

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

The Delaware graduation rate is determined by following a 9th grade cohort over four years. The four-year graduation rate is calculated by determining the graduates with a diploma and dividing that number by the graduates plus the dropouts in that cohort.

In Delaware, students with disabilities must meet the same conditions as all youth in order to graduate with a regular diploma. The State requires that students receive at least 22 high school course credits for graduation with a regular diploma. LEAs may require more credits.

Rigorous targets correspond to the targets identified under the ESEA and are reported in the Consolidated State Application Accountability Workbook. In the Accountability Workbook, targets are associated with school years. Targets were associated with the correct school year in the FFY 2008.

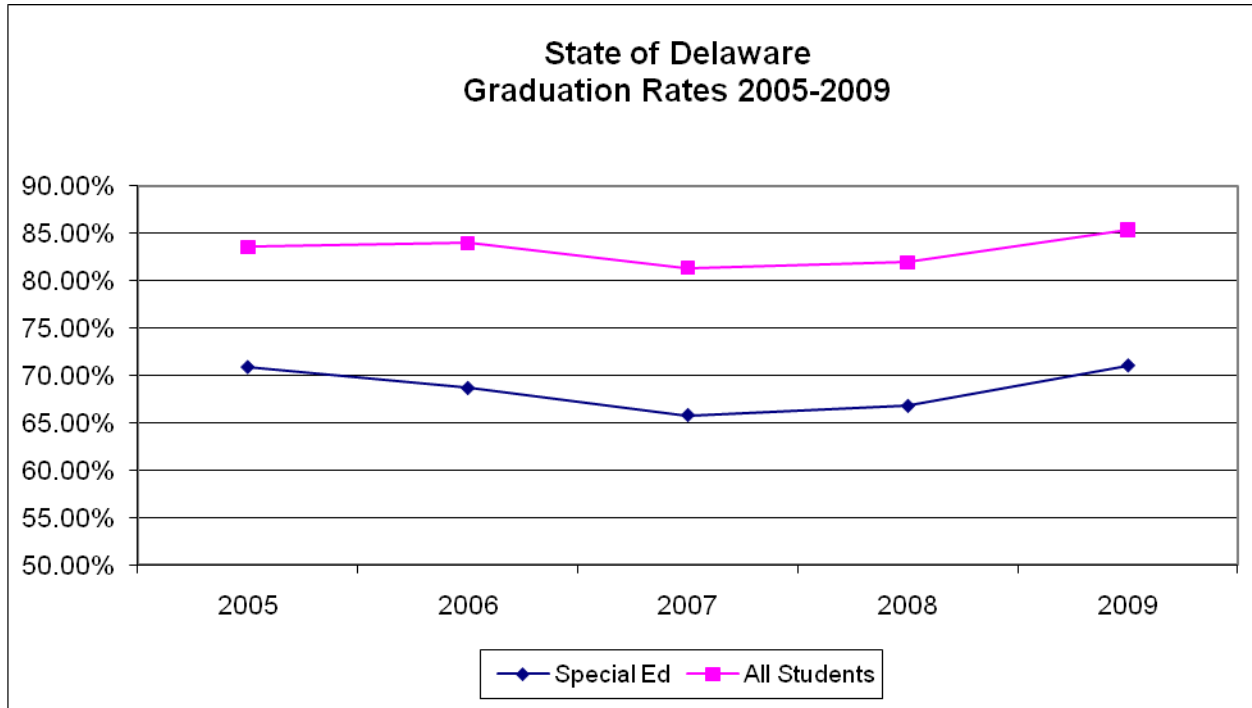
Graduation Rate = Graduates / Graduates + Dropouts.

FFY	Measurable and Rigorous Target
2009 (2008-2009)	The graduation rate for students with IEPs will be 82.5% for the Class of 2010 which aligns with the targets under ESEA.

Actual Target Data for (2009):

School Year	% Graduated	Ed Type	# Graduated	# Dropped	Total
04-05	70.89%	Special Education	751	299	779
05-06	68.66%	Special Education	552	238	916
06-07	65.79%	Special Education	629	318	1032
07-08	66.76%	Special Education	679	294	993
08-09	71.06%	Special Education	663	242	1074

04-05	82.01%	All Students	6086	1183	7136
05-06	83.53%	All Students	5961	1074	7284
06-07	83.96%	All Students	6116	1281	7870
07-08	81.93%	All Students	6403	1220	8315
08-09	85.33%	All Students	6813	988	8367



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2009):

The Delaware Department of Education (DDOE) is reporting the same graduation rate as the rate reported under ESEA through the CSPR.

The graduation rate for students with IEPs showed continued improvement from 2000 through the Class of 2005, when the graduation rate was 70.50%. Although slippages in graduation rates were reported during the classes of 2006 and 2007, the graduation rate has continued to increase where it currently stands at 71.06% for the class of 2009. The graduation rate for the class of 2009 represents an increase of 4.3%. Delaware continues to compare graduation rates with those of all students. The graduation rate of all students increased 3.4% for the class of 2009.

The two years of decreasing graduation rates coincide with increased dropout rates in FFY 2003 (7.3%) and 2004 (8.6%), when Delaware experienced its highest dropout rates in the

past eight years. Students who dropped out in those years were part of the cohort group for the Classes of 2006 and 2007. Delaware expects the graduation rates to continue to increase for the Class of 2010.

The Delaware Department of Education has committed to secondary school reform through numerous initiatives. As part of high school redesign, Student Success Plans (SSP) have become a new graduation requirement in Delaware for all students from 8th through 12th grades. The SSP mandate, implemented in SY 2006-2007, includes a focus on student long-range planning for postsecondary pursuits, the identification of courses leading to those goals, and supports and other activities that will assist in high school completion and preparation for careers. Each student will meet with an advisor to develop and update his or her SSP annually. An additional requirement to meet annual completion rates is parent sign off on the plan. Parents are not able to make changes to the plan but rather have conversations with their child(ren) about the plan. Schools are required to provide parents with a separate (from the student's) password to gain access and the availability to sign off on the plan. DDOE anticipates the parent sign off requirement to initiate or continue family conversations pertaining to student goals and career aspirations leading to a more meaningful education. The current year marks the second year of DDOE state monitoring of the parent sign off requirement. Although initial implementation of the SSP began in SY 2006-2007, the current year marks the initial year a SSP is mandated to be in place for all students in grades 8 through 12. DDOE fully expects that this statewide initiative will positively impact graduation and dropout rates.

Other statewide efforts, including the Inclusive Schools Initiative, Career and Technical Education efforts, the Positive Behavior Supports statewide training, professional development on universal design for learning and differentiated instruction, have all increased awareness and efforts in middle and high schools for success for all students. DDOE is currently providing training and technical assistance on implementing Response to Intervention (RTI) at the secondary level. This training and technical assistance will be provided on an on-going basis. The Career and Technical Education (CTE) Group at the DDOE is working closely with the Exceptional Children's (EC) Group to promote and monitor increases in the participation of students with IEPs as CTE concentrators and completers in all LEAs. The DDOE CTE and EC workgroups are working collaboratively to review established CTE programs for students with IEPs and working with LEAs in establishing new CTE programming to increase opportunities for students.

The State and Regional Transition Councils continue to meet, linking agencies, community supports and school programs to identify critical issues, needed supports, and solutions for student success in secondary schools. The IDEA Partnership Transition Community of Practice (CoP) continues supporting the state to further develop its transition community. The Delaware CoP Team continues to focus on interagency collaboration, family involvement and youth leadership through a federal technical assistance grant. The final product (a Transition Slide Guide) from a Tri-State Grant through the CoP was disseminated throughout the state in Spring 2010. The Transition Slide Guide will assist students, parents, schools and agency personnel through the transition process. The Delaware CoP team also continues to receive assistance from the National Dropout Prevention Center for Students with Disabilities and the National Secondary Transition Technical Assistance Center in its work to improve school completion outcomes.

The Delaware Division of Vocational Rehabilitation (DVR) continues to serve high school youth in preparation for post-school employment, and the number of youth served, as well as employment outcomes, increase annually. DVR is collaborating with Delaware Technical and Community College (DTCC) campuses in the implementation of a tutoring program for students with IEPs making the transition to postsecondary education and training. In collaboration with DVR, this tutoring program expanded to all four DTCC campuses for the SY 2008-2009.

The Delaware Secondary IEP focuses on post-school outcomes and the supports needed for students to be successful in high school and beyond. In order to address non-compliance, on site monitoring through record reviews of Indicator 13 were conducted from October 2008 through December 2008. From these reviews SEA staff identified specific strategies to increase compliance and targeted technical assistance is being provided to all LEAs on an on-going basis

Student participation in their IEP meetings in middle and high school continues to be extremely high. Over 85% of students who are of transition age are continuing to attend their IEP meetings. DDOE has established the Delaware Promise Dropout Prevention Committee. The Committee vision is for all of the youth of the state of Delaware to graduate from high school ready for post secondary education/training, work and life. The 10-year goal is for 90% of Delaware’s youth will be graduating from high school ready for post secondary education and or training. DDOE is working to increase centralized oversight and collaboration among dropout prevention entities in support of public schools. Efforts are increasing to enhance the state’s ability to identify and target areas and populations with low graduation rates and provide support and resources to schools.

Status of Improvement Activities:

Improvement Activities	Timelines	Resources
1.1 Coordinate regular strategic planning meetings through regional and State Transition Council.	Ongoing	DDOE, DVR, DDDS, parents, students, providers and LEAs.
Status: Regional Councils meet three times annually, and the State Transition Council meets two times per year.		
1.2 Conduct training on the state-adopted secondary IEP form ,process and IEPplus.	Ongoing	DDOE
Status: Secondary IEP training continues throughout the state as the new Delaware on-line IEP (IEPplus) continues to be revised in efforts to enhance services for students. Through the DDOE monitoring process of LEAs “Meeting Transition Requirements” reports are provided to LEAs regularly, along with professional development on meeting the requirements of Indicator 13. Data collected from the monitoring of LEAs is analyzed to assist in the development of the professional development. IEPplus and Transition requirements are a standing agenda item for the regional transition councils.		
1.3 Coordinate Student Leadership Advisory Council (SLAC), local SOAR clubs and other self-determination activities. This includes training and technical assistance on developing student-led IEPs for students K-12.	Ongoing	DDOE with local LEAs, the DD Planning Council, TransCen, Inc., the Parent Information Center, and DE Division on Career Development and Transition.
Status: Due to the decline in the number of organized SLAC and SOAR clubs DDOE continues to seek feedback from practitioners on how to strengthen student leadership opportunities. Current efforts are focused on determining the most effective opportunities to foster student leadership, self-determination, and self advocacy skills. A limited		

number of LEAs have begun using a variety of models for student-led IEPs.		
1.4 Conduct IEP reviews to ensure that LEAs are meeting transition requirements in the new secondary IEP and provide training and technical assistance as needed.	Beginning November 2005 – June 2006 and ongoing	DDOE
Status: DDOE has adopted a new protocol and procedure for LEA monitoring. DDOE expects the new system to enhance the quality of services for students. Within the new system, DDOE has provided for assurance of timely correction for any citations.		
1.5 Ensure monitoring focus on student graduation/dropout rates and other transition indicators for accountability at the building level through LEA required reporting in LEA Plans.	Annually	DDOE with Monitoring System
Status: The public reporting of LEA progress toward the indicators is completed by April. DDOE presents the progress to the Governor’s Advisory Council for Exceptional Citizens (GACEC) Transition Subcommittee and Regional Transition Councils.		
1.6 State Transition Council will review disaggregated graduation and dropout data and make recommendations to DDOE for focused monitoring for LEAs falling well below state average for graduation and dropout rates	Annually	State Transition Council and DDOE Monitoring System
Status: The State Council meets twice annually and makes recommendations to the DDOE on targets, activities and timelines for continued improvement in graduation rates.		
1.7 Provide information to secondary educators on the “Transition Specialist” course of study for professionals through the University of Delaware as well as other transition related programs.	July 2005 and ongoing	DDOE, University of Delaware
Status: The University of Delaware has developed a course of study for transition specialists. DDOE continues to support the dissemination of information regarding the coursework. DDOE also collaborates with the University of Delaware to provide guest lecturers for the class. DDOE also continues to disseminate information on a Transition Certification Program offered by George Washington University.		
1.8 Continue to provide training and technical assistance to the current LEA replicating the Youth Transition Programs (YTP) developed in Oregon.	April 2005 – August 2006 and ongoing	DDOE, TransCen, Inc., DVR, LEA
Status: One LEA continues its YTP with support from State Legislature. The project is currently in its 5 th year of existence. The LEA, DDOE, DVR, and service provider continue to analyze data to revise the program in efforts to bridge service gaps as students move through secondary education and graduate to adult services.		
1.9 In collaboration with DDOE, DVR, and Delaware Technical and Community College continue to provide innovative programs to high school students receiving special education services.	January - September 2006 and ongoing.	DDOE in collaboration with school districts, DVR, and Delaware Technical and Community College
Status: The Delaware Division of Vocational Rehabilitation’s educational support program in conjunction with Delaware Technical and Community College continues to operate on all four campus locations this year. This support program serves students in transition from school to postsecondary education and training opportunities. Transition student participation in this program is very high and data from the program has shown positive experiences for student matriculation or employment opportunities.		

