07 and annually thereafter	Completed for 2007-08 data.
Analyze LEA data in end-of-year reports and CIPPs to identify LEAs, and their effective practices, that are achieving good results.	2006 – 2007 and annually thereafter	Completed for 2007-08 data.
Disseminate information to LEAs about which systems and practices decrease the number of youth with disabilities who are suspended and expelled.	2007, 2008, 2009, 2010	Completed for 2007-08 data - Information was disseminated during six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs conducted during February 2009 and one follow-up meeting for public charter schools conducted in March 2009. Additional dissemination occurred during technical assistance and training sessions/institutes, regarding

		positive behavior supports and discipline, conducted throughout the year by the EC Division’s Dispute Resolution and Positive Behavior Support Consultants.
Develop/provide targeted technical assistance and training that specifically focuses on systems that need to decrease the number of youth with disabilities who are suspended and expelled.	2007, 2008, 2009, 2010	Continuing - The EC Division regional teams identified/met with 1 - 2 districts in each of NC’s six (6) regions to provide focused technical assistance, including professional development. Districts in the greatest need were identified based on integrated data analyses that included disciplinary data. For the last year, NCDPI has been undergoing some changes to realign staff to 8 regions (from 6) and the use of Regional Roundtables to provide LEAs with focused technical assistance and training. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables.
Study the impact of the State’s definition of significant discrepancy and revise the definition if appropriate (e.g. by making adjustments such as more than an “n” size of 1 % of its EC population; more than an “n” size of 10, among other considerations)	2007-08	Completed - The definition for significant discrepancy was adjusted to address small “n” sizes of < 10 students with disabilities suspended/expelled and/or ≤ 1 % of a district’s EC population.

Explanation of Progress/Slippage:

In previous years, including the 2007-08 data submitted February 2, 2009, North Carolina used its Safe Schools’ data for this indicator. For this submission, North Carolina recalculated its 2007-08 rates using 618 State reported discipline data. A change in the data source resulted in an increase from five (5) to seven (7) LEAs that were identified as having significant discrepancies in the rates of suspensions and expulsion of children with disabilities greater than 10 days in a school year.

North Carolina’s rate of 3.3% of the LEAs exceeded the target rate for having ≤ 8 % of the LEAs with a significant discrepancy in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year. Progress was shown on this Indicator, since the 2007-08 rate of 3.3% was 1.9 percentage points lower than the 2006-07 rate. Many LEAs have implemented effective practices resulting in reduced numbers of suspensions and expulsions greater than 10 days for students with disabilities. As this occurred, the state average rate declined resulting in a decline of the rate used for determining a significant discrepancy. Therefore, it continued to be more challenging for some districts, particularly smaller ones to remain below twice the state average rate.

Seven (7) of 215 LEAs were identified as having significant discrepancies in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year in 2007-08. All of the LEAs were required to submit copies of any documents pertaining to the suspension and discipline of students with disabilities in the school district, with a particular emphasis on those policies, procedures and practices which involved development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Upon review by the EC Division of the LEAs’ written policies, procedures and practices, none of the LEAs were required to make revisions to the submitted documents to ensure compliance with IDEA requirements. During 2008-09, the EC Division conducted on-site visits in two (2) of the LEAs to verify that the implementation of policies, practices and procedures pertaining to the suspension and discipline of students with disabilities complied with the IDEA requirements. Each of the LEAs was cited for non-compliant findings and are implementing corrective actions during 2009-10 to comply with the IDEA requirements. The LEAs are required to submit documentation of the correction of child-specific findings and to show evidence that they are correctly implementing specific regulatory requirements. The LEAs must submit the documentation as soon as possible and no later than one year from the notification of the non-compliant findings.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

One improvement activity has been eliminated because it is similar to other improvement activities and not necessary. Two improvement activities that are effective in NC are proposed and two improvement activities that are similar have been combined as follows:

Improvement Activity	Timeline	Resources
Disseminate information to LEAs about which systems and practices decrease the number of youth with disabilities who are suspended and expelled.	2007, 2008, 2009, 2010	
Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to conduct staff development

<p>Increase the promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.</p>	<p>2010 – 2011</p>	<ul style="list-style-type: none"> • Funding to support model sites and conduct staff development • Personnel to conduct staff development
<p>Analyze LEA long-and short-term suspension data in end-of-year reports and Continuous Improvement Performance Plans (CIPPs) to identify LEAs that need targeted technical assistance. Analyze LEA data in end-of-year reports and CIPPs to identify LEAs, and their those that have effective practices, that and are achieving good results.</p>	<p>2006 – 07 and annually thereafter</p>	<ul style="list-style-type: none"> • Exceptional Children Division staff to review and analyze data and plans and provide TA to LEAs.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	Measurement A: 63.6% Measurement B: 16.1% Measurement C: 2.1%

Actual Target Data for 2008-09:

	# of Students in Setting (Numerator)	# of Students, 6 – 21, with IEPs (Denominator)	Rate	% Change from 2007-08/ Met Target
A. Inside the regular class 80% or more of the day	108,332	169,047	64.1%	+0.1/ Yes

B. Inside the regular class less than 40% of the day	26,358	169,047	15.6%	-0.2/ Yes
C. In separate schools, residential facilities, or homebound/hospital placements	3,736	169,047	2.2%	-0.1/ No

Source: Data used for this indicator are from the December 1 Periodic Child Count submitted as part of the 618 State-reported data requirement.

Discussion of Improvement Activities Completed that occurred for 2008-09:

Improvement Activity	Timeline	Status
Analyze End-of-Year Report and Continuous Improvement Monitoring System (CIMS) self-assessment data, disaggregated by LEA, grade level and area of disability, for populations in each setting on the LRE continuum.	2005-2010, annually	Following the review and analyses of CIPPs, DPI staff conducted six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs during February 2009 and one follow-up meeting for public charter schools in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for LRE data; and provide technical assistance regarding improvement strategies.
Provide statewide training and technical assistance in the implementation of the LRE determination process.	2006-2010	Throughout 2008-09 NCDPI staff have conducted training in each of the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.
Provide parent training on LRE.	2006-2010	In addition to 3 specific trainings for parents conducted by NCDPI dispute resolution/parents' rights consultants during 2008-09, parents participated in trainings throughout the year conducted in the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.

<p>Increase the quality of supplemental aides and services by:</p> <p>A. Examine and reduce barriers that prevent a fluid continuum of instructional services through regular and special education (i.e., universal design).</p> <p>B. Increase promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.</p> <p>C. Increase promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.</p>	<p>2005-2010</p>	<p>Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Demonstration Centers; 77 reading/ writing sites; 4 Math Demonstration Centers; and 29 math sites, all located in LEAs.</p> <p>Since 2001, 99 LEAs* have been trained and are in various stages of Positive Behavioral Supports; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and 101 LEAs* have been trained and are in various stages of implementation of Responsiveness to Instruction Models.</p> <p>*LEAs include traditional school districts, public charter schools and State-Operated Programs.</p>
<p>Provide targeted technical assistance, regarding LRE decision-making, to identified LEAs that have continued to fail to make progress towards the State targets.</p>	<p>2007 - 2011, annually</p>	<p>NCDPI staff conducted training about effective educational programming for students with mental disabilities, multiple disabilities and autism. Staff consultants have provided individual on-site technical assistance to identified LEAs regarding educational programming for students with these disabilities.</p>

Explanation of Progress or Slippage that occurred for 2008-09:

- A. North Carolina met its target for 2008-09 and made progress by slightly increasing the already high placement rate, although the number of children with IEPs, ages 6 – 21, inside the regular class 80% or more of the day decreased from the previous year by 1582 students. 163 of 215 LEAs (75.8%) exceeded the target of 63.6%. Fifty-two (52) LEAs (24.2%) did not meet the target.
- B. North Carolina met its target for 2008-09 and made progress by decreasing slightly its already low placement rate. The number of children with IEPs, ages 6 – 21, inside the regular class less than 40% of the day decreased from the previous year by 692 children. 165 of 215 LEAs (76.6%) exceeded (were less than) the target of 16.1%. When the LRE data were disaggregated by disability, the data indicate that approximately 50% of students identified in each of the disability categories of mental disabilities, multiple disabilities and autism continued to be placed inside the regular class less than 40% of the day.
- C. Although North Carolina did not meet its target for 2008-09, the State made progress by slightly decreasing (0.1 percentage point) the placement rate from 2007-08. North Carolina's rate of 2.2% remained below the national average. The number of children with IEPs in separate environments, ages 6 – 21, decreased from the previous year by 274 children. 182 of 215 LEAs

(84.7%) exceeded (less than) the target of 2.1%. Thirty-three (33) LEAs (15.3%) did not meet the target.

The slight progress on these indicators in 2008-09 demonstrates stability in the system and is attributed to North Carolina's continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

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

FFY	Measurable and Rigorous Target
2008-09	N/A – First APR reporting in FFY 2010 APR due 2/1/12

Actual Target Data for 2008-09: N/A – First APR reporting in FFY 2010 APR due 2/1/12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09: N/A – First APR reporting in FFY 2010 APR due 2/1/12

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

<p>Monitoring Priority: FAPE in the LRE</p>
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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))

<p>Measurement:</p>

Outcomes:

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

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes (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
2008-09	N/A – First APR reporting in FFY 2009 APR due 2/1/11

Actual Target Data for 2008-09:

N/A – First APR reporting in FFY 2009 APR due 2/1/11

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

N/A – First APR reporting in FFY 2009 APR due 2/1/11

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	Forty percent (40%) of respondents, with a measure at or above the adopted standard of 600, will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

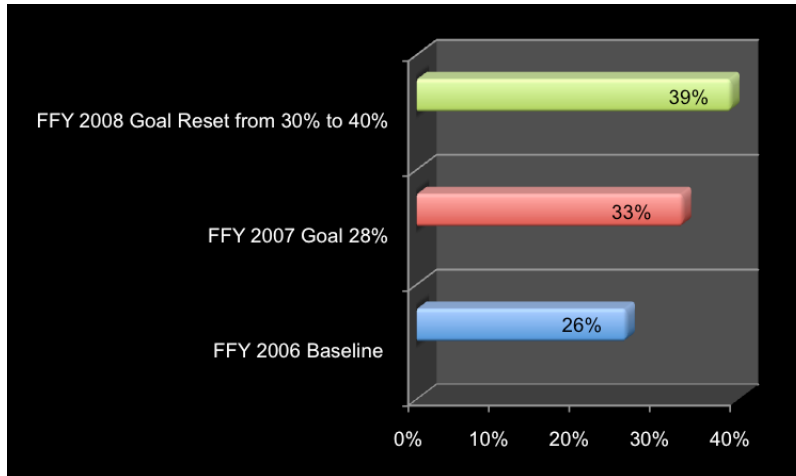
Actual Target Data for 2008-09:

FFY	Number of Surveys Distributed	Number of Surveys Completed	Number of Responses at or above the Measure of 600	% at or above the Standard Measure of 600	Progress/Slippage
2008-09	24,235	4,283	1681	39.2%	+ 6.2 percentage points

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

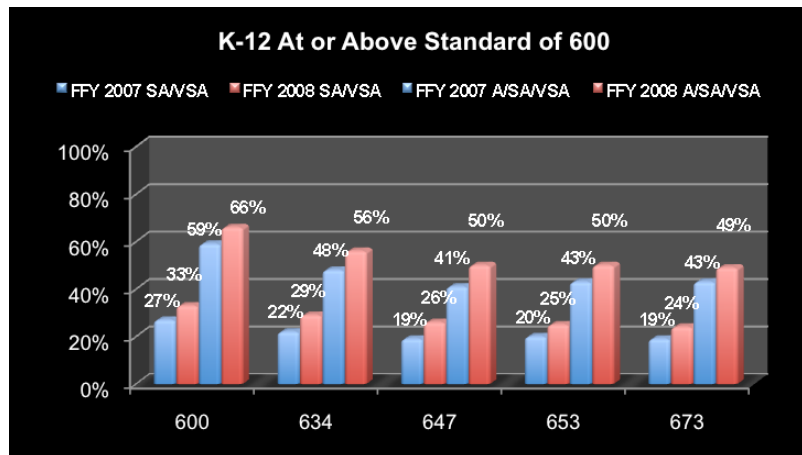
In FFY 2008-09, **39.2%** of the parent respondents, with a measure at or above the adopted standard of 600, reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. The State exceeded its FFY 2007 28% target by five percentage points, achieving a rate of 33%, and the target for FFY 2008 was reset to 40%. While the 40% target was not met in FFY 2008, the State made progress by increasing the rate by 6.2 percentage points regarding respondents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. 4,283 surveys (17.7%) were returned. The number of parents

whose responses met the standard of 600 was 1,681. An increase in the number of returned surveys was a factor that contributed to the progress made.



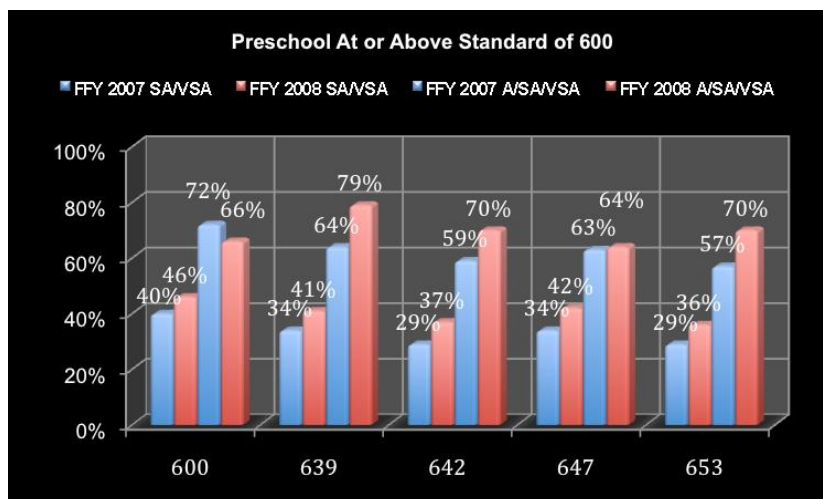
Respondents of children in grades K - 12 met the standard on five (5) of the 25 items, and parents of preschool children met the standard on six (6) of the 25 items. (A detailed explanation regarding setting the standard at 600 is contained in the State Performance Plan.) The mean measure for all returned surveys was **571**, which is an increase from the mean measure for FFY 2007-08 (549).

K-12 Surveys At or Above Standard of 600 FFY 2007 and FFY 2008
 Agree (A), Strongly Agree (SA) and Very Strongly Agree (VSA)



- 600 The school explains what options parents have if they disagree with a decision of the school.
- 634 The school provides information on agencies that can assist my child in the transition from school.
- 647 I was given information about organizations that offer support for parents of children with disabilities.
- 653 The school offers parents training about special education issues.
- 673 I was offered special assistance, e.g. child care, so I could participate in the IEP meeting.

Preschool Surveys At or Above Standard of 600 FFY 2007 and FFY 2008
 Agree (A), Strongly agree (SA) and very strongly agree (VSA)

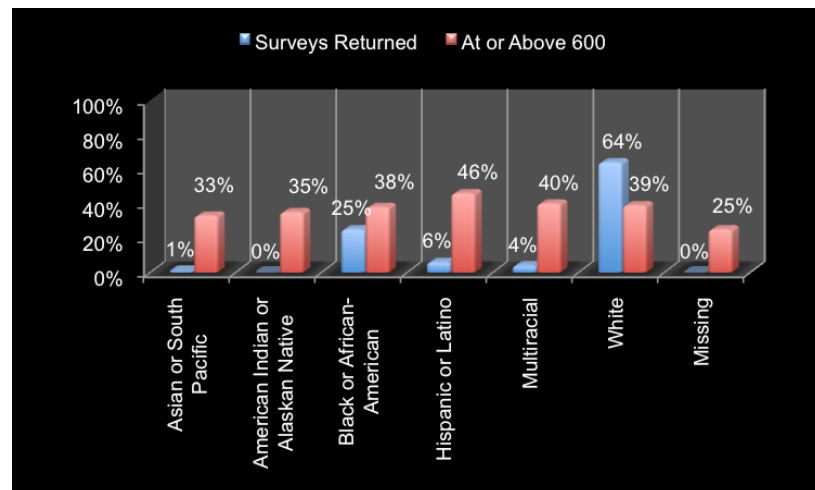
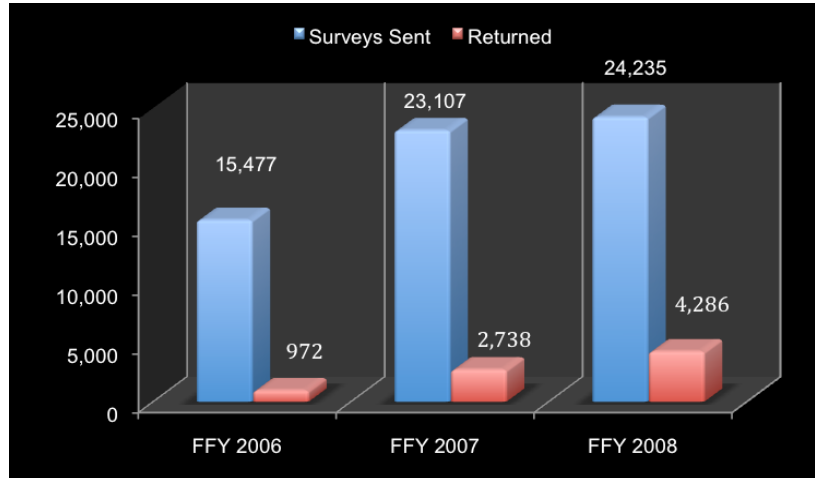


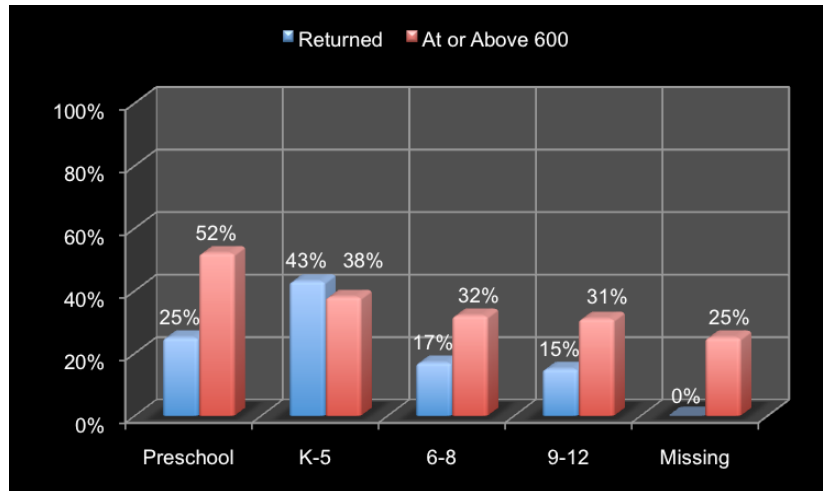
- People from preschool special education, including teachers and other service providers:
- 600 Explain what options parents have if they disagree with a decision made by the preschool special education program;
 - 639 Provide me with information on how to get other services, e.g. child care, parent support, respite, regular preschool program, WIC, food stamps;
 - 642 Offer supports for parents to participate in training workshops;
 - 647 Give me information about organizations that offer support for parent, e.g. Parent Training and Information Centers, Family Resource Centers, etc.;
 - 653 Offer parents training about preschool education; and
 - 689 Connect families with one another for mutual support.

The 95% confidence interval for the true population mean for parents of students served in North Carolina lies somewhere in the range of 566.9 to 576.0. A 95% confidence interval means there is a 95% likelihood that the true mean falls within this range. For example, 90% of K-12 and 94% of preschool parents agreed that teachers are available to speak with parents. Eighty-four percent (84%) of K-12 parents and 92% of preschool parents agreed that teachers and administrators encourage parents to participate in the decision-making process. Seventy-five percent (75%) of K-12 parents and 81% of preschool parents agreed that their child’s school gives parents the help they may need to play an active role in their child’s education. Fifty percent (50%) of K-12 parents and 64% of preschool parents agreed that their child’s school offers parents training about special education issues. One must take into account the fact that some respondents used the same rating for all 25 items. When respondents fail to make any distinction among items that are known to have different levels of agreeability, they are considered to display a response set, i.e. a uniform way of responding that makes it hard to determine whether the responses are authentic or are, in effect, a way of complying with the task.

The EC Division also wanted to improve the data collection process to increase the percentage of surveys completed and returned. The number of surveys that were distributed was 24,235 (4,757 Preschool and 19,478 K-12). Sending the surveys to each LEA, who in turn sent them to the individual schools to be sent home with selected students may have been a factor in the number of surveys returned. A total of 4,286 surveys were returned (1,065 Preschool, 3,210 K-12, and eight without the grade level). Three were incomplete and not scored. The response rate to the survey increased by six (6) percentage points, from 12% to 18%. Comparison of respondents to the representative survey distribution suggest that the following groups did not match the representative sample surveyed: a) black students were under-represented while white students were overrepresented; b) school-aged students at the middle and secondary levels were under-represented while preschool students were over-represented; and c) students with autism, developmental delays and speech-language impairments were

over-represented and students with specific learning disabilities, intellectual disabilities, and serious emotional disabilities were under-represented. The EC Division continues to work with North Carolina’s Parent Training and Information Center, known as the Exceptional Children Assistance Center, to explore other ways of ensuring completion and return of surveys particularly for populations that may be under-represented as respondents (see improvement activities).