Improvement Activities	Timelines	Resources
<p>1.10 Coordinate activities through the Positive Behavior Supports (PBS) initiative, the Delaware National Governors Association (NGA) Grant, Secondary RTI Team and middle/high school “transition” programs to improve academic achievement and school completion. Assist in the development of Individualized Learning Plans for all students in 8th-12th grades.</p>	<p>NGA Grant indicators – December 2005 – September 2010</p> <p>Secondary RTI implementation, SSAT and PBS - ongoing</p>	<p>DDOE Student Success Project Team and LEAs</p>
<p>Status: Student Success Plans (SSPs), previously called Individualized Learning Plans, are now a graduation requirement for all Delaware secondary school students. FFY 2007 was the first year of implementation, and all 8th and 9th graders completed SSPs. Each year an additional grade has been added to the implementation. This year, 2010-2011, all students grades 8 through 12 are required to have a SSP. DDOE began monitoring for parent participation in the SSP Fall 2009. SSP data have been presented to LEA superintendents on a regular basis. Training and technical assistance continue to be provided for SSPs and on implementing RTI at the secondary level</p>		
<p>1.11 Coordinate efforts at DDOE to provide social workers to Delaware middle schools. Ensure that students and families with IEPs needing services from social workers are included.</p>	<p>Ongoing</p>	<p>DDOE</p>
<p>Status: Incomplete. Due to budget implications this improvement activity currently remains in discussion status.</p>		
<p>1.12 Annual Transition Institute, an interagency professional development opportunity, focuses on transition, graduation, dropout prevention, and successful outcomes for struggling students including students in special education</p>	<p>Annually in Spring</p>	<p>Regional and State Transition Councils, DDOE, DVR, DCDT, Parent Information Center</p>
<p>Status: In April 2008, over 300 school personnel, agency representatives, parents and students attended the Institute. DVR, DDOE, and other stakeholders have continued to work as a Transition Community of Practice to develop a larger annual transition conference to ensure wide-spread dissemination of transition related information reaches all partners involved in transition planning for students with disabilities. Participation in the conference has steady increased from 300 in April 2008 to over 550 in April 2010. Students and parents continue to represent approximately half the registered attendees. The conference has successfully recruited students and parents to present as part of the annual program. The collaborating partners will continue to focus on the participation of students and families.</p>		
<p>1.13 Continue work to develop the Delaware Transition Community of Practice to address transition issues and facilitate the dissemination of information on transition services for students with disabilities.</p>	<p>Ongoing</p>	<p>Regional and State Transition Councils, DDOE, DVR, DDDS, LEAs, Parents, Students, Community Partners</p>
<p>Status: Through a federal grant, Pennsylvania, Virginia and Delaware are working together to improve interagency collaboration, youth involvement and leadership, and family involvement leading to better transition outcomes for students with IEPs. Students, families and transition professionals will continue to be provided opportunities annually through the Delaware and Pennsylvania Transition Conferences, as well as the Virginia Transition Forum. The final product (the Transition Slide Guide) was disseminated throughout the state during 2010. The Slide Guide will assist students, parents, school and agency personnel through the transition process. The three states continue to collaborate in an effort to provide the Tri-State Transition Slide Guide in an on-line version.</p>		

1.14 Delaware Promise Dropout Prevention Committee	Ongoing	DDOE, LEAs, Higher Education, Community Supports, Agency Personnel
Status: The committee has continued to meet over the past year to centralize oversight and collaboration among dropout prevention entities in support of public schools. DDOE is increasing its ability to identify and target areas and populations with low graduation rates and provide support and resources to schools. The committee has been in discussions with the DDOE technology unit to develop a database for potential dropouts based on potential indicators for dropout.		
1.15 Transition Programs for students with intellectual disabilities into Higher Education (TPSID)	Beginning Fall 2010 then ongoing	DDOE, University of Delaware (Center for Disabilities Studies), DVR, LEAs, DDDS, other state institutions of higher education, others
Status: The Center for Disabilities Studies (CDS) at the University of Delaware received a TPSID grant in October 2010. DDOE provide input to the grant application. DDOE will work in collaboration with CDS as a member of the advisory team for the grant. The grant will support the development of a quality inclusive model college preparatory program for students who have been identified with intellectual disabilities or other cognitive disabilities by enhancing existing disability services, academic support center services, the transition partnership project on campus and current course provisions. The aim is to enable students with intellectual disabilities or cognitive disabilities to academically and socially integrate into higher education. DDOE believes these efforts will provide additional opportunities for students throughout the state as they continue their education. After the program is implemented for the 2011-2012 school year, there will be opportunities for additional institutions of higher education to create the program on their campuses.		
1.16 Team Approach to Reaching Goals through Education and Training (TARGET)	Beginning Fall 2010 then ongoing	DDOE, DVR, Workforce Investment Board, Division of Employment and Training, DDDS, DSAMH, Del Tech Community College
Status: The Delaware Division of Vocational Rehabilitation received a 3 year grant to promote employment for in-school and out of school youth ages 14-24. TARGET works with the use of the One-Stop Career Centers and Workforce Partners services. Disability Resource Coordinators and Employment Coordinators will work with youth at One-Stops, schools, and youth employment drop-in centers to be created. DDOE has been a collaborative partner in the planning of the implementation.		
1.17 Increased efforts between adult agencies (DVR, DDDS) to coordinate services for students into adulthood	Beginning Fall 2010 then ongoing	DDOE, DVR, DDDS, LEAs
Status: DDOE in collaboration with DVR and DDDS have instituted a procedure to improve coordination with LEAs. The SEAs will coordinate efforts to seek information on all potential exiters for current and future years in an effort to close services gaps as students move to adult services (employment, education/training, independent living). Discussions will determine exit years and potential services for each exiting individual.		
1.18 Dissemination of information for the Delaware SEED (Student Excellence Equals Degree) and Inspire scholarship programs	Ongoing	DDOE, DVR, institutions of higher education
Status: DDOE collaborates with other partners to disseminate information pertaining to the SEED and Inspire scholarship programs. Delaware students are eligible to receive free tuition for their first two years of higher education at Del Tech Community College (SEED), University of Delaware’s associate of arts degree program (SEED) or Delaware State (Inspire) if they meet certain requirements. Requirements are based on residency, individual school admissions policies, enroll full-time the fall after graduation. There are also cumulative GPA requirements.		

1.19 Implementation of Project SEARCH	2010 – Ongoing	DDOE, DVR, LEA, Goodwill Industries, Christiana Care, adult service providers
DDOE in collaboration with DVR, LEA, Goodwill Industries, Christiana Care, adult service providers will be implementing a Project SEARCH site in the state. This initial site will provide 10-12 students in their final year of secondary education with an opportunity to rotate in up to 3 internships within a Christiana Care facility. Students will go on site for delivery of their final year of academics while participating in the internships. This project will assist in preparing students for career readiness. Upon successful implementation of year 1 addition sites will be investigated throughout the state for replication.		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 [if applicable]

The additions 1.15 – 1.19 in the Improvement Activities are based on the continual efforts to improve services for students as they progress through secondary education to eventual transition to college and career readiness. These additional activities will provide individuals in the state with increased opportunities to learn the importance of remaining in school and working to become productive and active citizens within their communities. By entering into collaborative partnerships DDOE anticipates closing the gaps in services as students move beyond secondary education. The listed activities will provide for increase educational and career opportunities for individuals.

Revised Targets through 2012:

2010 (2010-2011)	The graduation rate for students with IEPs will be 85.5% for the Class of 2011 which aligns with the targets under ESEA.
2011 (2011-2012)	The graduation rate for students with IEPs will be 87% for the Class of 2012 which aligns with the targets under ESEA.
2012 (2012-2013)	The graduation rate for students with IEPs will be 88.5% for the Class of 2013 which aligns with the targets under ESEA.

Part B State Annual Performance Report (APR) FFY 2009

Overview of the Annual Performance Report Development:

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))

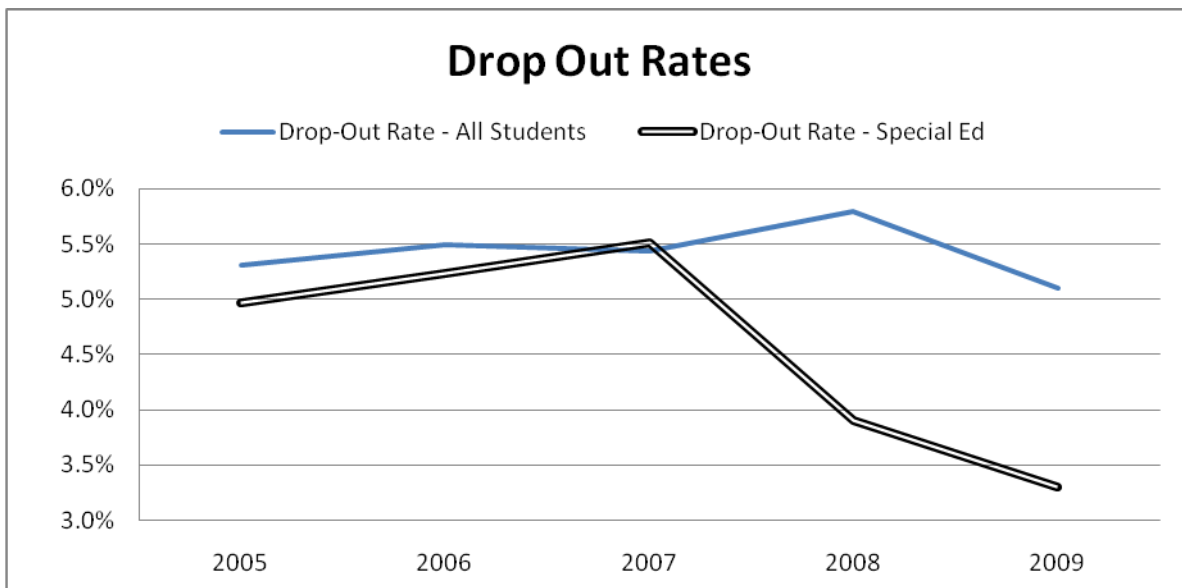
Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA

Delaware uses an Event Rate method for reporting in its Annual Dropout Summary of Statistics. Event rate reporting is a snapshot which reflects the total numbers of students in grades 9-12 who dropped out of school in a single year divided by the fall enrollment of that same year. This method aligns with the reporting the DDOE does under Title 1 of the Elementary and Secondary Education Act (ESEA).

FFY	Measurable and Rigorous Target
2009 (2008-2009)	The annual dropout rate for students with IEPs will be 5.6% in FFY 2009, a decrease of 0.6% from the previous year.