Improvement Activities:

Activity	Timeline	Status
Make available to parents and school systems the Facilitated IEP Process.	July 2006 –June 2011	Completed for 2008-09
Provide to LEAs statewide training in How to Conduct <i>Effective IEP Meetings</i> .	January 2007- June 2009	Completed for 2008-09

<p>Conduct trainings for Parents on IDEA Federal Regulations and State Policies (minimum of 3 each year).</p>	<p>July 2007-June 2011</p>	<p>Completed for 2008-09</p>
<p>Develop web-based training modules on the implementation of IDEA Federal Regulations and State Policies.</p>	<p>July 2008</p>	<p>Partially completed in 2008-09</p>
<p>Work with Exceptional Children Assistance Center (ECAC) to ensure completion and return of surveys. Explore other means of ensuring completion and return of surveys, particularly for under-represented populations.</p>	<p>March – May 2008 March – May 2009</p>	<p>Completed for 2008-09 - The EC Division provided the surveys to the LEAs before the end of the 2008-09 school year. The vast majority of surveys were sent home with students instead of being mailed. Also, a web-based survey was provided for parents to complete in lieu of the paper survey; however, parents did not use this response method.</p>
<p>The EC Division provides funds for stipends for parents participating as instructors in IHE B-K programs. This support encourages parent involvement in personnel preparation.</p>	<p>2008 - 2011</p>	<p>Completed for 2008-09</p>
<p>The EC Division and ECAC co-sponsor training institutes, for parents and educators together, across the State and throughout the school year. This joint training promotes parent involvement.</p>	<p>2008 - 2011</p>	<p>Completed for 2008-09</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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.”

FFY	Measurable and Rigorous Target
2008-09	0% of the LEAs will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Actual Target Data for 2008-09:

Year	# of Districts with Disproportionate Representation in Special Education	# of Districts with Disproportionate Representation in Special Education that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2008-09	0	0	215*	0%

*2008-09 - 115 traditional LEAs, 97 public charter schools, 3 state-operated programs

Sources: 2008-09 First Month Race and Gender Enrollment Data Report, December 1, 2008 Periodic Child Count (618 State-reported data), and Fall 2008 LEA Self-Assessment for Disproportionate Representation data and/or its update.

Definition of “Disproportionate Representation” and Methodology

To determine the number of LEAs with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and

the December 1 Periodic Child Count data in Westat’s Disproportionality Excel Spreadsheet Application;

No district had disproportionate representation in 2008-09 by over-representation which is determined by a risk ratio of $\geq 3^*$. Also upon review of the data no district had findings of under-representation, determined by a risk ratio of $<.03^*$. Since there were no districts identified with disproportionate representation, the NCDPI did not have to complete steps 2 and 3 for this indicator.

* Risk ratios are computed for LEAs with a minimum of 40 students (same as AYP subgroup) of the particular race/ethnicity identified in the disability category. Data are reviewed separately for LEAs with less than the minimum enrollment/"n" size specified to determine if disproportionate representation exists.

2. Surveys districts with disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation or an updated self-assessment if previously completed, which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors such as risk ratio trend data and student record reviews to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Activity	Timeline	Status
Train key school system staff on how to conduct a Targeted Record Review.	January 2006 through August 2006 and ongoing	Completed - EC Division consultants trained school district staff, on how to conduct targeted record reviews in 1 LEA where an SEA on-site records review was conducted. Additional LEAs were trained upon request.
LEAs will develop a technical assistance and professional development plan within their Continuous Improvement Performance Plan (CIPP). The plan will include training tailored for all stakeholders.	September 2006 and ongoing	Completed – LEAs submitted technical assistance/ professional development plans as part of the district’s CIPP submitted in the Spring of 2009.
Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies.	December 2006 and ongoing	Continuing - Using data and information from NC’s reading/writing, math and positive behavior support demonstration centers and sites, the EC Division Regional teams of consultants monitored identified strategies and provided technical assistance and training to LEAs regarding scientifically-based research

		strategies.
Publicize State and school system disproportionate representation data on the Exceptional Children Division “Data and Reports” website.	Annually	Partially completed – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Some additional data for districts with disproportionate representation has also been posted on the website. The EC Division is working on re-establishing the publicizing of the risk ratio comparative data for all districts, including those that do not have disproportionate representation.
Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in special education that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.	February and March 2007, and annually thereafter	Completed for 2008-09 - EC Division staff reviewed and analyzed each LEA’s CIPP and 2008-09 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2009 and 1 public charter school meeting conducted in March 2009.
Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in special education that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator.	Fall 2007 and annually thereafter	Completed for 2008-09 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and provide technical assistance regarding improvement strategies.

<p>The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification.</p>	<p>2007 – 2010</p>	<p>Continuing - This has been a continuing effort in NC. For the last year, NCDPI, including the EC Division, has been undergoing some changes to realign staff to 8 regions (from 6) and the use of Regional Roundtables to provide LEAs with focused technical assistance and training. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables.</p>
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Explanation of Progress or Slippage:

North Carolina met the target of 0%, since no districts were identified as having disproportionate representation of racial and ethnic groups in special education and related services that was a result of inappropriate identification. North Carolina maintained its progress on this indicator by continuing the rate of 0% in 2008-09.

Correction of FFY 2007 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **0%**

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

One improvement activity has been revised for clarity as follows:

Improvement Activity	Timeline	Resources
<p>Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies <u>in reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.</u></p>	<p>2010 – 2011</p>	<ul style="list-style-type: none"> • <u>Funding to support reading, writing & math sites and to conduct staff development.</u>

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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.”

FFY	Measurable and Rigorous Target
2008-09	0% of the LEAs will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Actual Target Data for 2008-09:

Year	# of Districts with Disproportionate Representation	# of Districts with Disproportionate Representation in Specific Disability Categories that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2008-09	33	0	215*	0%

*2008-09 - 115 traditional LEAs, 97 public charter schools, 3 state-operated programs

Sources: 2008-09 First Month Race and Gender Enrollment Data Report, December 1, 2008 Periodic Child Count (618 State-reported data), and Fall 2009 LEA Self-Assessment and/or update for Disproportionate Representation data and/or record reviews.

Definition of “Disproportionate Representation” and Methodology

To determine the number of districts with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat’s Disproportionality Excel Spreadsheet Application;

Thirty-three (33) LEAs had disproportionate representation in 2008-09 by over-representation which is determined by a risk ratio of $\geq 3^*$ of a racial/ethnic group in a specific disability category. No LEAs had disproportionate representation by under-representation, which is determined by a risk ratio of $<.03^*$. For the districts identified with disproportionate representation, the NCDPI completed steps 2 and 3.

* Risk ratios are computed for LEAs with a minimum of 40 students (AYP subgroup size) of the particular race/ethnicity identified in the disability category. Data are reviewed separately for LEAs with less than the minimum enrollment specified to determine if disproportionate representation exists.

2. Surveys districts with disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation or an update of the self-assessment through the Continuous Improvement Planning Process (CIPP), which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors such as: risk ratio trend data and student record reviews, to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Using these steps to examine the data, 0 districts in 2008-09, or 0% had disproportionate representation, in racial and ethnic groups in specific disability categories, that was a result of inappropriate identification.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Activity	Timeline	Status
Train key school system staff on how to conduct a Targeted Record Review.	January 2006 through August 2006 and ongoing	Completed - EC Division consultants trained school district staff, on how to conduct targeted record reviews in 1 LEA where SEA on-site record reviews were conducted. Additional LEAs were trained upon request.
LEAs will develop a technical assistance and professional development plan within their Continuous Improvement Performance Plan (CIPP). The plan will include training tailored for all stakeholders.	September 2006 and ongoing	Completed – LEAs submitted technical assistance/ professional development plans as part of a district’s CIPP submitted in the Spring of 2009.
Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies.	December 2006 and ongoing	Continuing - Using data and information from NC’s reading/writing, math and positive behavior support demonstration centers and sites,

		<p>the EC Division Regional teams of consultants monitored identified strategies and provided technical assistance and training to LEAs regarding scientifically-based research strategies.</p>
<p>Publicize State and school system disproportionate representation data on the Exceptional Children Division “Data and Reports” website.</p>	<p>Annually</p>	<p>Partially completed – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Some additional data for districts with disproportionate representation has also been posted on the website. The EC Division is working on re-establishing the publicizing of the risk ratio comparative data for all districts, including those that do not have disproportionate representation.</p>
<p>Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.</p>	<p>February and March 2007, and annually thereafter</p>	<p>Completed for 2008-09 - EC Division staff reviewed and analyzed each LEA’s CIPP and 2008-09 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2009 and 1 public charter school meeting conducted in March 2009.</p>
<p>Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this</p>	<p>Fall 2007 and annually thereafter</p>	<p>Completed for 2008-09 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and provide</p>

<p>indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator.</p>		<p>technical assistance regarding improvement strategies.</p>
<p>The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification.</p>	<p>2007 – 2010</p>	<p>Continuing - This has been a continuing effort in NC. For the last 1 ½ years, NCDPI, including the EC Division, has been undergoing some changes to realign staff to 8 regions (from 6) and the use of NCDPI Regional Roundtables to provide LEAs with focused technical assistance and training. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables.</p>

Explanation of progress or slippage:

North Carolina met the 2008-09 target of 0% of the LEAs having disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The State maintained the 0% target from 2007-08.

In step one (1) of the determination process for this indicator, the NCDPI identified thirty-three (33) of 215 LEAs with disproportionate representation of racial and ethnic groups in specific disability categories. The 33 LEAs were comprised of traditional school districts.

Steps two (2) and three (3) of the process were conducted to determine if the disproportionate representation of racial and ethnic groups in specific disability categories in the 33 LEAs was a result of inappropriate identification. In step 2, the 33 LEAs completed and submitted a newly developed LEA Self- Assessment for Disproportionate Representation or updated a previously submitted self-assessment through the Continuous Improvement Planning Process (CIPP). In step 3, NCDPI staff examined the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors including: risk ratio trend data for ages 6- 21, grades K-6 risk ratio data, and internal student record reviews for each of the 33 LEAs. NCDPI staff also examined some student records in CECAS and conducted an on-site targeted record review in one (1) LEA. In each of the 33 LEAs, the NCDPI determined that the disproportionate representation of racial and ethnic groups in specific disability categories was not a result of inappropriate identification.

During the conduct of the examinations/reviews, the NCDPI noted that LEAs were implementing various practices to continue to reduce disproportionate representation of racial and ethnic groups in specific disability categories, including identifying and addressing other factors unique to LEAs that may be contributing to disproportionate representation.

Correction of FFY 2007 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **0%**

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

Statement from the Response Table	State's Response
<p>"If the State chooses to continue to include age and grade levels as part of its process for determining whether an LEA has disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, the State must clarify in its FFY 2008 APR due February 1, 2010, how these factors impact its determination.</p>	<p>NC did not use age and grade levels as part of its process for determining whether an LEA has disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Language regarding age and grade levels was not included in its FFY 2008 APR.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

One improvement activity has been revised for clarity as follows:

Improvement Activity	Timeline	Resources
<p>Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies in <u>reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.</u></p>	<p>2010 – 2011</p>	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to review and analyze CIPPs

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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.

Note: North Carolina has an established timeline (90 days) from receipt of the referral to the placement determination, as indicated in the measurement. The 90-day timeline/receipt of the referral begins before parental consent to evaluate.

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

Measurement:

- a. # of children for whom referral for evaluation was received.
- b. # of children whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (State established timeline).*

Account for children included in “a” but not included in “b”. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.

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

FFY	Measurable and Rigorous Target
2008-09	The level of performance is 100%.

Actual Target Data for 2008-09:

# of Referrals received July 1, 2008 – June 30, 2009	# of children whose referral, evaluations, eligibility and placement determinations were made within 90 days	Rate [(b) divided by (a)] times 100	# of students for whom placement determinations exceeded the 90- day timeline
33034*	29947	90.7%	3087

*Removed from this number - children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral (544); children who transferred into the LEA after the 90 day timeline expired (25); and children whose parent(s) repeatedly failed or refused to produce them for the evaluation (201).

Range of days beyond 90 days –

1 to 5 days – 617
6 – 15 days – 655

- 16 – 25 days – 414
- 26 – 35 days – 326
- 36 – 45 days – 242
- 46 days or more – 833

Reasons for delays/referrals that went beyond the 90 day timeline –

- Referral paperwork not processed in a timely manner – 1329
- Excessive student absences – 69
- Weather delays – 78
- Delay in getting parent consent for evaluation – 340
- Other – 1271

The 2008-09 data were collected through a survey completed by all local education agencies using a web-based EXCEL spreadsheet. Allowable exceptions, that were removed from the number of referrals received, were included in the survey as follows: children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral; children who transferred into the LEA after the 90 day timeline expired; and children whose parent(s) repeatedly failed or refused to produce them for the evaluation.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Activity	Timeline	Status
CECAS will be updated to collect and analyze the required data in future years.	2007-08 and ongoing	Completed for 2008-09 - The EC Delivery Team once again collected the data through a web-based EXCEL spreadsheet process. The unique student i.d. for each student and required race/ethnicity changes to the State's data system are being completed in 2009-10, after which CECAS will be updated to collect this data directly.
LEAs will receive training on how to collect data through CECAS.	2007-08 and ongoing	To be completed in 2009-10 - LEA training has been postponed until after the CECAS update occurs.

<p>The State Education Agency will identify effective strategies from those LEAs that have reached 100% to share with those LEAs that have not reached 100% compliance.</p>	<p>2006-07 and ongoing</p>	<p>Completed for 2008-09 - Districts' efficient, effective processes/ systems were shared during 6 regional follow-up meetings for LEAs and SOPs conducted in February 2009 and one follow-up meeting for public charter schools conducted in March 2009.</p>
<p>Following the review and analyses of CIPPs, DPI staff will conduct regional meetings with LEAs to: discuss findings; further analyze reasons for non-compliance; and provide technical assistance regarding improvement strategies to correct non-compliances within one year.</p>	<p>Spring 2007 and annually thereafter</p>	<p>Completed for 2008-09 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for non-compliance; and provide technical assistance regarding improvement strategies to correct non-compliances within one year.</p>
<p>The State Education Agency will further analyze the data by regions and determine whether or not regional interventions/improvement strategies are needed.</p>	<p>Spring 2007 and annually thereafter</p>	<p>Completed for 2008-09 - Data were analyzed by region and findings are discussed in the explanation of progress below (no regional pattern occurred in 2008-09, as in previous years).</p>
<p>Following the first year of implementation of improvement strategies, the State Education Agency will further analyze LEA data to determine if targeted interventions are needed for any LEAs (e.g., if any LEAs are continuing to experience high rates of non-compliance).</p>	<p>Spring 2008 and annually thereafter</p>	<p>Completed for 2008-09 - NCDPI provided follow-up technical assistance for traditional LEAs and public charter schools that had low levels of compliance with minimal progress to verify root causes and identify strategies to correct non-compliant findings.</p>

<p>The State Education Agency will provide further follow-up with those LEAs (public charter schools) that reported having no referrals for evaluation to ensure child find policies are being implemented.</p>	<p>Spring 2008 and annually thereafter</p>	<p>Completed for 2008-09 - NCDPI staff contacted 17 public charter schools that reported having no referrals and to ensure child find policies are being implemented.</p>
<p>The State Education Agency (SEA) will develop a self-assessment tool to identify effective practices for school-aged and preschool-aged children. The SEA will analyze data and information collected through the use of the self-assessment and compare compliance rates to practices implemented. Effective practices and strategies will be shared with those LEAs that have not reached 100% compliance.</p>	<p>2009-2010; 2010-2011</p>	<p>N/A in 2008-09 - Status will be reported in February 1, 2011 submission.</p>
<p>The Preschool Assessment Center Initiative is a best practice model for efficient and appropriate assessments for very young preschool children. Five LEAs were selected and funded to become best practice centers for demonstration purposes. The model assists with addressing needs identified in the state for achieving the 90-day timeline requirements in Indicator 11.</p>	<p>2009-2010; 2010-2011</p>	<p>N/A in 2008-09 - Status will be reported in February 1, 2011 submission.</p>

Explanation of Progress or Slippage:

North Carolina failed to meet the 100% target by 9.3 percentage points. North Carolina made progress on this indicator and its rate of 90.7% represents a 5.2 percentage point increase from 2007-08.

Of 115 traditional LEAs, twenty-seven (27) had rates of 100%, thirty-two (32) had rates equal to or greater than 95%, an additional fifty-one (51) LEAs had rates greater than 75% but less than 95%, and five (5) traditional LEAs had rates equal to or less than 75%. In one (1) of these LEAs a single referral not processed within the 90 day timeline resulted in a rate below 75% (a decrease from 100% the previous year). Three (3) of the five (5) districts' rates decreased to below 75% for the first time. The remaining two (2) districts increased their rates from the previous year to 67.4% and 70.4%. Root causes for the non-compliant findings were analyzed by the LEAs and discussed with NCDPI staff. Root causes contributing to the delays in completing the 90-day process in a timely manner varied among the districts. Most often, the root causes were related to personnel issues (e.g., lack of/a limited number of personnel; staff turnover; and/or use of contracted personnel to conduct evaluations in smaller, more rural districts; and individual personnel failing to complete job requirements in medium-sized to larger districts). A regional pattern of referrals not processed within the 90 day timeline did not occur in 2008-09 as it did in 2007-08.

Of the eighty-five (85) public charter schools required to submit data for this indicator, sixty-eight (68) received referrals for evaluations from July 1, 2008 – June 30, 2009. Fifty-six (56) of the charter schools had rates of 100%. Seven (7) public charter schools, had rates less than 95% but greater than 75%. Of these 7 charter schools three (3) of them had a single referral not processed within the 90 day timeline that resulted in a rate below 95%. Five (5) public charter schools had rates of 75% or below, one (1) of which had a single referral not processed within the 90 day timeline that resulted in a rate below 75%. Two of the other four public charter schools' rates decreased below 75% for the first time. Many of the public charter schools use contracted personnel to complete evaluations and this was given as the primary reason for the delays. Other reasons given included: weather delays and delays in getting parental consent. Root causes contributing to these delays were related to new personnel experiencing problems with processing paperwork in a timely manner and the use of contract personnel.

NCDPI staff followed-up with the seventeen (17) charter schools, mostly middle and high schools, and the three (3) State-Operated Programs (SOPs) that received no initial referrals for evaluation and verified the accuracy of this data.

In 2008-09 there was a decrease from the previous year of 1139 referrals received for evaluation. At least 19.7% of the referrals for evaluation resulted in students determined to be ineligible for special education and related services. This represents a 9.3 percentage point decrease from the previous year. Decreases in the total number of referrals in North Carolina and some LEAs are attributed to the use of effective interventions in regular education to North Carolina's continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.

2008-09 Compliance Findings:

For 2008-09, twenty-seven (27) traditional LEAs and fifty-six (56) public charter schools exhibited 100% compliance with this indicator. Eighty-eight (88) traditional LEAs and twelve (12) public charter schools were not compliant with this indicator (100 findings) in 2008-09.

The 100 LEAs with findings of non-compliance are required to submit data/evidence, as soon as possible and no later than one year from notification of the non-compliant findings, that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific findings (3087) for whom the 90-day timeline was not met. Additionally, sixty-eight (68) of these 100 LEAs that had rates of compliance below 95% must submit data/evidence of any changes made to improvement activities or other processes as part of their Continuous Improvement Performance Plans (CIPP) in the Spring of 2010. Eight (8) of the 68 LEAs that had compliance rates below 75% as a result of more than one referral must also submit quarterly data to NCDPI and other evidence, such as changes to policies, procedures or practices (e.g. implementing an electronic system for monitoring the process, procedures for contract personnel, employment of personnel, etc.) to show correction of non-compliance as soon as possible and no later than one year from the notification of the non-compliant findings.

Correction of FFY 2007 Findings of Noncompliance (if State reported less than 100% compliance)

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **85.5%**

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	64
2. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	58

3. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	6
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Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	6
5. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	6
6. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions taken if Noncompliance Not Corrected

N/A

Verification of Correction (either timely or subsequent)

Fifty-seven (57) of sixty-one (61) traditional LEAs (61 findings) and one (1) of three (3) public charter schools (3 findings) corrected 60 of 64 non-compliant findings within one year. Corrections were documented through: 1) data/evidence submitted to the NCDPI that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific findings (4701) for whom the 90-day timeline was not met; and 2) evidence submitted with CIPPs in the Spring of 2009 and the 2008-09 annual data submissions that each LEA is correctly implementing the specific regulatory requirements. The NCDPI’s EC Division also made on-site in 20 LEAs to conduct file verifications.

The remaining six (6) LEAs subsequently corrected the six (6) non-compliant findings as evidenced by: 1) data/evidence submitted to the NCDPI that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific findings (268) for whom the 90-day timeline was not met; and 2) data submitted to NCDPI through quarterly data/progress reports in the first two quarters of the 2009-10 school year and information documenting revisions to systems for monitoring the referral process and timelines, including addressing root causes such as employed and contract personnel issues to ensure LEAs are correctly implementing the specific regulatory requirements. File verifications were conducted through CECAS or a review of files submitted with the quarterly data.

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

Statement from the Response Table	State’s Response
“If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance.”	NCDPI staff have reviewed the improvement activities and determined that revisions were not necessary to ensure compliance because the existing activities, along with required corrective actions, are helping to achieve progress made to ensure compliance, including State progress made in 2008-09 and progress made on quarterly data

	submitted in the Fall of 2009 by LEAs that were not compliant.
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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 (LEA notified pursuant to 637(a)(9)(A)) for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.
- e. # of children whose parents repeatedly failed or refused to produce them for the evaluation.
- f. # of children transferred into or out of the LEA during transition from Part C.
- g. # of children who were referred to Part C less than 90 days before their third birthdays.

Exception 300.301(d) was broken into two sections (d and e) for clarification purposes.

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

FFY	Measurable and Rigorous Target
2008-09	100% of children referred by Part C prior to age 3 and who are found eligible for part B will have an IEP developed and implemented by their third birthdays.