Actual Target Data for (2009):

Year	All Enrolled	All Dropped	Drop-Out Rate - All Students	Special Ed Enrolled	Special Ed Dropped	Drop-Out Rate - Special Ed
2005	35497	1883	5.3%	4935	245	5.0%
2006	36297	1995	5.5%	5040	264	5.2%
2007	37253	2026	5.4%	5212	287	5.5%
2008	37950	2207	5.8%	5275	205	3.9%
2009	38592	1987	5.1%	5400	179	3.3%



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2009):

In order to provide trends over multiple years, we continue to include data beginning in year 2005 up to the current reporting period of FFY 2009 (SY 2008-2009).

The DDOE continues to focus efforts around dropout prevention. After a rise in dropout rates from 2005 (5.0%) to 2007 (5.5%), annual dropout rates have continually decreased to the current rate for 2009 (3.3%). DDOE is working collaboratively with community and adult service agency partners to expand initiatives in a continued effort to combat the current dropout rate. Efforts are focusing on educating students and parents about the importance of remaining in school to increase the opportunities for higher wages and better career opportunities. Emphasis is also centered on all individuals having an opportunity of entering into higher education. The annual dropout rate remains well below the measurable and rigorous target of 5.6%.

The stakeholder groups recommend that the targets remain the same.

Activities/Timelines and Resources dedicated to lowering dropout rates are the same as activities for Indicator 1.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2009)
[If applicable]

Revisions with justification to the Improvement Activities are the same as the activities for Indicator 1.

Revised Targets through 2012:

2010 (2010-2011)	The annual dropout rate for students with IEPs will be 5.0% in FFY 2010, a decrease of 0.6% from the previous year. The dropout rate will be equal to or lower than the dropout rate for all students in FFY 2010.
2011 (2011-2012)	The annual dropout rate for students with IEPs will be 4.4% in FFY 2011, a decrease of 0.6% from the previous year.
2012 (2012-2013)	The annual dropout rate for students with IEPs will be 3.8% in FFY 2012, a decrease of 0.6% from the previous year.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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)].

Targets and Actual Target Data for FFY 2009:

FFY 2009	Measurable and Rigorous Target						
Section 3-A: % of Districts Meeting AYP							
ELA and Mathematics							
	Elementary Schools	Middle Schools	High Schools				
2009- 2010	53%	53%	63%				
Section 3-B: % Participation on Assessments							
Reading							
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2009 - 2010	99.2%	98.7%	99.5%	98.4%	98.2%	97.6%	95.8%
Mathematics							
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2009 - 2010	99.3%	99.0%	99.3%	98.5%	98.3%	97.4%	95.4%
Section 3-C: % Meeting/Exceeding Standards on Assessments							
Reading							
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2009 - 2010	77%	70%	75%	59%	59%	59%	45%
Mathematics							
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2009 - 2010	66%	61%	64%	49%	43%	44%	39%

Section 3-A - Actual AYP Target Data for FFY 2009 (% of districts meeting AYP):

The chart below indicates districts with a disability subgroup that meet the State’s minimum “n” size AND met the State’s AYP target for the disability subgroup. Delaware has a cell size of 40 students for AYP determinations.

FFY 2009 (2009-2010)	Total Number of LEAs*	Number of Districts Meeting the “n” size	Number of Districts that meet the minimum “n” size and met AYP for FFY 2009	Percent of Districts
Elementary	27	15	0	0%
Middle School	27	16	0	0%
High School	24	11	1	9%

**This number includes Charter Schools*

APR Template – Part B (4)

Delaware
State

3.B – Actual Participation Target Data for FFY 2009:

READING

Grade	Test Year	Students w/IEPs	# Tested No Accom	# Tested Accom	# Tested DAPA	# Not Tested	# Exempt	% Tested No Accom	% Tested Accom	% Tested DAPA	Total % Tested
Grade 3	2007	1297	88	1109	84	15	16	6.80%	85.50%	6.50%	98.80%
Grade 3	2008	1330	74	1158	78	5	15	5.56%	87.07%	5.86%	98.50%
Grade 3	2009	1179	84	1017	68	2	8	7.12%	86.26%	5.77%	99.15%
Grade 3	2010	1409	327	975	104	3	0	23.21%	69.20%	7.38%	99.79%
Grade 4	2007	1437	88	1246	82	12	21	6.10%	86.70%	5.70%	98.50%
Grade 4	2008	1375	60	1207	94	3	11	4.36%	87.78%	6.84%	98.98%
Grade 4	2009	1395	90	1212	81	4	8	6.45%	86.88%	5.81%	99.14%
Grade 4	2010	1426	360	960	101	0	5	25.25%	67.32%	7.08%	99.65%
Grade 5	2007	1368	155	1121	81	11	11	11.30%	81.90%	5.90%	99.20%
Grade 5	2008	1476	67	1304	91	3	11	4.54%	88.35%	6.17%	99.05%
Grade 5	2009	1392	127	1140	114	3	8	9.12%	81.90%	8.19%	99.21%
Grade 5	2010	1552	415	1024	106	5	2	26.69%	66.02%	6.83%	99.55%
Grade 6	2007	1493	214	1172	93	11	14	14.30%	78.50%	6.20%	99.10%
Grade 6	2008	1413	82	1221	89	6	15	5.80%	86.41%	6.30%	98.51%
Grade 6	2009	1489	142	1230	88	14	15	9.54%	82.61%	5.91%	98.05%
Grade 6	2010	1590	422	1006	135	12	15	26.54%	63.27%	8.49%	98.30%

APR Template – Part B (4)

Delaware
State

READING (Cont'd.)

Grade	Test Year	Students w/IEPs	# Tested No Accom	# Tested Accom	# Tested DAPA	# Not Tested	# Exempt	% Tested No Accom	% Tested Accom	% Tested DAPA	Total % Tested
Grade 7	2007	1526	263	1116	124	27	23	17.20%	73.10%	8.10%	98.50%
Grade 7	2008	1520	125	1250	111	17	17	8.22%	82.24%	7.30%	97.76%
Grade 7	2009	1389	102	1178	82	14	13	7.34%	84.81%	5.90%	98.06%
Grade 7	2010	1578	598	835	118	14	13	37.90%	52.92%	7.48%	98.29%
Grade 8	2007	1528	168	1221	111	28	28	11.00%	79.90%	7.30%	98.20%
Grade 8	2008	1569	107	1297	117	26	22	6.82%	82.66%	7.46%	96.94%
Grade 8	2009	1541	150	1260	103	16	12	9.73%	81.77%	6.68%	98.18%
Grade 8	2010	1518	600	778	123	10	7	39.53%	51.25%	8.10%	98.88%
Grade 10	2007	1107	174	813	114	54	6	15.70%	73.40%	10.30%	99.50%
Grade 10	2008	1174	106	872	136	42	17	9.03%	74.28%	11.58%	94.89%
Grade 10	2009	1132	196	797	100	31	8	17.31%	70.41%	8.83%	96.55%
Grade 10	2010	1367	534	657	124	36	16	39.06%	48.06%	9.07%	96.20%

APR Template – Part B (4)

Delaware
State

3.B – Actual Participation Target Data for FFY 2009 (Cont’d.):

MATHEMATICS

Grade	Test Year	Students w/IEPs	# Tested No Accom	# Tested Accom	# Tested DAPA	# Not Tested	# Exempt	% Tested No Accom	% Tested Accom	% Tested DAPA	Total % Tested
Grade 3	2007	1297	86	1113	84	14	14	6.60%	85.80%	6.50%	98.90%
Grade 3	2008	1330	75	1159	78	5	13	5.64%	87.14%	5.86%	98.65%
Grade 3	2009	1182	82	1015	70	1	14	6.94%	85.87%	5.92%	98.73%
Grade 3	2010	1408	290	1012	104	2	0	20.60%	71.88%	7.39%	99.86%
Grade 4	2007	1437	87	1253	82	11	15	6.10%	87.20%	5.70%	99.00%
Grade 4	2008	1374	53	1217	94	2	8	3.86%	88.57%	6.84%	99.27%
Grade 4	2009	1394	91	1214	79	3	7	6.53%	87.09%	5.67%	99.28%
Grade 4	2010	1429	329	992	104	0	4	23.02%	69.42%	7.28%	99.72%
Grade 5	2007	1368	158	1128	81	12	1	11.50%	82.50%	5.90%	99.90%
Grade 5	2008	1476	53	1319	91	3	10	3.59%	89.36%	6.17%	99.12%
Grade 5	2009	1395	117	1157	113	5	3	8.39%	82.94%	8.10%	99.43%
Grade 5	2010	1553	370	1072	106	4	1	23.82%	69.03%	6.83%	99.68%
Grade 6	2007	1494	201	1186	94	10	13	13.50%	79.40%	6.30%	99.10%
Grade 6	2008	1413	74	1234	89	4	12	5.24%	87.33%	6.30%	98.87%
Grade 6	2009	1492	126	1250	88	15	13	8.45%	83.78%	5.90%	98.12%
Grade 6	2010	1590	382	1045	136	14	13	24.03%	65.72%	8.55%	98.30%

APR Template – Part B (4)

Delaware
State

MATHEMATICS (Cont'd.)

Grade	Test Year	Students w/IEPs	# Tested No Accom	# Tested Accom	# Tested DAPA	# Not Tested	# Exempt	% Tested No Accom	% Tested Accom	% Tested DAPA	Total % Tested
Grade 7	2007	1526	250	1131	124	24	21	16.40%	74.10%	8.10%	98.60%
Grade 7	2008	1520	119	1253	111	19	18	7.83%	82.43%	7.30%	97.57%
Grade 7	2009	1391	98	1181	89	12	11	7.05%	84.90%	6.40%	98.35%
Grade 7	2010	1579	584	854	119	10	12	36.99%	54.08%	7.54%	98.61%
Grade 8	2007	1528	139	1250	111	26	28	9.10%	81.80%	7.30%	98.20%
Grade 8	2008	1569	96	1316	117	21	19	6.12%	83.88%	7.46%	97.45%
Grade 8	2009	1539	129	1273	107	19	11	8.38%	82.72%	6.95%	98.05%
Grade 8	2010	1518	590	791	123	6	8	38.87%	52.11%	8.10%	99.08%
Grade 10	2007	1106	149	838	113	45	6	13.50%	75.80%	10.20%	99.50%
Grade 10	2008	1174	87	889	137	40	2	7.41%	75.72%	11.67%	94.80%
Grade 10	2009	1139	175	828	102	25	9	15.36%	72.70%	8.96%	97.01%
Grade 10	2010	1367	531	665	124	34	13	38.84%	48.65%	9.07%	96.56%

APR Template – Part B (4)

3.C – Actual Performance Target Data for FFY 2009

Prior to last year’s APR (test year 2009) data were based on all student with IEPs tested. For this current APR and last year’s APR, the measure changed in order to align with the calculation used for AYP. Separate charts are used for FFY 2008 and FFY 2009 because the measure changed. The 2009 and 2010 test (school) years are calculated using students with IEPs who are enrolled for a full academic year in a school within the State and includes all students who used accommodations, did not use accommodations or participated in the DAPA (Delaware Alternate Portfolio Assessment). The 2007 and 2008 test (school) years are calculated using all students who have IEPs regardless if they were enrolled for a full academic year or not.

READING

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
3	2007	1297	42	632	62	3.24%	48.73%	4.78%	56.75%
3	2008	1310	45	664	66	3.44%	50.69%	5.04%	59.16%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
3	2009	1008	589	58%
3	2010	1396	622	45%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
4	2007	1404	46	624	68	3.28%	44.44%	4.84%	52.56%
4	2008	1360	37	561	84	2.72%	41.25%	6.18%	50.15%

APR Template – Part B (4)

Delaware
State

READING (Cont'd.)

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
4	2009	1265	631	50%
4	2010	1418	518	37%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
5	2007	1346	79	595	68	5.87%	44.21%	5.05%	55.13%
5	2008	1462	41	679	83	2.80%	46.44%	5.68%	54.92%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
5	2009	1300	703	54%
5	2010	1544	631	41%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
6	2007	1468	85	441	72	5.79%	30.04%	4.90%	40.74%
6	2008	1392	48	478	83	3.45%	34.34%	5.96%	43.75%

READING (Cont'd.)

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
6	2009	1375	576	42%
6	2010	1562	472	30%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
7	2007	1476	104	427	95	7.05%	28.93%	6.44%	42.41%
7	2008	1486	61	537	105	4.10%	36.14%	7.07%	47.31%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
7	2009	1253	583	47%
7	2010	1551	634	41%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
8	2007	1472	69	465	86	4.69%	31.59%	5.84%	42.12%
8	2008	1521	45	431	99	2.96%	28.34%	6.51%	37.80%

READING (Cont'd.)

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
8	2009	1318	590	45%
8	2010	1499	511	34%

Grade	Test Year	a. # Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/Exceeds
10	2007	1047	29	188	95	2.77%	17.96%	9.07%	29.80%
10	2008	1113	19	175	125	1.71%	15.72%	11.23%	28.66%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
10	2009	1033	296	29%
10	2010	1308	281	21%

Section C – % Meeting/Exceeding Standards on Assessments (cont'd)

MATHEMATICS

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
3	2007	1269	42	539	67	3.31%	42.47%	5.28%	51.06%
3	2008	1312	43	558	63	3.28%	42.53%	4.80%	50.61%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
3	2009	1009	485	48%
3	2010	1396	637	46%

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
4	2007	1411	41	500	68	2.91%	35.44%	4.82%	43.16%
4	2008	1364	28	508	81	2.05%	37.24%	5.94%	45.23%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
4	2009	1267	551	43%
4	2010	1421	555	39%

MATHEMATICS (Cont'd.)

APR Template – Part B (4)

Delaware
State

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
5	2007	1345	53	448	65	3.94%	33.31%	4.83%	42.08%
5	2008	1463	25	525	87	1.71%	35.89%	5.95%	43.54%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
5	2009	1301	583	45%
5	2010	1547	605	39%

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
6	2007	1471	77	417	78	5.23%	28.35%	5.30%	38.89%
6	2008	1397	37	410	83	2.65%	29.35%	5.94%	37.94%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
6	2009	1375	510	37%
6	2010	1562	516	33%

APR Template – Part B (4)

Delaware
State

MATHEMATICS (Cont'd.)

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
7	2007	1481	50	246	101	3.38%	16.61%	6.82%	26.81%
7	2008	1483	27	343	99	1.82%	23.13%	6.68%	31.63%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
7	2009	1258	405	32%
7	2010	1557	443	28%

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
8	2007	1474	32	261	97	2.17%	17.71%	6.58%	26.46%
8	2008	1529	28	292	102	1.83%	19.10%	6.67%	27.60%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
8	2009	1317	430	33%
8	2010	1502	441	29%

APR Template – Part B (4)

Delaware
State

MATHEMATICS (Cont'd.)

Grade	Test Year	# Tested	b. Meets/Exceeds No Accom	c. Meets/Exceeds Accom	e. Meets/Exceeds DAPA	% Meets/Exceeds No Accom	% Meets/Exceeds Accom	% Meets/Exceeds DAPA	Total % Meets/ Exceeds
10	2007	1055	17	135	102	1.61%	12.80%	9.67%	24.08%
10	2008	1113	11	141	121	0.99%	12.67%	10.87%	24.53%

Grade	Test Year	# of children with IEPs enrolled for a full academic year	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard
10	2009	1035	237	23%
10	2010	1313	290	22%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

Section A: % of Districts Meeting AYP

Information concerning the number of districts who met the AYP targets can be found at http://www.doe.k12.de.us/aab/accountability/district_account.shtml under the link labeled “2010 - Detailed Summary”.

FFY 09

	Target	Actual	Was the goal met?
Elementary	53%	0%	No
Middle School	53%	0%	No
High School	63%	9%	No

The target for elementary, middle and high schools for AYP was not met. As can be seen in section C of this indicator, the percent of students in all grades who met or exceeded the standard dropped. The explanation for the decrease in percent meeting or exceeding the standard will be discussed in section C. This decrease in percent meeting or exceeding the standard in combination with the increasing targets for Delaware’s AYP Intermediate Targets (see graph 3-1), is the reason that none of these targets were met. One district met the AYP targets for high school, but this was only through the use of Safe Harbor for one content area and the Confidence interval for the other content area (see http://www.doe.k12.de.us/aab/accountability/district_account.shtml for more information regarding Safe Harbor and Confidence Intervals).

With the implementation of a new assessment during the 2010-2011 school year, we may see further decline in the percent of students with disabilities who meet or exceed the standard as during the preliminary Standard Setting process, more rigorous cut points were set for a student to meet or exceed the standard. This will continue to have an impact on this section of the indicator in future years.

Graph 3-1
Delaware’s AYP Intermediate Targets



Section B - % Participation on Assessments

Information concerning the participation rates can be found at http://www.doe.k12.de.us/aab/Report_and_documents/State_Summary_Reports.shtml . The State Summary Reports include data for all years represented in this APR.

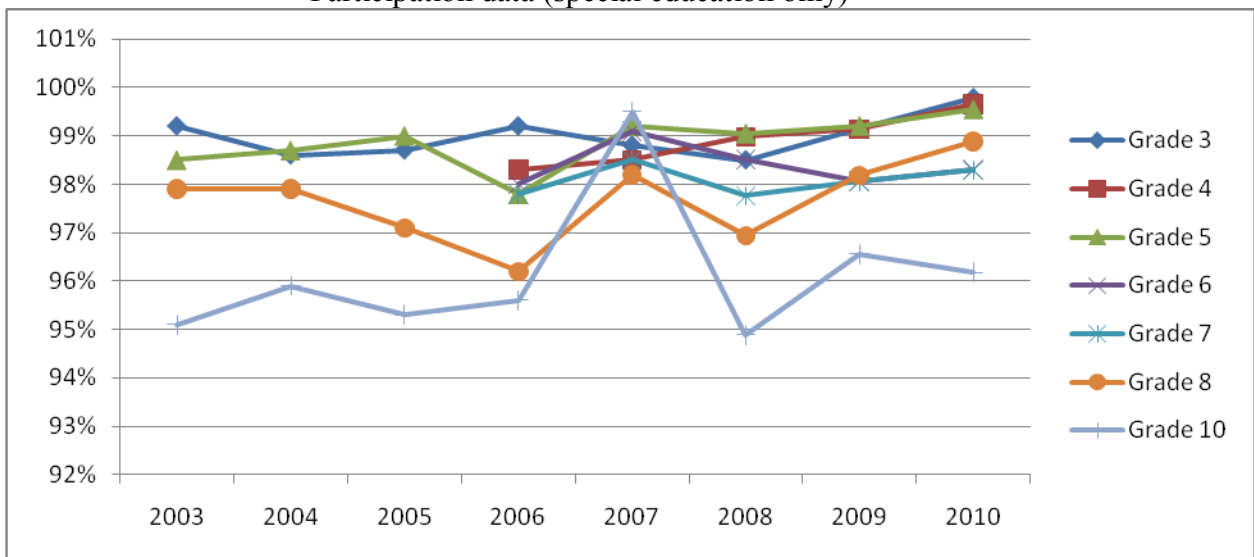
FFY 09

	Reading			Mathematics		
	Target	Actual	Was the goal met?	Target	Actual	Was the goal met?
Grade 3	99.2%	99.8%	Yes	99.3%	99.9%	Yes
Grade 4	98.7%	99.7%	Yes	99.0%	99.7%	Yes
Grade 5	99.5%	99.2%	No	99.3%	99.7%	Yes
Grade 6	98.4%	98.3%	No	98.5%	98.3%	No
Grade 7	98.2%	98.3%	Yes	98.3%	98.6%	Yes
Grade 8	97.6%	98.9%	Yes	97.4%	99.1%	Yes
Grade 10	95.8%	96.2%	Yes	95.4%	96.6%	Yes

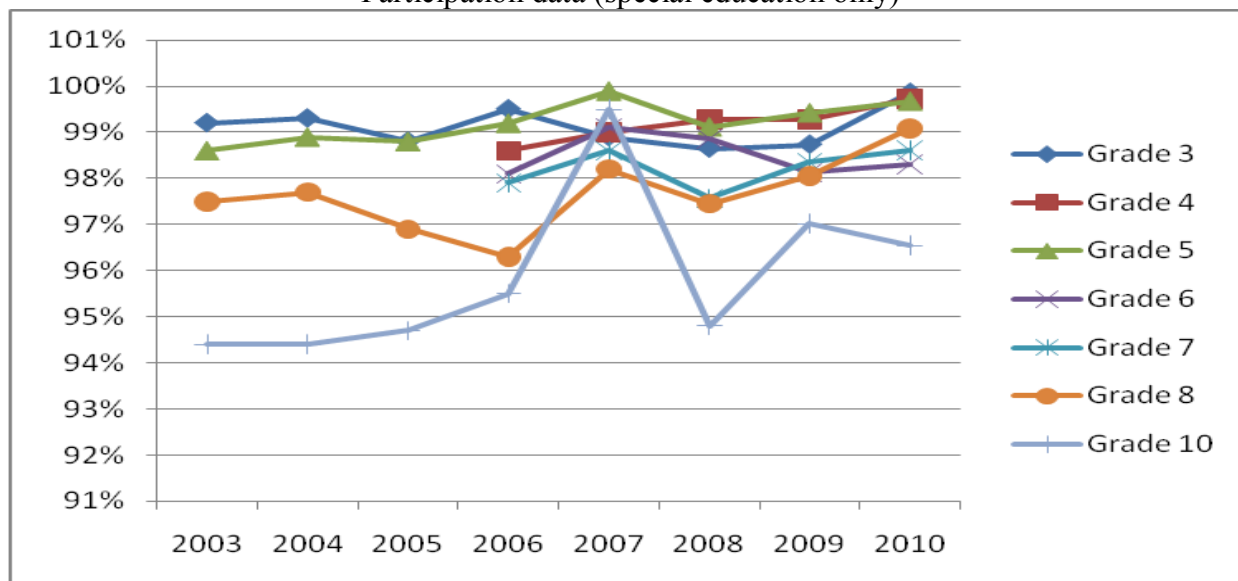
As can be seen in the chart, the targets for participation rates for children with disabilities were met or were exceeded for all grades except for grades 5 and 6 in Reading and grade 6 in Mathematics (which were all very close to being met). Districts in Delaware have had a strong commitment to students participating in the state assessment. The exemption rates are lower in almost all grades than the previous years; however, even with the exemptions included in with the non-participants, data demonstrate high participation rates.

As can be seen in Graph 3-2 and 3-3, the participation rates do vary from year to year, but remain above 95% in Reading for all the years represented and for the past five years in Mathematics.

Graph 3-2
Reading
Participation data (special education only)



Graph 3-3
Math
Participation data (special education only)



Section C – % Meeting/Exceeding Standards on Assessments

FFY 09

	Reading			Mathematics		
	Target	Actual	Was the goal met?	Target	Actual	Was the goal met?
Grade 3	77%	45%	No	66%	46%	No
Grade 4	70%	37%	No	61%	39%	No
Grade 5	75%	41%	No	64%	39%	No
Grade 6	59%	30%	No	49%	33%	No
Grade 7	59%	41%	No	43%	28%	No
Grade 8	59%	34%	No	44%	29%	No
Grade 10	45%	21%	No	39%	22%	No

For data prior to last year’s APR report, the data regarding students who have IEPs and met or exceeded the standard was measured using all students with IEPs who participated in either the DSTP or the DAPA. The measure has changed for this year and last year in order to align with the calculation used for AYP under the ESEA. The 2009 and 2010 test years are calculated using students with IEPs who are enrolled for a full academic year in a school within the State. There is not a public report on-line that shows this information at the state level. There are only school and LEA level data (found at <http://www.doe.k12.de.us/aab/account.shtml>).