Actual Target Data for 2008-09:

SECTION A: Timely Transition	
a: Number of children who have been served in Part C and referred to Part B for eligibility determination (referral received by LEA).	4146
b: Number of those referred determined to be not eligible by their third birthday.	755
c: Number of those found eligible who have an IEP developed and implemented by their third birthday.	2704
d: Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	114
e: Number of children whose parents repeatedly failed or refused to produce them for the evaluation.	114
f: Number of children transferred into or out of the LEA during transition from Part C.	124
g: Number of children who were referred to Part C less than 90 days before their third birthday.	125
h: Number of children with placement delayed beyond their third birthday	210
Rate (c divided by (a-b-d-e-f-g) times 100):	92.8%

Exception 300.301(d) was broken into two sections (d and e) for clarification purposes.

SECTION B: Enter the number of students delayed beyond 3rd birthday the following number of days. These students are included in "a" but not in "b", "d", "e", or "f".	
1 to 5	25
6 to 15	44
16 to 25	28
26 to 35	23
36 to 45	24
46 days or more	66
TOTAL	210

SECTION C: Number of students delayed due to the following reasons ** Section B total must match Section C total	
a. Family Circumstance: (e.g., illness/death in family, change in custody, etc.)	49
b. Child Circumstance: (e.g., Child was sick)	17
c. Part B Circumstance: (e.g., Delays relating to completion of evaluations, holding timely IEP meeting, arranging transportation, school enrollment paperwork, etc.)	112
d. Part C Circumstance: (e.g., Delays relating to Part C failing to notify or issue transition planning meeting invitation to Part B in a timely manner when child was in Part C system prior to 2 years, 9 months of age)	32

Data Utilized for Analysis and Verification and Assurance of Data Accuracy in 2008-09:

The data used to report on this indicator includes statewide data that are inclusive of every school district in the state that provides special education and related services to the preschool-age population. Data were not obtained by sampling. The Department created Excel spreadsheets with the above data collection fields which automatically calculated the percentage of timely transitions. Each LEA was then required to have its Exceptional Children Director sign an assurance as to the accuracy of the data. Spreadsheets were then electronically sent to the Department. Each LEA was responsible for creating its own database to track the referral and placement dates for each student.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Explanation of Progress or Slippage

North Carolina did not meet the target of 100%. The Department’s transition data of **92.8%** indicated significant progress, or a 10.4 percentage point increase, made from 2007-2008. The total number of children transitioning from the Part C system (4146) was a +9% change from 2007-2008. The number of children made eligible for services (2704) was a +15% change from 2007-2008. While improving overall performance of conducting timely transitions (e.g., addressing weakness in the transition process and building capacity for conducting entry level assessments and placements), LEAs also processed and served significantly more transitioning children overall.

Eighty-four (84) of 113 LEAs (74.3%), that had children who had been served in Part C and referred to Part B for eligibility determination in 2008-09, demonstrated 100% compliance. Eight (8) LEAs (7.1%) had a compliance rate ≥ 95%. Another thirteen (13) LEAs (11.5%) demonstrated non-compliance between >75% to <95%, while eight (8) LEAs (7.1%) were noncompliant with a rate of ≤ 75%. Two (2) very small LEAs had no children who had been served in Part C and referred to Part B for eligibility determination in 2008-09. Overall, eleven (11) LEAs (9.7%) demonstrated slippage from the previous year, including five (5) LEAs that had one (1) or two (2) children with placements delayed beyond their third birthdays.

Five of the largest LEAs in North Carolina accounted for 29% of the total number of transitioning children. One of these LEAs (n= 224) improved to attain a compliance with a rate of 97.8%. A second LEA (n= 345) improved by 40 percentage points with a rate of 88.5%. A third LEA (n=322) improved by 21 percentage points to a rate of 65.5%. This LEA has shown steady progress on required quarterly reports submitted to the NCDPI for correction of non-compliance. Compliance rates on this LEA’s quarterly

reports ranged from 50% in the first quarter to 90.2% compliance in the last quarter of the school year. Two of the LEAs (n=188; n=119) compliance rates regressed to 76.4 % and 80.7%.

Reasons for Delay in Timely Transition and Number of Days beyond the Third Birthday

In 2007-2008, 3,711 children were referred from the Part C program with 414 children not receiving a timely transition. In 2008-2009, there were 4,146 children referred from Part C with 210 children who did not receive a timely transition. This represented an 11.7% increase/change in the total number of transitioning children and a 49.3% reduction/change in the number of children not receiving a timely transition.

Part B Circumstances. The largest number of reported delays (n=122) fell in the “Part B Circumstance” category. This is identified as being related to the capacity of LEAs to conduct entry level assessments and to develop an efficient process.

Family Circumstances. The second largest number of reported delays (n=49) fell in the “Family Circumstance” category. In part, this reason for delay may be related to LEAs not employing efficient and effective practices for conducting entry level assessments and IEP meetings. For example, when a family cancels a previously scheduled entry level assessment (which would have met the timely transition goal) the LEA assessment team calendars may be too tightly booked to reschedule a timely evaluation slot. When this is so, an LEA needs to explore ways to resolve this challenge.

Part C Circumstances. The third highest reported reason for delay (n=32) relates to Part C failing to notify or issue transition planning meeting invitations to Part B in a timely manner when a child was in the Part C system prior to 2 years, 9 months of age. This would suggest the need to emphasize collaborative planning and tracking between both programs.

Child Circumstance. This was the lowest reason of the reported delays (17) but would also suggest that when a cancellation for an entry level assessment occurs due to child sickness that the rescheduling process may be hampered by tightly booked assessment team schedules.

Relative to the time span beyond the third birthday in which transitions were held, the time increment in which the largest number of delays occurred (n=66) was 46 days or more. This, too, was the largest time increment in delays for 2006-2007 (n=364) and 2007-2008 (n=202); however the difference between the last two reporting periods indicated a 206% change/reduction.

Statewide Progress on Improvement Activities for 2008-2009:

Monitoring- LEA Transition Planning Document. All 34 LEAs performing below 95% compliance in 2007-08 completed the LEA Transition Planning Document. The Department revised a previous tool which outlines the policies and procedures titled the “LEA Transition Planning Document”. The document was based on information gathered from the Early Childhood Transition Center and the National Early Childhood Technical Assistance Center. Assistance from the University of North Carolina at Greensboro allowed the Department to conduct a validity and reliability study of the document for the purpose of revising and refining the document to maximize further guidance to LEAs. A scoring rubric was also developed for purposes of monitoring the quality of LEA practices. Information reviewed in this document assisted the Department in providing technical assistance at the local level, and assisted in a complaint investigation.

Monitoring – Development of a Focused Monitoring Tool. A North Carolina Indicator 12 focused monitoring tool developed for the purpose of conducting on-site file reviews for LEAs who did not correct their non-compliance within a one year period. This tool was developed between 2007 and 2008 through stakeholder input at regional preschool coordinators meetings and with the input from similar tools developed by the Western Regional Resource Center and the National Early Childhood Technical Assistance Center and the Data Accountability Center.

Technical Assistance – Indicator 12 Notification Tracking Spreadsheet. A self-calculating spreadsheet was developed which assists LEAs in tracking children for whom they receive child find notification directory lists from Part C. The spreadsheet calculates the date in which the child will turn 2 years, 9 months of age (last day in which a timely Transition Planning Conference (TPC) can be held). It also assists LEAs in identifying which children they have not received an invitation to the TPC. Additional information allows LEAs to track the 90 day timeline for Indicator 11, and timely placements for Indicator 12. Drill down information is also included in which LEAs can identify trends relative to individual service coordinators, and individual diagnosticians.

Data Collection System – The data collection was not incorporated into the Comprehensive Exceptional Children Accountability System (CECAS) due to the ongoing changes in the data collection procedures as guided by OSEP. An excel spreadsheet was developed for each LEA to submit their Indicator 12 data with the updates to reflect current changes in the Indicator 12 measurement table.

Staff Development –Transition Training Workshops . Two (2) workshops were conducted during FFY 2008, twelve (12) were conducted in FFY 2007, and four (4) were conducted in FFY 2006. Workshops were held within the communities of practice that include one CDSA and the LEAs that it serves. These are not within the state board of education regions. All 115 LEAs have been impacted by this training. The training program was done in collaboration with a state training program, Partnership for Inclusion and NCDPI and the Lead Agency for Part C staff. Representatives from Part C and B, as well as the Children’s Developmental Services Agency, Health Alliance, Early Intervention for Visually Impaired and Hearing Impaired Infants and Toddlers and Preschool Coordinators met to discuss the requirements for transition under the IDEA, review differences between each system, outline roles and responsibilities and begin the development of local transition plans.

Professional Development- Regional Preschool Coordinators Meetings (Fall 2008 and Spring, 2009). Eight (8) regional meetings were held in a virtual venue to overcome the state travel restrictions in the spring and fall. The content of each three hour meeting was developed by NCDPI staff on transition practices and procedures. PowerPoint presentations, handouts, and references to online resources were provided to address issues in transition such as: a) Child Find in North Carolina- reviewing the system by referral source, policies, and procedures, b) Reviewing the “NC Guiding Practices in Early Childhood Transitions” document, c) Understanding the difference between child find notification practices from Part C and individual child notification practices, d) Identifying current “notification” practices in each of the eight regions, and e) Understanding the definition of a “late referral”. Successful practices were also shared between participants.

Professional Development- State Preschool Coordinator’s Orientation Meeting (Spring, 2009). One statewide meeting was held for two days with the focus on new Coordinator Orientations, training on the State Performance Plan and Annual Performance Report process, and transition policies, practices and procedures. Staff from NCDPI and NECTAC conducted the sessions.

Professional Development- North Carolina Interagency Coordinating Council Web Conferences (n=6): “Reporting Child Find and Transition Activities of the LICCs’ ”. NCICC-LICC Support Subcommittee facilitated discussions about relevant child find and transition activities within the LICCs to support the Part C and B 619 Programs. A total of 191 participants representing 47 LICCs participated.

Collaboration and Coordination- North Carolina Coordinating Council Child Find Activities

A statewide Local Interagency Coordinating Council reporting tool was developed last fiscal year which allows NC LICCs to report Child Find and Transition Activities. FFY 2008 reflects the first full reporting year for the LICC Child Find and Transition Activities. The LICC Transition reporting tool is designed to capture the frequency of six listed transition activities that five programs where children with or at risk for development disabilities may transition to or from in North Carolina.

- Percentage of LICCs facilitating discussions about transition into the 619 Preschool Program (53%).

- Percentage of LICCs assisting in the development or dissemination of a list of community resources and contacts for children who may not qualify for services in the 619 Preschool Program (51%).
- Percentage of LICCs assisting in the development or dissemination of a community list of resources and contacts for children enrolled in the 619 Preschool Program (51%).
- Percentage of LICCs providing local orientation programs to new professionals with information on intervention programs, contacts, referral procedures, and transition practices (32%).
- Percentage of LICCs providing information on local community forum(s) that address community transition issues and procedures between programs (44%).
- Percentage of LICCs reviewing written program information for families on the transition process and provide input to their 619 Preschool Program (37%).

Coordination and Coordination – Financial Support of Transition and Child Find Activities. Funds from 619 B were utilized to issue grants to LICCs to support activities at the local level focused on Transition and Child Find. All of the 97 LICCs in the state were funded.

Policies, Practices, and Procedures- North Carolina Guiding Practices in Transition and Frequently Asked Questions about Transition Documents. Part B and C lead consultants and monitors worked jointly to develop a guiding practices document which was released in February, 2009. Part B representatives also developed a Questions and Answers document to further clarify policies, practices and best practice procedures around the topic of transition.

Program Development – Preschool Assessment Center Initiative. A professional development model was developed to assist with building the states capacity to conduct developmentally and culturally appropriate assessment on very young children. Eight LEAs were selected and funded (5 LEA in FFY 2007 and 3 new LEAs in FFY 2008) to become best practice centers for demonstration purposes. Training of these assessment teams and their administrators began in the summer, 2008 and continues. The overall model will includes:

- State wide video conference training programs for play-based assessments,
- Follow-up on-site demonstrations and
- Technical assistance and coaching.

The model also intentionally addresses practices which are family friendly, efficient and addresses the lack of available personnel to conduct assessments in some areas of the state. The major components of the model include:

- Trans-disciplinary Play-based Assessments (Linder, 2008),
- Touchpoints (T. Berry Brazelton)-model for developing family relationships and communication practices,
- Business model which includes-
 - conducting community wide screen clinics,
 - scheduling and report writing practices

Correction of FFY 2007 Findings of Noncompliance (if State reported less than 100% compliance)

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **82.5%**

7. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	33
8. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	30
9. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	3

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

10. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	3
11. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	3
12. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions taken if Noncompliance Not Corrected

N/A

Verification of Correction (either timely or subsequent)

Thirty-three LEAs had non-compliant findings during 2007-08. The NCDPI ensured that seven (7) LEAs, with compliance rates of ≥ 95% and < 100%, were correctly implementing the specific regulatory requirements through the EC Division’s review of the LEAs’ policies and procedures, submitted through the annual funding application process.

In addition to the EC Division’s review of LEA policies and procedures, the Department also required LEAs (26) with less than 95% compliance to submit, during the 2008-09 year, the following documentation that the LEA is correctly implementing the specific regulatory requirements: 1) a completed Transition Planning Document which outlines their process and procedures by January 9, 2009; 2) revisions to improvement activities on the CIPP by April, 2009; and 3) Indicator 12 data for the July 1, 2008 - December 1, 2008 by December 15, 2008. LEAs (7) with less than 50% compliance were also required to submit to an onsite technical assistance visit with the regional monitor, preschool disabilities consultant, or 619 preschool coordinator.

Thirty (30) of thirty-three (33) LEAs with non-compliant findings during 2007-08 corrected the child-specific findings within one year of notification. Corrections of child-specific findings were documented through data/evidence submitted to NCDPI that for child- specific findings, each such child in the LEA’s jurisdiction had an IEP developed and implemented, although late.

Three (3) of thirty-three (33) LEAs with non-compliant findings during 2007-08 subsequently corrected the findings. Corrections of child-specific findings were documented through data/evidence submitted to NCDPI that for child- specific findings, each such child in the LEA’s jurisdiction had an IEP developed and implemented, although late. Additionally, the 3 LEAs submitted the following documentation, as evidence that the LEA is correctly implementing the specific regulatory requirements, including: 1) data for the 1st two quarters of the 2009-10; 2) a completed/ revised Transition Planning Document which outlines their process and procedures; 3) a quarterly Indicator 12 tracking spreadsheet; 4) revisions to Indicator 12 improvement activities on the CIPP; 5) an on-site technical assistance visit by the regional consultant, monitor and 619 Preschool Coordinator; and 6) on-site file review(s) using the Indicator 12 Focused Monitoring Tool to verify corrections.

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

Statement from the Response Table	State’s Response
<p>“If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance.”</p>	<p>NCDPI staff have reviewed the improvement activities and determined that revisions were not necessary to ensure compliance because the existing activities, along with required corrective actions, are helping to achieve progress made to ensure compliance, including State progress made in 2008-09 and progress made on quarterly data submitted in the Fall of 2009 by LEAs that were not compliant.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement: 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
2008-09	The level of performance is 100 percent.

Actual Target Data for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Correction of FFY 2007 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **85.8%**

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	48
2. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	48
3. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

1. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	0
2. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
3. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected: N/A

All identified findings for FFY 2007-08 were corrected.

Verification of Correction (either timely or subsequent):

Thirty-eight (38) traditional LEAs (38 findings) and ten (10) public charter schools (10 findings) corrected all findings of noncompliance identified in 2007-08. Each LEA and charter school with identified noncompliance submitted documentation through an online survey through CECAS as evidence that 1) the LEA is correctly implementing the specific regulatory requirements; and 2) has developed an IEP that includes the required transition content for youths within the LEA’s jurisdiction. In addition 20 on-site verification visits were conducted by NCDPI EC Division to verify that the corrections had been made to the records that were identified as noncompliant in FFY 2007-08.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable): N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

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
2008-09	N/A – First APR reporting in FFY 2010 APR due 2/1/12

Actual Target Data for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	100% Identification and correction of noncompliance as soon as possible but not later than one year from identification.

Actual Target Data for 2008-09:

FFY	# of Findings Corrected	# of Findings to be Corrected	Rate
2008-09	423	475	89.05%

Process for selecting LEAs for Monitoring:

All LEAs, charter schools, and State Operated Programs (SOPs) are required to submit a Continuous Improvement Performance Plan (CIPP) on a yearly basis. If a new charter school is established, it will complete the self-assessment process and subsequently submit a CIPP annually.

North Carolina Department of Public Instruction Exceptional Children Division (NCDPIECD) implements various monitoring activities. LEAs are selected for on-site monitoring by utilizing multiple data points. The following is a listing of the different monitoring activities and the process used to select the LEAs for monitoring:

- 1) **Focused monitoring** is conducted in four (4) LEAs each year. The LEAs are selected based on the following considerations:
 - A. Size of district,
 - B. Graduation rates for students with disabilities,
 - C. Dropout rates for students with disabilities, and
 - D. Compliance rates for postsecondary components of the IEP.

- 2) **Targeted on-site visits** are based on data for Indicators 4A, 9 and 10. If a district has a suspension rate that is twice the state average or greater, a review of the district's discipline policies, procedures, and practices is conducted, as well as, an on-site visit. Any district with disproportionate representation of racial and ethnic groups in special education and/or in a specific disability category that continued to increase rather than decrease, and its K-6 disproportionate representation was higher than the rate for ages 6-21 is monitored on-site as part of the process to determine if the disproportionate representation is due to inappropriate identification.

- 3) **Verification visits** are conducted in LEAs based on the following considerations:
 - A. Data collected on Indicators 1 -15,
 - B. Timely submission of required monitoring information,
 - C. Review of the formal state complaints, and
 - D. Date and purpose of the last NCDPIECD on-site monitoring visit.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Indicator 15 correction of noncompliance rate for 2008-09 was 89.05% and the rate for subsequently correcting the noncompliance was 100%. The rate of 89.05% demonstrated a decrease of 9.57 percentage points from 2007-08 to 2008-09.

Slippage was due to the large number of formal written complaints filed during 2007-08 and the corrective actions for those complaints not being completed within one year. There were one hundred fifteen (115) formal complaints filed during 2007-08. Eighty-five (85) complaints were investigated with sixty (60) cases resulting in findings of noncompliance. The sixty (60) cases were generated from thirty-six (36) LEAs (including charter schools). Consultants monitored the corrective actions for each case and 100% of the cases were closed. Forty-two (42) cases (70%) with ninety-one (91) noncompliant issues were closed within one year. Eighteen (18) cases (30%) with forty-three (43) issues were closed, but not within one year. The decrease in the percentage of cases closed within one year can be attributed to the following factors:

- A record number of complaints were filed. There was an increase of forty-five (45) complaints from 2006-07.
- A record number of complaints were investigated. In 2007-08, eighty-five (85) complaints were investigated compared to forty-eight (48) the previous year.
- The number of LEAs with findings of noncompliance increased. In 2007-08 there were thirty-six (36) LEAs requiring corrective actions compared to nineteen (19) the previous year.
- The number of regional consultants who monitored the correction of noncompliance decreased from six (6) to four (4).

Monitoring Activities of LEAs, SOPs, and Charter Schools

In 2007-08 LEAs, charter schools, and SOPs reviewed a prescribed number of records and submitted documentation of noncompliance. In October 2009, each LEA, charter school, and SOP reported corrections of noncompliance identified for 2007-08. Each agency was required to submit deficit sheets on individual student records documenting the correction of noncompliance. There were three (3) LEAs and two (2) charter schools that did not correct all noncompliant findings identified in the Internal Record Review within one year. Each was contacted and submission of the documentation of correction of noncompliance has been submitted to NCDPI. Subsequently, the noncompliance has been corrected to 100%.

NCDPI conducted twenty (20) on-site verification visits to review individual student records to verify the correction of noncompliance. In addition, a review of the data collection systems for compliance indicators was conducted. Three (3) on-site monitoring visits were conducted in three (3) charter schools that did not submit the CIPP in a timely manner. These on-site visits included record reviews, program observations, and interviews. Corrective actions were prescribed. In addition, four (4) on-site Focused Monitoring visits were conducted during 2008-09.

Each LEA that was not at 100% for Indicators 11 and 12 in 2007-08 was required to submit documentation that each referral that had not met timelines was completed unless the child was no longer under the jurisdiction of the LEA. Each LEA that was not at 100% for Indicator 13 in 2007-08 was required to submit documentation that an IEP has been developed, that includes required transition content, unless the youth is no longer under the jurisdiction of the LEA.

In April 2009 LEAs, charter schools, and SOPs submitted updated CIPPs.

Activity	Timeline	Status
Conducted four (4) on-site focused monitoring visits.	September 2008, December 2008, February 2009, March 2009	Completed – EC Division Consultants and staff from selected LEAs conducted 4 on-site focused monitoring visits.
Conducted twenty (20) on-site verification visits.	October 2009-December 2009	Completed – EC Division Consultants conducted 20 on-site verification visits.
Conducted three (3) on-site monitoring visits.	November 2009-December 2009	Completed – EC Division Consultants conducted 3 monitoring visits.

Correction of FFY 2007 Findings of Noncompliance Timely Corrected (corrected within one year from identification of the noncompliance):

13. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008) (Sum of Column a on the Indicator B15 Worksheet)	475
14. Number of findings the State verified as timely corrected (corrected within one	

year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	423
15. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	52

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

16. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	52
17. Number of findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	52
18. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

All documented noncompliance has been corrected.