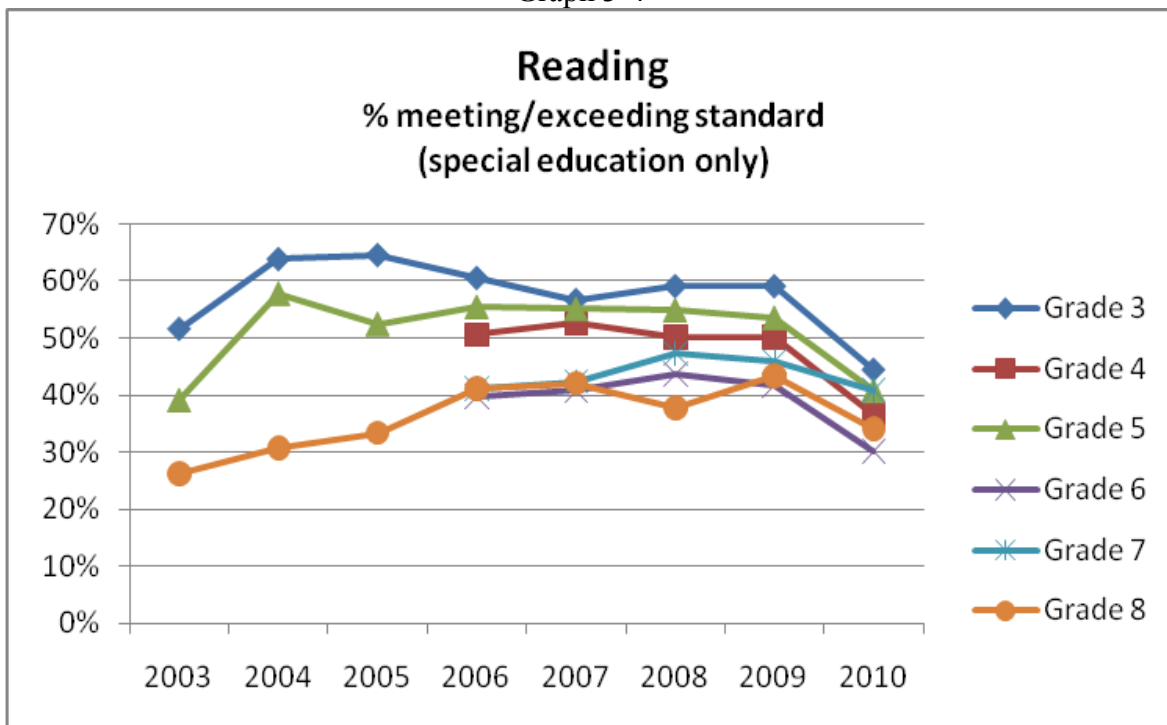
The targets were not met for any grades for students who are meeting or exceeding the standard in Reading or Mathematics. Graph 3-4 also shows a decrease in the percent of students meeting or exceeding the standard in Reading. After further analysis by the

Assessment Resources group at the DDOE, it was determined that this decrease was caused by a reduction in the number of students who had reading passages read to them as part of the reading assessment. DDOE set in place new guidelines a student must meet in order to use this accommodation, and this significantly reduced the number of students who were using this accommodation.

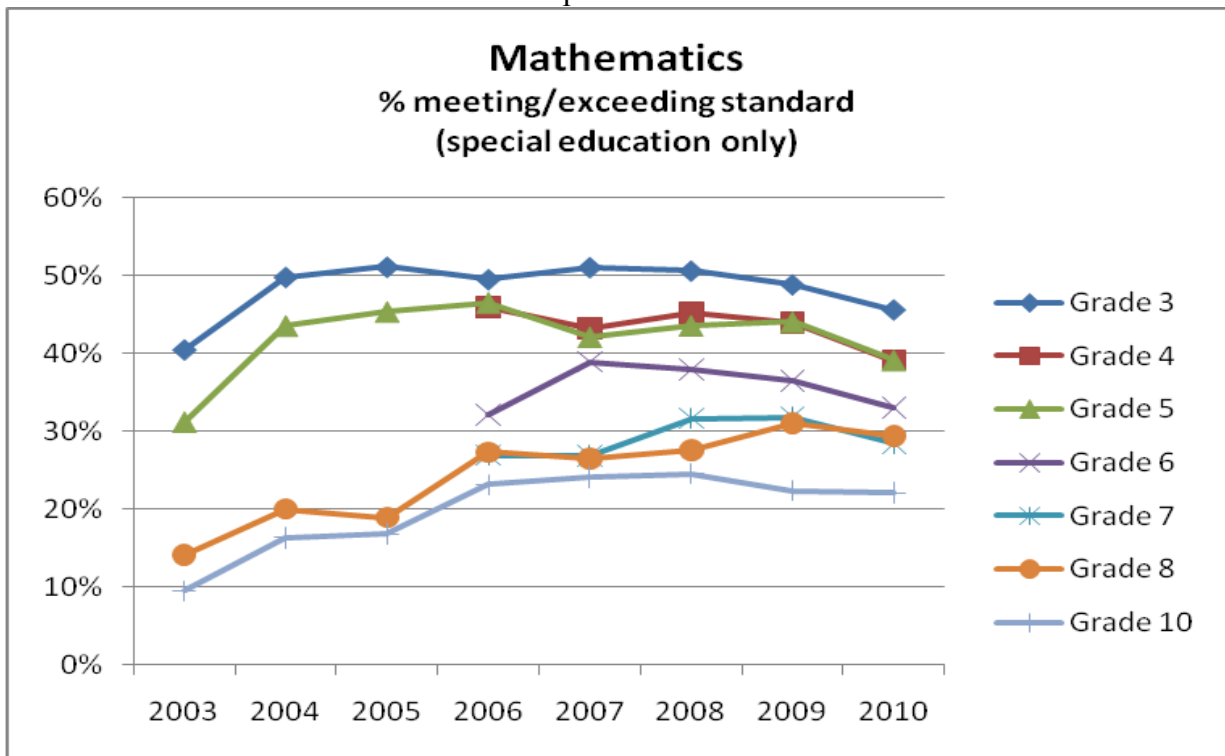
For Mathematics, the progress for the last three years has remained fairly flat in all grades. The static trends we are seeing for the students with disabilities are similar to those for the general population. The DDOE has been providing extensive professional development in the areas of Reading and Mathematics instruction through the Response to Intervention initiative (RTI) and more recently through Learning Focus.

When the targets were set, they were set to keep pace with the Elementary and Secondary Education Act (ESEA) targets (this is particularly true for the younger grades). The targets set for this APR were quite aggressive.

Graph 3-4



Graph 3-5



One area that we feel may also contribute to lower assessment scores is the use of testing and instructional accommodations. As can be seen by the two charts below, there is a high percentage of students who do not use accommodations during the assessment who are not meeting or exceeding the standard in both reading and mathematics. We will address this by identifying the districts with a low percentages of students not meeting or exceeding the standard who are not receiving any accommodations. The DDOE will work with LEAs to identify the processes that IEP teams in these specific districts are using when making the decision about accommodations. Training regarding the appropriate use of accommodations has been provided statewide but, targeted technical assistance may be needed in some districts.

APR Template – Part B (4)

Delaware
State

Reading

Grade	Test Year	# Tested No Accom	Meet Or Exceed (3,4,5) w/out Accom-DSTP	% of students Meet or Exceed w/out accoms DSTP	# Tested Accom	Meet Or Exceed (3,4,5) w/ Accom-DSTP	% of students Meet or Exceed w accoms DSTP	# Tested DAPA	Meet or Exceed DAPA	% of students Meet or Exceed DAPA	Total Tested	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of total student with IEPs Meeting or Exceed DSTP
3	2010	323	153	47%	969	372	38%	104	97	93%	1396	622	45%
4	2010	360	121	34%	957	309	32%	101	88	87%	1418	518	37%
5	2010	414	176	43%	1024	360	35%	106	95	90%	1544	631	41%
6	2010	422	115	27%	1005	229	23%	135	128	95%	1562	472	30%
7	2010	598	254	42%	835	270	32%	118	110	93%	1551	634	41%
8	2010	600	207	35%	776	192	25%	123	112	91%	1499	511	34%
10	2010	530	78	15%	654	88	13%	124	115	93%	1308	281	21%

APR Template – Part B (4)

Delaware
State

Math

Grade	Test Year	# Tested No Accom	Meet Or Exceed (3,4,5) w/out Accom-DSTP	% of students Meet or Exceed w/out accoms DSTP	# Tested Accom	Meet Or Exceed (3,4,5) w/ Accom-DSTP	% of students Meet or Exceed w accoms DSTP	# Tested DAPA	Meet or Exceed DAPA	% of students Meet or Exceed DAPA	Total Tested	# of children with IEPs enrolled for a full academic year Meeting or Exceeding the Standard	% of total student with IEPs Meeting or Exceed DSTP
3	2010	287	139	48%	1005	404	40%	104	94	90%	1396	637	46%
4	2010	329	148	45%	989	317	32%	103	90	87%	1421	555	39%
5	2010	369	163	44%	1072	345	32%	106	97	92%	1547	605	39%
6	2010	382	107	28%	1044	279	27%	136	130	96%	1562	516	33%
7	2010	584	153	26%	854	178	21%	119	112	94%	1557	443	28%
8	2010	590	165	28%	789	169	21%	123	107	87%	1502	441	29%
10	2010	527	94	18%	662	84	13%	124	112	90%	1313	290	22%

Improvement Activities	Timelines	Resources
<p>3.1) LRE Data at the LEA level will be examined and a recommendation for district self-assessment will be given for districts whose data are significantly below the averages for the state in regards to targets.</p>	<p>Ongoing</p>	<p>DOE Staff</p>
<p>Status: Public reporting of the data collected on 12/1/09 with district progress toward the indicators was completed. Discussions with LEAs that were quite discrepant from state targets about systemic change efforts in LRE occurred. AGECEC made recommendations regarding self assessment that were shared with state stakeholder advisory council. Our new DOE compliance monitoring tool targets possible LRE issues and changes were made to the state IEP form to capture more information when designating educational environments as a part of the IEP process. Data that is found non-compliant must be corrected within one year and a data-base is used to collect and report that data at the LEA level.</p>		
<p>3.2) Dissemination of information and resources on Inclusive Schools and Access to the General Education Curriculum will be made to administrators, special education and curriculum directors, pre-service instructors, educators, families, students, and community organizations (that support access to the general education curriculum) through email, websites, committee meetings, and conferences.</p>	<p>Ongoing</p>	<p>DDOE, CDS staff, AGECEC members and state-level Curriculum, Assessment and Special Education Directors</p>
<p>Status: Materials developed as a part of our state efforts toward inclusive practices were shared at state and county-wide Special Education Leadership meetings and for families through our Parent Information Center. Participation in community organizations such as the DE Easter Seals advisory board, Division of Vocational Rehabilitation, the DE Development Disabilities Council, Children and Families Subcommittee and the Delaware Assistive Technology Initiative Advisory Board make dissemination natural. NIMAS training on accessing instructional materials was given to Curriculum Cadre representatives from all LEAs in the state. Part of our SPDG grant is to work with higher education staff to retain and increase certified special education teachers and to increase the capacity of general education staff to better serve students with IEPs. In collaboration with the University of Delaware Center on Teacher Education, training workshops were held to build inclusive strategies. Also in collaboration with the Center for Disabilities Studies at the University</p>		

of Delaware, parent meetings were held across the state to share current practices in accessing the general education curriculum for students with the most significant cognitive disabilities. AGECE and Special Education Directors were invited to participate in various webinars held at the state and national level. Presentations were made to the Governor’s Advisory Council for Exceptional Citizens to share current achievement data and improvement activities.

3.3) Integrate a variety of frameworks facilitating access to the curriculum for all students. Provide materials, professional development and technical assistance for administrators, district representatives, teachers, parents and students in:

- Universal Design for Learning
- Accommodations, Modifications and Differentiating Instruction with grade level expectations of state standards
- Provision of Accessible Instruction materials in specialized formats
- Augmentative Communication
- Social Skills

The goal is to increase the capacity of all teachers to support students with disabilities to ensure access and progress in the general education curriculum within the least restrictive environment, first considering the general education.