Verification of Correction (either timely or subsequent)

NCDPI has instructed LEAs to submit documentation that the noncompliance has been corrected. This is done through submitting signed deficit sheets verifying the date and method of correction, sending copies of corrected paperwork, and requiring quarterly reports. Twenty (20) on-site verification visits were conducted by monitoring consultants to verify the correction of non-compliance. LEAs visited had corrected the noncompliance identified in 2007-08.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable)

There were ten (10) findings of noncompliance remaining for 2006-07. Five (5) findings were from one (1) complaint which has been closed. One (1) finding was for Indicator 13. The correction was verified through a submission of a copy of the IEP including the transition component. The remaining four (4) findings were in one (1) LEA and one (1) charter school. The LEA has corrected the noncompliance by holding reevaluation meetings. The child whose record was noncompliant at the charter school has withdrawn.

If the State reported <100% for this indicator in its FFY 2006 APR and did not report that the remaining FFY 2006 findings were subsequently corrected, provide the information below:

<ul style="list-style-type: none"> Number of remaining FFY 2006 findings noted in OSEP’s June 1, 2009 FFY 2007 APR response table for this indicator 	10
<ul style="list-style-type: none"> Number of remaining FFY 2006 findings the State has verified as corrected 	10
<ul style="list-style-type: none"> Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)] 	0

Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier (if applicable).

All corrections of noncompliance for 2005-06 were reported in the APR submitted February 2, 2009.

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

Statement from the Response Table	State’s Response
“If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance.”	NCDPI staff reviewed the improvement activities and an activity has been proposed to explore other means for monitoring the correction of non-compliant findings in complaints.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

To ensure compliance, an improvement activity has been proposed as follows:

Improvement Activity	Timeline	Resources
The NCDPI will explore other methods to accomplish the monitoring and verification of implementation of correction of non-compliant findings. Methods to be explored include: assigning other/additional EC Division Consultants and or contract personnel this task; updating the electronic system to monitoring the timelines for the implementation/verification of corrective actions for complaints; holding monthly meetings of Dispute Resolution Consultants to monitor the implementation/verification of complaint corrective actions; and employing an additional Dispute Resolution Consultant.	2009-10	<ul style="list-style-type: none"> • Time to train other EC Division consultants and/or contract personnel to perform the task. • Funding for an employee and/or contract personnel, if needed • Funding to update the electronic program to monitor corrective action timelines.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	100% of signed written complaints with reports issued will be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Target Data for 2008-09:

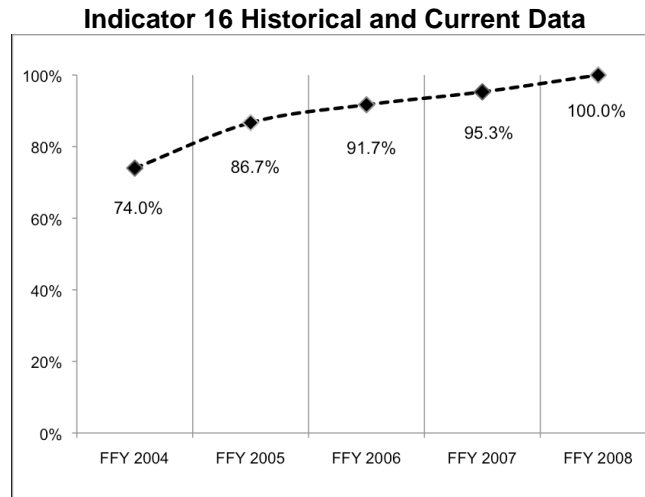
Year	Complaints with Reports Issued	Reports within Timelines/Extended Timelines	Rate	Progress/Slippage from 2007-08
2008-09 (FFY 2008)	74	74	100%	+ 4.7 percentage points

2008-09 Data from Table 7:

(1) Written, signed complaints total	97
(1.1) Complaints with reports issued	74
(a) Reports with findings of noncompliance	51
(b) Reports within timeline (within 60 days)	67
(c) Reports within extended timelines (Approved; more than 60 days)	7
(1.2) Complaints withdrawn or dismissed	23
(1.3) Complaints pending	0
(a) Complaints pending a due process hearing	0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

North Carolina met the target of **100%** of signed written complaints with reports issued being resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. The data from FFY 2008 indicate improvement from 95.3% to **100%**. This is an increase of **4.7 percentage points**.

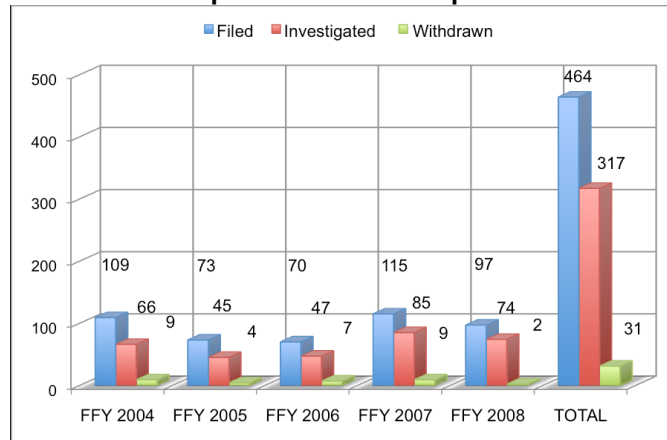


During FFY 2008, the SEA received 97 complaints and investigated 74. This is a decrease in both the number of complaints received and the number investigated from FFY 2007, when the SEA received 115 complaints and investigated 85.

An analysis of the data from the past four fiscal years indicated that LEAs and complainants were not resolving complaints at the local level. During the last four years 367 complaints were filed, 243 (66.2%) were investigated, and 29 (7.9%) were withdrawn. This trend continued into FFY 2008 when only two complaints (a historical low) were withdrawn. The results of early resolution for the past five years are: 464 complaints filed, 317 investigated (68.3%), and 31 (6.7%) withdrawn.

The state complaint procedures required the complainant to withdraw the complaint after it was resolved at the local level. The NCDPI determined that LEAs tried and succeeded in early resolution; however, complainants often refused to withdraw the complaint. The complaint procedures were revised at the end of FFY 2008 and now require either party to submit a copy of the signed resolution or mediation agreement. Upon receipt of the signed agreement, the complaint will be withdrawn.

LEA and Complainant Use of Dispute Resolution



Activity	Timeline	Status
<p>Analyze and evaluate the complaint system's implementation process to include:</p> <ol style="list-style-type: none"> 1. Reviewing the responsibilities of dispute resolution consultants; 2. Streamlining the review of correspondence for the complaint system; 	<p>January 30, 2006 and Annually</p>	<ol style="list-style-type: none"> 1. The responsibilities were reviewed for one dispute resolution consultant. Assistance was provided on one case and some assistance was provided for the consultant who coordinates the facilitation program. 2. During 2007-08 the complaint system's implementation process was streamlined by requiring only the signature of the EC Division Director on the notification letters to the LEAs and complainants; In FFY 2008, the NCDPI reverted to the former process, requiring the Chief Academic Officer to sign notification letters, as required for all letters to LEA superintendents. Also, in FFY 2008, consultants began completing drafts of the reports two weeks prior to the 60-day timeline to allow ample time for any revisions and to obtain signatures from the Director, Chief Academic Officer, and the Deputy State Superintendent.

<p>3. Managing incoming telephone calls and responses;</p> <p>4. Managing the responsibilities for the other dispute resolution systems, i.e., facilitation, mediation, resolution meetings, due process databases, and paperwork.</p>		<p>3. This activity was addressed by assigning each of the three consultants to receive all the incoming calls one day per week. The goal was to allow two days per week of uninterrupted time for each consultant to conduct investigations and complete reports.</p> <p>4. After reviewing the duties of the consultant who coordinates the facilitation program, some assistance was provided during the peak times of the year for facilitation requests.</p>
<p>Evaluate the effectiveness and efficiency of the early resolution process.</p>	<p>July 2006 and Annually</p>	<p>Analysis of data revealed that the early resolution process is successful, but the state complaint procedures required the complainant to withdraw the complaint after it was resolved at the local level. The NCDPI determined that LEAs tried and often succeeded in early resolution; however, complainants often refused to withdraw the complaint. The complaint procedures were revised at the end of FFY 2008 and now require either party to submit a copy of the signed resolution or mediation agreement. Upon receipt of the signed agreement, the complaint will be withdrawn.</p>
<p>Analyze and evaluate the complaint system's implementation process to include managing incoming telephone calls/emails, and responses by exploring other means of doing so, e.g. by employing a parent ombudsman and/or relieving each consultant from this responsibility one or more days per week.</p>	<p>July 2008 and Annually</p>	<p>This activity was addressed by assigning each of the three consultants to receive all the incoming calls one day per week. The goal was to allow two days per week of uninterrupted time for each consultant to conduct investigations and complete reports.</p>

<p>Utilize technology, e.g. web-based modules, distance learning, etc. to make training on the IDEA Federal Regulations, State Policies, and Dispute Resolution more readily available to stakeholders across the state.</p>	<p>July 2008 and Annually</p>	<p>This improvement activity has been implemented. The EC Division continues to explore other ways (e.g. a dedicated webmaster, etc.) to keep the web pages of each Section updated routinely.</p>
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	100% of the fully adjudicated due process hearing requests will be completed with written decisions issued within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Actual Target Data for 2008-09:

100% of the fully adjudicated due process hearing requests were completed within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Due process complaints total	60
Hearings (fully adjudicated)	2
Decisions within timeline (include expedited)	0
Decisions within extended timeline	2
Resolved without a hearing	46

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

The NCDPI met the target of 100% for 2008-09, as was done in 2006-07 and 2007-08. The data for this target is from Table 7 (see above). The NCDPI attributes the maintenance of the 100% target to the continued implementation of improvement activities in the following chart.

Improvement Activities:

Activity	Timeline	Status
<p>Develop an interagency agreement with the Office of Administrative Hearings regarding each agency's responsibilities to ensure that due process hearings are implemented according to the IDEA regulations.</p>	<p>June 30, 2006 and updated annually</p>	<p>The Memorandum of Understanding, which was signed on June 30, 2006, has been reviewed annually by the Office of Administrative Hearings and the Exceptional Children Division. Both parties agreed that no changes were needed in 2008-09.</p>
<p>Provide training to hearing and review officers.</p>	<p>March 2006-10</p>	<p>The EC Division invited all Administrative Law Judges and review officers to attend the Division's annual conference in November 2008. Because of a state freeze on travel for all state employees, no hearing officers were sent to national conferences related to IDEA in 2008-09.</p>
<p>Meet regularly with the OAH to review data and procedures to enhance processes.</p>	<p>February 2007-2010</p>	<p>An Exceptional Children Division's Consultant for Dispute Resolution and an Office of Administrative Hearings' (OAH) administrative law judge maintained weekly communication. The two agencies' staff members discussed the progress and/or status of each case as it relates to timelines, including scheduling of hearings and implementation of timelines, during their weekly communications. The Consultant for Dispute Resolution called or e-mailed the ALJ and his/her clerk prior to the timeline or extended timeline as a reminder.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	75% to 85% of the hearing requests that go to resolution sessions will result in settlement agreements.

Actual Target Data for 2008-09:

72.1% of hearing requests that went to resolution sessions were resolved with settlement agreements.