Ongoing

DDOE and CDS staff, district AGECE members, AIM Cadre, district trainers, and Delaware teachers

Status:

Many training opportunities offered the opportunity to integrate a variety of frameworks: In the area of Universal Design for Learning and Accessing Instructional, a graduate course was held at the University of Delaware, free to all state educators, to build capacity of general and special educators to develop and implement lessons aligned to state standards using multiple means of representation, engagement and expression. Both general and special education teachers from all three counties in the state were representative and final projects were outstanding.

Training throughout the state has been offered in Differentiating Instruction and Accommodations/Modifications as it is included in Learning Focused Strategies training modules and in particular, “Catching Kids Up Collection:
Catching Kids up with Acceleration
Scaffolding Grade Level Learning and Technology
Vocabulary Instruction
Differentiated Assignments

Coursework at four higher education institutions (University of Delaware, Delaware State University, Wilmington University and Delaware Technical and Community College) for undergraduate and graduate students in Nursing, Education and Related Services for meeting the needs of students through Assistive Technology were attended by 649 individuals. In-service opportunities for training on Accessible Instructional Materials and NIMAS eligibility encompassed 275 educators and parents. Eligibility Certification and technical assistance guidance around decision-making on identifying needs were developed and training occurred at the state and local LEA level. Various LEAs have utilized the PD opportunities from DATI, Bookshare and RFB&D and some conducted additional training in text to speech software for students and staff. AT information for students through career development events were attended by 270 students. Other training and exhibits accessed by educators at events such as the LIFE Conference (technology for hearing impaired (65), AT Funding (70); Early Childhood Conference (113), Transition Conference (600) offered other opportunities to disseminate information.

Alternative Augmentative Communication workshop sponsored by DynaVox was offered state-side and 25 parents, educators and related service providers attended. Technical support from our AT Act providers (Delaware Assistive Technology Initiative) through the University of Delaware was given at the parent, teacher, and student level.

Close to 400 educators across the state received professional development in how to modify curriculum in order for students with the most significant cognitive disabilities to access grade level standards. Technical assistance was also provided to 350 educators on how to create learning activities and set learning goals that address grade level expectations.

Social Thinking Skills professional development to Co-Facilitators, school faculty, and teachers of focused students was provided to: 5 different LEAs across the state. Participating during the 2009 - 2010 school year were: 1 preschool center, 11 elementary schools, 4 middle schools, 2 high schools and our state-wide Delaware Autism Program. The training was given by Social Sensibility, LLC (trainers: Deborah Korngold and Linda Raymond) and Jill Kuzma, Speech-Language Pathologist, DE-PBS Project, district partners, and parent/ advocacy partners. Monthly coaching to include observation of group facilitation and activities, as well as follow up consultation on group process and individual student strategies, was offered by contracted consultants. In addition, parents and teachers of focused students received regular updates on individual and group progress, as well as strategies and vocabulary for generalization at home and across school day. Co-Facilitators met across the year to network and share materials and ideas. In addition to professional development, coaching and technical assistance for focused districts and schools, professional development activities were offered during the summer and will continue to be provided annually to Pilot District participants as well as educators and parents across the state. Given the success of this PD and the need across the state to disseminate this skill set, plans to expand this training across other schools demonstrating a need were made for the following school year.

3.4) Data will be examined to identify high performing districts in both achievement and LRE placement. Further delineation of the district data to

2010-2012

DDOE and CDS Staff

<p>identify schools that meet both outcome criteria will be completed. A review of policies, procedures and practices at those exemplary schools will be shared with district teams as a model for success.</p>		
<p>Status: This improvement activity is well aligned to goals both in our State Personnel Development Grant and our Race to the Top mission and plan. Courageous conversations about the utilization of effective strategies to improve outcome data for student with disabilities are vital to our educational reform. It is our intention to use data from our new computer-adaptive high stakes assessment - Delaware Comprehensive Assessment System – to collect this data. We began with a field test assessment in the spring of 2010, but the purpose was both to field test items and to give schools and students the opportunity to gain comfort with the new assessment. We plan to match school data on successful outcomes of students with disabilities with schools exceeding state targets for LRE and then do focus groups on policies, procedures, priority strategies, and curricular materials to synthesize and share exemplary practices. We are currently looking at DSTP data from Spring 2010 matched to December 1, 2009, LRE Educational Environment data. Because of the length of time that the two data reports become reconciled and available, the analysis is lag data. This information will then be shared with district teams as they plan for RTTT efforts.</p>		
<p>3.5) Provide high quality professional development opportunities from birth to 21 through annual state conference focused on building supportive positive environments, peer interactions, curricular accessibility and transition to the world beyond school.</p>	<p>Yearly</p>	<p>DDOE, CDS, DATI, BCNE, Community Organizations</p>

Status: The 16th Annual State Inclusion Conference was attended by 604 parents, general and special educators and administrators, policymakers, child care and related service providers. The theme was Keys to Inclusion: Unlocking Potential, and Dr. Paula Kluth gave the keynote: *Dwelling in Possibility: The Values, Beliefs, & Habits of Inclusive Schools*. The other strands were:

- Joyful Learning: Using Active & Collaborative Structures to Differentiate Instruction (Paula Kluth)
- Improving Academic and Behavioral Outcomes for Students with Challenging Behavior: Classroom Management Practices that Work! (Peter Alter, University of Louisville)
- Sensory Integration & Behavior; Understanding the Signs, and Strategies to Improve a Child's Success (Pam Reuther)
- Accessible Instructional Materials: Opening the Curriculum for the Benefit of All Learners (Beth Mineo, Karen Jones, Dan Fendler, Eddie Jory, and Marvin Williams)
- Making it Meaningful! Access to the General Education Curriculum for Students with Significant Cognitive Disabilities (Shawnee Wakeman, UNC)

All LEAs were supported by providing substitute teaching staff when teaching pairs attended the conference

3.6) Professional development, technical assistance, and state guidelines to facilitate the identification of students with print disabilities, as well as the selection, acquisition, and the use of appropriate specialized formats:

- Systematic process to track students who are addressed in statutory and regulatory requirements regarding NIMAS
- Systematic process for providing accessible instructional materials to students identified as having a print disability

Ongoing

DDOE, DATI, AIM Cadre, IEP trainers

Status: Progress continues in this area across the state as efforts spread to make curriculum accessible for students. Technical Assistance documents have been shared with Special Education leaders with recommendations to make them available to IEP teams for decision-making. Conferences across the state (LIFE and Inclusion) have all had professional development opportunities to build capacity in providing decision-making tools for determining needs and matching those in various environments toward the mechanisms to accelerate learning for a student with print disabilities. Efforts are made to keep the Accessible Instructional Materials Cadre, representative of almost all 37 LEAs, up to date on all information available.

One major contribution was to add this Special Factor to the state level IEP form which reads:

- ☐ **Interventions, supports and strategies for students who have difficulty accessing and/or using grade-level textbooks and other core materials in standard print formats.**

Continual training in the SETT framework and access to instruction through tools for transforming text to digital and auditory representation has been shared. Educational representatives from Bookshare, RFB&D, Don Johnston and DVI have demonstrated accessibility of textbook and supplementary sources. We now track students who require AIM through the NIMAC and other resources through our certification forms, and a link to our longitudinal data tracking system with unique student identification numbers is in development.

3.7) Promote district–level participation in Response to Intervention training and in curriculum-based assessment and problem-solving skills through the Instructional Support Team Model to increase early intervening services that support achievement and access to the general curriculum.

Ongoing

DDOE, CDS, RTI Presenters, personnel representing Instructional Consultation Assessment Teams Resources

Status:

DOE continues to support RTI at both the elementary and secondary level. We have begun conducting live and recorded webinars to replace large scale PD venues to reach more staff through a web conferencing program with collaborative meetings called Elluminate. In 2009-2010 three trainings were held to build the capacity of general education teachers to better meet the literacy needs of students who are English Language Learners. During the year principals, reading specialists and elementary teachers, participated in monthly RTI training webinars in Reading Assessment, Screening, Progress Monitoring and Interventions through Dr. Sharon Walpole, a U of D Professor of Reading. Secondary schools had webinars in assessing students, using appropriate interventions and strategies to meet the needs of students through literacy and math classes. Selected principals also conducted webinars to describe their school model and how professional learning communities served to support their RTI efforts. Over the year, Elluminate was utilized by over 500 educators for building capacity across the state in RTI and Instructional Consultative problem-solving initiatives.

As stated in 5.6, we added a new cohort for Instructional Consultation training during the FFY2009 year. Schools are successfully implementing RTI in all Delaware elementary schools, but occasionally struggle with matching the student needs to the appropriate intervention. The use of problem-solving skills through the Instructional Consultation team process with individual curriculum-based assessment data is valuable to the RTI process. It is always our intention to involve principals in team trainings and individual training sessions on curriculum based instructional assessments and interventions. Networking sessions focused on RTI and how to meet the steps of problem solving with large number of students not meeting benchmark.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

Proposed Measurable and Rigorous Target

New targets must be set for 2011 – 2012 and 2012 – 2013. In reviewing current data, we cannot increase targets for 3A or 3C due to current data not being close to the current targets. The AGECEC (Accessing the General Education Committee – a subcommittee responsible for this indicator) agreed that while we do not want to decrease the targets, with a new assessment system being implemented this year, and uncertainty about the final cut scores to determine meeting and exceeding the standard, that it would be appropriate to keep the targets the same. For 3B, the targets were not increased as these targets were already very high and our participation rates are above the 95% requirement (in many grades they are well above this criterion).

Section 3-A: % of Districts Meeting AYP

ELA and Mathematics			
	Elementary Schools	Middle Schools	High Schools
2011-2012	53%	53%	63%
2012- 2013	53%	53%	63%

Section 3-B: % Participation on Assessments

	Reading						
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2011– 2012	99.2%	98.7%	99.5%	98.4%	98.2%	97.6%	95.8%
2012- 2013	99.2%	98.7%	99.5%	98.4%	98.2%	97.6%	95.8%

	Mathematics						
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2011- 2012	99.3%	99.0%	99.3%	98.5%	98.3%	97.4%	95.4%
2012- 2013	99.3%	99.0%	99.3%	98.5%	98.3%	97.4%	95.4%

Section 3-C: % Meeting/Exceeding Standards on Assessments

	Reading						
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2011- 2012	77%	70%	75%	59%	59%	59%	45%
2012- 2013	77%	70%	75%	59%	59%	59%	45%

	Mathematics						
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10
2011- 2012	66%	61%	64%	49%	43%	44%	39%
2012- 2013	66%	61%	64%	49%	43%	44%	39%

Part B State Annual Performance Report (APR) for FFY 2009**Overview of the Annual Performance Report Development:****Monitoring Priority: FAPE in the LRE****Indicator 4A:** Rates of suspension and expulsion:

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

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

Measurement:

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.

Include State's definition of "significant discrepancy."

If the State used a minimum "n" size requirement, the State must report the number of districts excluded from the calculation as a result of this requirement.

In analyzing data for this indicator, the State must:

Use the data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) for the school year 2008– 2009 due November 1, 2009. Sampling from State's 618 data is not allowed.

The DDOE data on suspensions and expulsions of students with disabilities are derived from 618 data via the Delaware centralized pupil accounting system database. The DDOE gathers the data directly from the database, which includes discipline data self-reported by the districts. To ensure reliability and accuracy, all data are verified daily; automated error reports are provided to LEAs with identified data irregularities for correction. LEA Administrators participate in mandatory professional development around discipline reporting requirements that include codified "C" or criminal violations, DDOE or "D" code violations, and school or "S" code violations.

Definition of Significant Discrepancy and Methodology

The DDOE compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA to the rates for students without disabilities in the same LEA. These rates are then compared to the state relative difference. The DDOE defines "significant discrepancy" as those districts with a relative difference which exceeds the state relative difference, and for which the number of students with disabilities suspended or expelled greater than 10 days equals or exceeds 15 students. The DDOE calculates the state relative difference by subtracting the percent of general education students suspended for greater than 10 days from the percent of students with IEPs suspended greater than 10 days, then dividing the difference by the percent of students without disabilities suspended for greater than 10 days.