60 requests for due process hearings

43 resolution meetings

31 written settlement agreements

TABLE 7

Due process complaints total	60
Resolution meetings	43
Written Settlement agreements	31
Hearings (fully adjudicated)	2
Resolved without a hearing	46

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

The NCDPI did not meet its target range of 75% -85%. The actual target rate of 72.1% is 16.5 percentage points more than the 2007-08 target of 55.6%.

Forty-three (43) resolution meetings were conducted. Seven (7) requests for a hearing were withdrawn before resolution meetings were conducted. Three (3) of the parties, that participated in resolution meetings that did not result in settlement agreements, requested mediation. One (1)

mediation agreement was signed at those mediation sessions. Thirteen (13) cases remained open at the end of the 2008-09 fiscal year.

In twenty-six percent (26%) of the cases that held resolution meetings, the parent was represented by an attorney. Parents had no legal representation in seventy-four percent (74%) of the cases that participated in resolution meetings. Attorneys represented parents in seven (7) of eight (8) cases when resolution meetings were waived. The LEAs informed the SEA that resolution meetings were waived for mediation so that attorneys could be present at the meetings. The LEAs agreed to waive them in order to attempt to reach mediation agreements.

Activity	Timeline	Status
<p>The SEA will distribute information about the resolution meetings through the SEA’s website, state and regional workshops for LEAs, and workshops and newsletters for parent support organizations and the parent training centers.</p>	<p>Beginning October 25, 2005 and ongoing</p>	<p>Procedures were completed and upon notice that a request for hearing was filed, a packet of information was emailed to each Exceptional Children Program Director (ECPD) that, in addition to other information, contained a form to document the outcome of the resolution meeting that the LEA must complete and return to the NCDPI. The SEA contacted the ECPD in each LEA to request the resolution documentation if it was not submitted within the timelines.</p>
<p>The SEA will develop procedures regarding an LEA’s responsibility for reporting the results of resolution sessions to the SEA.</p>	<p>2007</p>	<p>Upon notice that a request for hearing was filed, the EC Division e-mailed a packet of information to each ECPD. The packet contains the <i>Resolution Meetings: A Guide for Parents</i> by CADRE, information sheets about the resolution meeting, and forms for documenting the outcome of the resolution meeting.</p>
<p>The SEA will develop a document for parents explaining the resolution sessions and mediation to be distributed when a request for a hearing is filed.</p>	<p>2007-2010</p>	<p>Anecdotal information and the data have been gathered and reported in training activities. New data is analyzed and reports are updated prior to workshops and presentations.</p>
<p>The Exceptional Children Division will develop and pilot a survey for LEAs and parents who participate in a</p>	<p>2008 - 09</p>	<p>Telephone interviews were conducted with EC Program Directors and some parents. The interviews included questions</p>

<p>resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement.</p>		<p>about the reasons for successful outcomes or the lack of settlement agreements to determine how the SEA might increase the percentage of settlement agreements. The issues preventing the parties from reaching settlement agreements were issues that the SEA could not address (e.g., private school tuition, cash settlements for damages, or school assignment).</p>
<p>Based on a pilot, the Exceptional Children Division will revise and send a survey to LEAs and parents who participate in a resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement. That information will be analyzed and use to develop/refine training for LEAs, advocates, and parents.</p>	<p>2009 - 2010</p>	<p>At this time, a formal survey has not been developed. It is anticipated that one will be developed, based on the questions used in the telephone interviews in 2008-09, and distributed near the end of the 2009 - 10 school year.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

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

FFY	Measurable and Rigorous Target
2008-09	Mediation resulting in agreements: 75% to 85%.

Actual Target Data for 2008-09:

80% of the total mediations held reached agreement.

This same data is reflected on Table 7 of 618 Report and reflects all mediations held in North Carolina.

(2) Total Number of mediation requests received	57	
(2.1) Mediations held	30	
(a) Mediations held related to due process complaints	10	
(i) Mediation agreements related to due process complaints	5	50%
(b) Mediations held not related to due process petitions	20	
(i) Mediation agreements not related to due process	19	95%
(2.2) Mediations not held (including pending)	27	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

There was a 12.0 percentage point increase in the number of mediations resulting in signed agreements from 2007-08 (68%) to 2008-09 (80%). North Carolina met its target range of 75 - 85% for 2008-09 (80%). Continued professional development for mediators and local EC directors, and continued outreach to parents and local education agencies contributed to progress made.

Ninety-five percent (95%) of the mediations not associated with a due process hearing reached agreement, while only 50% of the mediations associated with a due process hearing reached agreement. While the mediators remain the same each year, the 2008-09 year reflects a significant difference in the data between mediations associated with a due process hearing and mediations not associated with a hearing.

Activities completed in 2008-09:

Activity	Timeline	Status
Offer continuing professional development for mediators to improve and enhance their skill level.	May 2006 and ongoing	Each of the 15 mediators attended a minimum of 15 hours of mandatory continuing education (half special education law and half mediation process training) and several mediators attended an additional third day of training. Feedback from the parties obtained after each mediation session was shared with the respective mediator. Several mediators also attended the annual EC Division Conference. Monthly, the EC Division electronically disseminated articles regarding mediation to mediators.
Offer continuing outreach to parents and local education agencies regarding the benefits of mediation to (a) reduce the number of cases where mediation is declined, (b) reduce the number of state complaint investigations, and (c) reduce the number of due process hearings filed.	2005 and ongoing	The three Dispute Resolution Consultants conducted extensive outreach to parents, school representatives, parent attorneys and advocacy groups about the benefits of using mediation to resolve disputes. This occurred through daily phone calls from parents and school personnel; the state website; annual trainings in collaboration with the NC Parent Training and Information Center (Exceptional Children’s Assistance Center); numerous trainings for LEA administrative staff; presentations at disability specific conferences; and the annual NC EC Conference.

<p>During the next cycle of NC's new Exceptional Children Directors' Leadership Institute, the Exceptional Children Division will provide and evaluate specialized training in negotiation skills for all new LEA EC Directors.</p>	<p>2009 - 2010</p>	<p>One presentation has been made at the New EC Directors' Leadership Institute regarding the mediation program. More presentations are planned for the 2009-10 school year. Presentations regarding using the mediation program have been made at 2 of 8 regional EC Directors' meetings. The presentations for the remaining 6 regions will be made during the 2009-10 school year.</p>
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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
2008-09	97.62% of State reported data (618 and Annual Performance Report) are timely and accurate.

Actual Target Data for 2008-09:

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

To ensure error free, consistent, valid and reliable data, various reporting systems are used to gather data throughout the state agency. Data were collected from the December 1 Child Count, September Exiting Count, Personnel Survey, Discipline (Suspensions/Expulsions), Report on the Participation and Performance of Students with Disabilities on State Assessments, State Performance Plan (SPP) and the Annual Performance Report (APR).

Child Count and Exiting Count – Data were collected through the Comprehensive Exceptional Children Accountability System (CECAS). Data reliability was ensured through validations on the data entry process and validations in the reporting process. Data entry validations ensured that users were protected from entering inconsistent data. Reporting validations utilized advanced algorithms to ensure counts were unique and student moves (between school systems) did not result in duplicated student counts. Additionally, LEA Exceptional Children Directors were required to review the reported numbers and submit the data for NCDPI to obtain an electronic signature. If the Exceptional Children Director designated personnel to submit the data, a verification form was required from the Exceptional Children Director and mailed to NCDPI. The Child Count was collected from December

1st through December 15th. The Exiting Count was collected from September 11th through September 21st. CECAS personnel are available to assist LEAs with the reporting process. Information regarding the reliability and validity of CECAS can be found at <http://www.nccecas.org>.

Report of the Participation and Performance of Students with Disabilities on State Assessments – Assessment data were collected by the Accountability Services Division and students with disabilities data were collected through (CECAS). The aggregated Part B 618 State Assessment Report was a collaborative effort between the Reporting Section in the Accountability Services Division-Data, Stewards of all NCDPI Assessment data; the EC Delivery Team (CECAS); and EC Division staff in Policy, Monitoring, and Audit Section. The North Carolina State Board of Education Policies and Legislative Requirements for the NC Testing Program can be found at <http://www.ncpublicschools.org/accountability/policies/general> . The Accountability Division had its own mechanisms in place to ensure that the assessment data were valid and reliable. The documents that outline the accuracy and reliability of assessment data can be found at <http://www.ncpublicschools.org/accountability/policies/shared/testsecurity>.

Discipline – Although disaggregated discipline data were collected, an aggregated Part B 618 discipline data report was obtained from the Agency Operations and Management Division—Data Stewards of all NCDPI Discipline data. Mechanisms were in place to ensure that the discipline data were valid and reliable. The document that outlines the accuracy and reliability of discipline data can be found at <http://www.ncpublicschools.org/research/discipline/reports/> . Initially, NCDPI inadvertently reported incident rather than student data in its aggregated Part B 618 discipline data report and did not pass edit checks. The NCDPI has since corrected this error. Additional staff members will attend the 2010 Data Managers meeting and will be assigned to review the report.

Personnel – Disaggregated personnel data were collected from school systems via the annual web-based 611 Part B EC grant applications through the CECAS system. Personnel data were aggregated at NCDPI. Mechanisms were in place to ensure that the personnel data were valid and reliable.

State Performance Plan (SPP) - North Carolina submitted the SPP on February 1, 2010. It included an updated Indicator 7 and its baseline data, along with revisions to some indicators, measurements, targets and improvement activities.

Annual Performance Report (APR) – North Carolina submitted the APR on February 1, 2010. The Indicators in the APR include any revisions to indicators, measurements, targets and/or improvement activities that were also made in the SPP.

Activities	Timeline	Status
NCDPI will ensure that CECAS integrates with the North Carolina Window of Information on Student Education (NCWISE) and other data systems.	2006 and ongoing	Continuing – The EC Delivery Team and EC Division staff continue to work collaboratively with NCDPI’s CEDARS project that will integrate all agency data into one data warehouse, allowing users to pull data based a unique i.d. assigned to each student.
Continue to provide Agency Operations and Management Division with Child Count and Exiting	November 2006 and ongoing	Completed for 2008-09

Data for submission through EDEN		
NCDPI will continue to investigate duplicate collection of special education data via EDEN.	2005 and ongoing	Completed for 2008-09
Conduct On-Site Child Count Audits to ensure LEAs are reporting accurate data.	2007 and ongoing	Continuing – The EC Delivery Team and EC Division staff followed up with individual districts for edit checks. Data verifications were conducted while on-site for Focused Monitoring, targeted record reviews, and other on-site reviews.
Remain knowledgeable of additional EDEN submission requirements.	2006 and ongoing	Completed for 2008-09 – NCDPI staff participate in meetings and conferences sponsored by OSEP, CCSSO, such as the Data Managers’ Conference, EIMAC meetings, to stay abreast of submission requirements.
CECAS Trainer and Regional CECAS Trainers will conduct ongoing trainings for the Child Count and Exiting process.	2006 and ongoing	Completed for 2008-09 – Training was conducted at the annual EC statewide conference, semi-annual EC Administrators’ Institutes and regional meetings.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A