The Relative difference for data reported for FFY 2009 (2008 – 2009 school year) is 1.4. The DDOE determined that 7 districts, with a minimum of 15 students with disabilities with greater than 10 days of suspension, had a relative difference greater than 1.4.

The State must provide a definition of "significant discrepancy" referencing the methodology used and the measure of how the rates were calculated (e.g. risk ratio, weighted risk ratio, comparison to a State average, or other).

The State must choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a)):

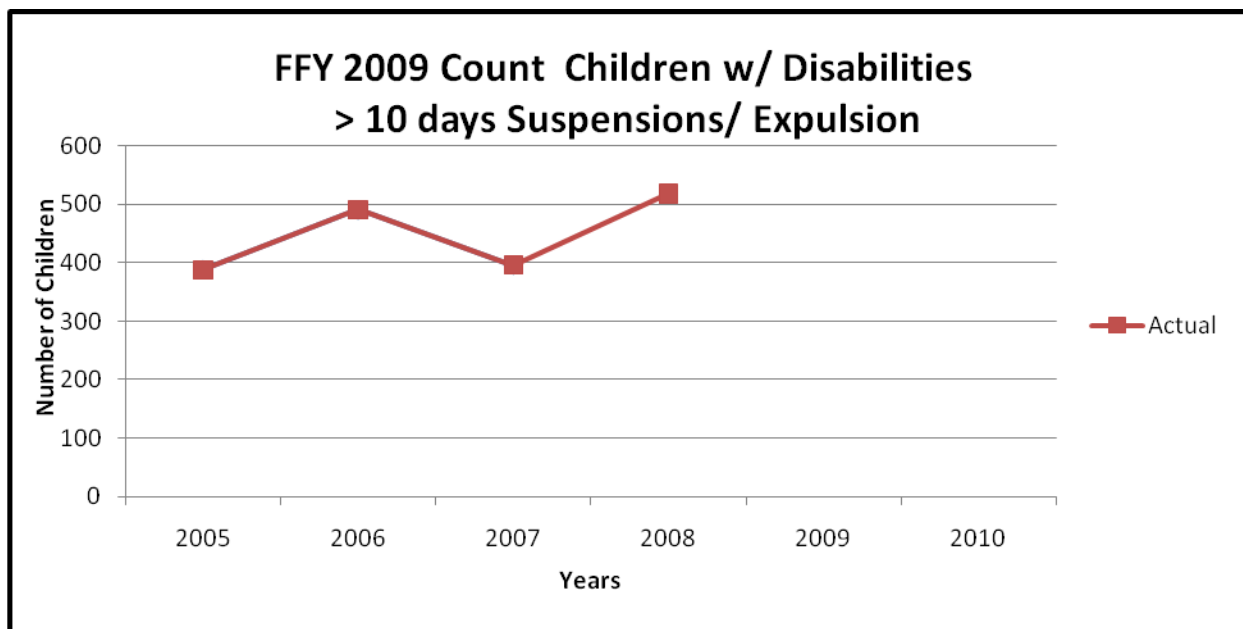
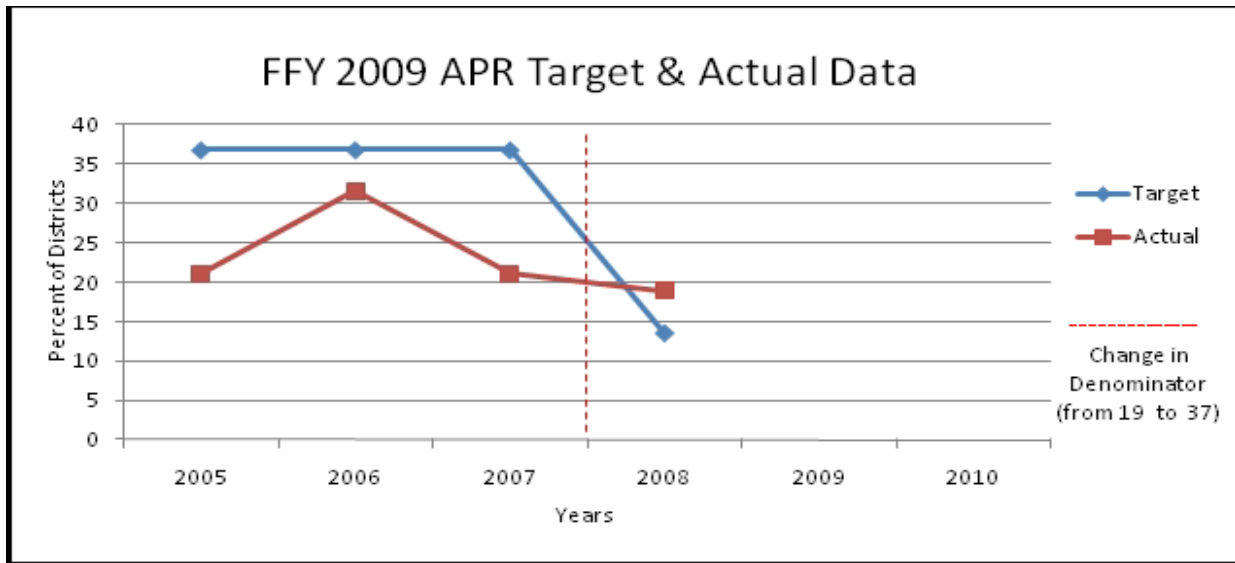
- *Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State; or*
- *The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA.*

Actual Target Data for FFY 2009 (using 2008-2009 data)

FFY	Measurable and Rigorous Target
<i>FFY 2009 (using 2008-2009 data)</i>	<p>13.5% of districts (5 districts) are identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.</p> <p>Target reflects change in denominator from 19 to 37 LEAs, including all LEAs and charters.</p>

For this indicator, report data for the year before the reporting year (use 2008-2009 data).

<p>18.9% of districts (7 districts) are identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.</p> <p>This represents a change in denominator from 19 major districts to 37 districts, including all LEAs and charters.</p>		
	Unduplicated Count General Education Students > 10 days Suspensions/ Expulsions	Unduplicated Count Students with Disabilities > 10 days Suspensions/ Expulsions
2008 – 2009	1408	518



Describe the results of the State examination of the data.

For the 2008-2009 academic year, seven districts, or 18.9% of LEAs, were identified with a significant discrepancy in the rate of suspension for greater than 10 days for students with disabilities when compared to the number of students without disabilities. This reflects a change in denominator from the 19 major LEAs used previously, to include all districts and charters, or a denominator of 37. The districts were identified with a significant discrepancy due to a) relative difference above the state average of 1.4 and b) having 15 students or more with disabilities suspended for greater than 10 days. Of the state’s 37 LEAs, four districts which exceeded the state’s relative difference were excluded from the calculation due to “n” size below 15; in actuality, their cell sizes were below 10.

Two of the identified districts, Districts B and K, were also identified with significant discrepancy in suspensions/ expulsions in 2007- 2008. Of the remaining districts, District Q was identified for the first time, while Districts C, G, and H are districts with relatively small numbers, 16, 19, and 19 students with disabilities respectively, who received long-term suspensions and expulsions. District J was identified in 2006-2007, but had made significant

progress. For District Q, one of its four schools has been identified through Delaware’s Education Reform (RTTT) as a Partnership Zone school due to its designation as ‘persistently low-achieving.’ As such, the DDOE will be partnering with this school across all aspects of operation, including discipline and school climate, during the next reporting year(s).

District B sponsors county-wide alternative programs for students, with and without disabilities, who have significant discipline problems. Additionally, Districts B and K have a high percentage of students in poverty (56% and 45.5% respectively for 2008-2009).

LEAs with Significant Discrepancy in Rates for Suspension and Expulsion

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies	Percent**
FFY 2009 (using 2008-2009 data)	37	7	18.92%

*States can choose to either: (1) include the total number of LEAs in the State in the denominator; or (2) include only the number of LEAs that meet the minimum n-size in the denominator.

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**MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “!Zero Divide”), then right click (PC) or select the control key (Mac) for a menu of options, and then select “update field.”

Review of Policies, Procedures, and Practices (completed in FFY 2009 using 2008-2009 data): If any LEAs are identified with significant discrepancies:

- a. Describe how the State reviewed policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA. The State must complete this review by June 30, 2010. The failure of the State to conduct this review is noncompliance with 34 CFR §300.170(b); and
- b. Report if the State identified any noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b). In addition to conducting the review required by 34 CFR §170(b), the State must report on the results of its review. The State must complete the review, and identify any noncompliance by June 30, 2010; and

Describe how the State, if appropriate, revised (or required the affected LEA(s) to revise) policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA.

The Delaware Department of Education conducted reviews of identified districts in the form of district self-assessments, interviews with district personnel, and review of LEAs’ discipline and Board of Education policies. The District self assessments included reviews of written district policies, procedures, and practices related to the development and implementation of IEPs, the use of positive behavior interventions and supports and adherence to procedural safeguards. Individual school and student data were also reviewed and staff interviews were conducted as part of the district self-assessments.

As a result of the review, the DDOE determined that there was no incidence of noncompliance with IDEA-B requirements, and therefore, the DDOE did not require the districts to revise policies, procedures, or practices. However, districts identified areas in which they planned to improve and DDOE concurred with their analyses, making additional recommendations. The DDOE will continue to provide technical assistance to identified districts based on need.

Of the districts identified with a significant discrepancy across consecutive years, focused monitoring was conducted and these districts determined, independently and in collaboration with the DDOE, professional development strategies that could assist in addressing their rates of suspensions and expulsions. For example, District B required all schools district-wide to implement, or systematically strengthen current, School-wide Positive Behavior Support (SWPBS) programs. To that end, District B provided mandatory professional development and technical assistance to teams from all schools in a collaborative effort with DDOE staff, the DE-PBS Project, the district leadership, and the district DE-PBS Coach during the summer of 2010. District K identified two additional schools to participate in SWPBS professional development during the summer of 2010. This district has included plans to systematically expand SWPBS programs to all schools with high rates of office referrals and suspensions.

In addition, both Districts B and K, along with a number of other districts, have adopted an online data tracking system that serves as a data warehouse and progress monitoring tool available to all staff, with the capacity to provide automated reports, assist teachers and administrators in screening for academic and behavior problems, and managing student outcome data for academic and behavior interventions.

District J participated in Targeted PBS professional development and included members of their Instructional Support Teams in order to merge instructional and academic support and problem-solving processes. This district supports IST Facilitator positions and implementation across 10 schools. The DDOE Education Specialist, who coordinates both the DE-PBS and IST projects, collaborates regularly with District J leadership and school-based IST Facilitators, attending monthly meetings and providing technical assistance.

Correction of FFY 2008 Findings of Noncompliance *Do not report on the correction of noncompliance unless the State identified noncompliance as a result of the review required by 34 CFR §300.170(b).*

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) using 2007-2008 data	0
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
6. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

**PC Users - To utilize the auto-calculating function, enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled 0”), then right click for a menu of options, and then select “update field.”*

APR Template – Part B (4)

Delaware
State

**MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled "0"), then right click (PC) or select the control key (Mac) for a menu of options, and then select "update field."*

Actions Taken if Noncompliance Not Corrected:

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

Not applicable.

Verification of Correction (either timely or subsequent):

For those findings for which the State has reported correction, describe the process the State used to verify that the LEA is correctly implementing the specific regulatory requirement(s).

Not applicable

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

1. Number of remaining FFY 2007 findings (identified in July 1, 2007 – June 30, 2008 using 2006-2007 data), noted in OSEP's June 1, 2010, FFY 2008 APR response table for this indicator	0
1. Number of remaining FFY 2007 findings the State has verified as corrected	0
2. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	0

**PC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled "0"), then right click for a menu of options, and then select "update field."*

**MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled "0"), then right click (PC) or select the control key (Mac) for a menu of options, and then select "update field."*

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):

Provide information regarding correction using the same format provided above.

Not applicable.

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

Statement from the Response Table	State's Response
NA	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2009:

Status and progress of Improvement Activities is described in the table below. Progress on target data was also reported to the state advisory panel, the Governor’s Advisory Council for Exceptional Citizens, as well as the DE-PBS Project Cadre of District Coaches. Relevant improvement activities and implementation strategies were shared, including the use of School Climate data and discipline data disaggregated by student subgroups. Results of 2009-2010 School Climate Survey data correlations with achievement and discipline were presented to the State Board of Education. Subsequently, School Climate Survey participation and data analysis will inform improvement plans of Delaware Partnership Zone Schools as part of Delaware’s Education Reform.

While there is an increase in the number of districts identified with significant discrepancies for the 2008-2009 academic year, it is important to note that efforts have been ongoing across districts to examine the rates of suspensions for all students, both general and special education, and to further clarify districts’ mandatory consequences based on individual LEAs’ Board of Education policies. Three of the districts have an “n” size for long-term suspensions that is less than 20 students, three districts exceeded the state relative difference marginally, and the DDOE has adhered to a definition that does not allow districts’ relative difference to exceed the state average by even 1%.The DDOE is committed to the expansion and continuation of improvement activities to address the slippage as identified below.

It is important to note that two districts that were previously identified with significant discrepancies across two or more years have made significant progress and were not identified for this reporting year.

Completed Activities

Improvement Activities	Timelines	Resources
4-1. Newly identified districts will provide DDOE with a description of their policies, procedures, and practices relating to the development and implementation of IEPs regarding the identification of appropriate services, including the use of functional behavioral assessments and the use of behavioral interventions and procedural safeguards to ensure these procedures comply with IDEA. Identified improvement strategies, timelines, and targets will be included.	Districts will provide report within 60 days after DDOE letter notification	DDOE staff, identified districts
Status: DDOE required that districts with a significant discrepancy in suspensions/ expulsions for students with disabilities conduct reviews of their policies, procedures and practices relating to discipline and suspensions and submit reports of the self-assessments. DDOE reviewed all written policies, procedures, and practices; determined that disproportionate rates of suspensions and expulsions were not the result of inappropriate written policies, practices, and procedures; and therefore, no incidence of noncompliance were identified. Districts identified improvement strategies with which DDOE concurred. The DDOE made additional recommendations to the districts and will continue to provide technical assistance to districts and schools based on need.		
Improvement Activities	Timelines	Resources
4-2. Identified districts will participate in DE-PBS Initiative or present a plan which indicates similar or parallel strategies, including data collection, that will adequately measure the impact of the proposed strategies.	On-going	DDOE staff, UD PBS Staff, identified districts
Status: The identified districts are currently participating in the DE-PBS initiative and will continue to participate for the 2010-11 school year, refining current implementation or identifying additional schools based on need. District A mandated that all schools either begin new implementation of SWPBS programs or refine existing programs; therefore, each of the district’s schools participated in SWPBS professional development during the summer of 2010. The PD was conducted in collaboration with District B’s leadership, their PBS Coach, and the DE- PBS Project staff. District B also conducted work sessions around culturally responsive practices to address disproportionate discipline practices with minority students. District K identified two schools for SWPBS implementation in addition to their eight currently implementing DE-PBS schools.		

<p>4-3. Collaborate with identified districts to identify schools with greatest number of students receiving suspensions greater than 10 days, determine level of positive behavior support these schools implement and provide training to school staff to support students.</p>	<p>On-going</p>	<p>DDOE staff, UD PBS Staff, identified districts</p>
<p>Status: The DDOE recommended that Districts B and K require those schools identified with highest rates of referrals and suspensions to participate in Targeted PBS Professional Development. Each district identified three schools for participation. Activities to build skills and capacity around students with targeted and intensive needs are ongoing and distributed across the school year. One of the DE-PBS/ UD Faculty Partners, whose expertise includes instructional and behavioral consultation, as well as family-school collaboration, continues to guide these activities. Technical Assistance will continue to be provided to districts based on need and in collaboration with district PBS Coaches. Technical Assistance will continue to guide the use of multiple, disaggregated data sources to make decisions and inform interventions, as well as utilization of progress monitoring tools and procedures to evaluate the efficacy of interventions.</p>		
<p>4-4. All districts will track special education students receiving suspensions greater than 10 days.</p>	<p>On-going</p>	<p>DDOE staff, districts</p>
<p>Status: All districts continue to track special education students who receive suspensions greater than 10 days via Delaware centralized pupil accounting system database.</p>		
<p>4-5. All districts will track special education students receiving in school and out of school suspensions.</p>	<p>On-going</p>	<p>DDOE staff, districts</p>
<p>Status: All districts track special education students' in and out of schools suspensions via Delaware centralized pupil accounting system database.</p>		
<p>4-6. Provide professional development in the areas of manifestation determinations and IDEA disciplinary procedures to administrators and school staff to ensure the use of positive behavioral interventions and supports, and the provision of procedural safeguards that comply with IDEA</p>	<p>Spring 2010 and Ongoing</p>	<p>DDOE Staff, districts</p>
<p>Status: New Improvement Activity</p>		
<p>4-7. Make available to all schools valid, reliable, and useful measures of school climate that can be completed by students, teachers/staff, and parents. Demonstrate that school climate scores are closely related to the use of positive and punitive techniques (including suspensions/expulsions) – that schools with positive school climate have greater use of positive behavioral techniques and fewer suspensions/expulsions. Establish an accurate database for schools to reference their scores and examine changes from year to year.</p>	<p>On-going</p>	<p>DDOE staff, UD PBS Faculty/ staff</p>
<p>Status: Delaware School Climate Surveys continue to be made available to all LEAs; 155 schools participated during the 2009-2010 school year. School Climate Survey data will be integrated into the Delaware Data Portal for use by school teams in identifying goals and activities as part of School Success Plans.</p>		
<p>Improvement Activities</p>	<p>Timelines</p>	<p>Resources</p>
<p>4-8. Provide professional development in the interpretation of school climate scores and translating those scores into the use of evidence-based practices for establishing and maintaining a school climate that prevents problem behavior and promotes positive behavior (as observed in the implementation of school-wide behavior support strategies, lower ODRs, and suspensions/expulsions).</p>	<p>On-going</p>	<p>DDOE staff, UD PBS Faculty/ staff</p>
<p>Status: Professional development and a technical assistance document to guide the interpretation of SCS scores was provided by DE- PBS/ UD Faculty partner to district and school administrators and school-based staff. Forty-three schools from twelve districts and one charter school were represented at the professional development session. Additionally, the DE-PBS/UD Faculty Partner, who is the principal researcher and developer of the DE School Climate Surveys, presented 2009-2010 survey data, correlated with achievement and suspension data, to the DE State Board of Education.</p>		

4-9. Enhance use of evaluation data, external program evaluation, strengths/ needs assessment, behavioral data, and school climate data) by establishing areas of improvements for each individual PBS school. Technical assistance will be provided to facilitate growth in areas of need.	On-going	DDOE staff, UD PBS staff District Coaches
Status: Workgroups were formed and drafted revisions to the external evaluation, Needs Assessment, and Recognition system. Each evaluation and assessment process features strategies for the use of data for DE-PBS Program implementation and determining areas of improvement. Needs Assessment was piloted in Spring 2010 and data summaries shared with participating schools. DE Evaluation of PBS Key Features will be piloted in Spring 2011. Draft and revised protocols were shared with the District PBS Coaches. Technical assistance in the use of data for improvement planning is ongoing.		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

The following changes to the improvement activities were approved by the PBS Core Group and PBS State Cadre. These changes were made to reflect focused efforts and technical assistance to targeted districts and schools based on need.

Completed Activities

Improvement Activity - Identified Districts Participate in Focused Monitoring

Activity folded into Improvement Activity 4-1 - Newly identified districts will provide DDOE with a description of their policies, procedures, and practices to ensure they procedures comply with IDEA.

Improvement Activity - DE- PBS Professional Development for Preschool Programs

Activity completed through partnership with DDOE Early Development and Learning Resources Workgroup Staff. The DE-PBS Project provided a framework for center-based behavior support. Professional development activities will continue in partnership with DDOE Early Development and Learning Resources Workgroup Staff when requested by Head Start and ECAP center managers.

Improvement Activity - DE - PBS Modules for Administrators

Activity folded into Improvement Activities 4-2, 4-3, 4-6, and 4-8. Administrators are required to participate with school-based teams during on-going professional development activities led by DE- PBS Project staff. In addition, professional development in the areas of regulatory Discipline Procedures, including manifestation determinations and procedural safeguards, will be provided to district-and school-based administrators by DDOE staff.

Improvement Activity - Culturally Responsive Classroom Module

Related to Improvement Activity 4-3, professional development activities to build skills and capacity around students with targeted and intensive needs are ongoing. Focused Technical Assistance will continue to be provided to districts based on need, in collaboration with district DE-PBS Coaches, as well as through direct support from the DE-PBS Project. This Technical Assistance will continue to guide the use of multiple, disaggregated data sources to make decisions and inform interventions, as well as utilization of progress monitoring tools and procedures to evaluate the efficacy of interventions.

Improvement Activity – Research and Development Center Evaluation

Activity completed following submission of the University of Delaware’s Research and Development Center Evaluation. DE-PBS Core team provided technical assistance to the UD Research and Development Center during the evaluation process and facilitated the R & D Center’s interaction with district DE-PBS Coaches and school

teams. One of the UD/ PBS Faculty partners authored a summary of the findings and informed the development of the background document. The final report was submitted to the DE State Board of Education and the DE-PBS Project continues to incorporate findings into revised implementation strategies.

The following research article on the Delaware School Climate Survey was accepted for publication in the *Journal of School Psychology*: Delaware School Climate Survey–Student: Its Factor Structure, Concurrent Validity, and Reliability. Bear, G.G., Smith, C., Blank, J., & Chen, F.F.

This research details results of confirmatory factor analyses, conducted on a sample of 11,780 students in 85 Delaware schools, which showed that a bifactor model, consisting of five specific factors and one general factor (School Climate) best represented the data. Those five factors were represented in five subscales of the DSCS-S: Teacher–Student Relations, Student–Student Relations, Fairness of Rules, Liking of School, and School Safety. The factor structure was shown to be stable across grade levels (i.e., elementary, middle, and high school), racial–ethnic groups (i.e., Caucasian, African American, and Hispanic), and gender. As evidence of the survey’s concurrent validity, scores for each of the five subscales and the total scale correlated moderately, across groups and at the school level, with academic achievement and suspensions and expulsions.

Optional SPP Template – Part B (3)

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE**Indicator 4B:** Rates of suspension and expulsion:

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:

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.

Overview of Issue/Description of System or Process:

The DDOE data on suspensions and expulsions of students with disabilities, disaggregated by race and ethnicity, are derived from 618 data via the Delaware centralized pupil accounting system database. The DDOE gathers the data directly from the database, which includes discipline data self-reported by the districts. To ensure reliability and accuracy, all data are verified daily; automated error reports are provided to LEAs with identified data irregularities for correction. LEA Administrators participate in mandatory professional development around discipline reporting requirements that include codified “C” or criminal violations, DDOE or “D” code violations, and school or “S” code violations.

Definition of Significant Discrepancy and Methodology

The DDOE compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with disabilities in any race or ethnic category in each LEA to the rates for students without disabilities in each race or ethnic category in the same LEA. These rates are then compared to the state relative difference. The DDOE calculates the state relative difference by subtracting the percent of general education students suspended for greater than 10 days from the percent of students with IEPs suspended greater than 10 days, then dividing the difference by the percent of students without disabilities suspended for greater than 10 days.

The DDOE identifies a district as having a significant discrepancy in rates of long-term suspensions if the district’s rate for students with disabilities in any race or ethnic category, who were suspended or expelled for more than 10 days in a school year, exceeds the state relative difference in the same race or ethnic category. Districts with less than 15 students with disabilities with long term suspensions in a race or ethnicity category are not included.

The State must provide a definition of “significant discrepancy” referencing the methodology used and the measure of how the rates were calculated (e.g. risk ratio, weighted risk ratio, comparison to a State average, comparison to State defined rate, or other).

The State must choose one of the following comparison methodologies to determine whether significant discrepancies, by race or ethnicity, are occurring (34 CFR §300.170(a)):

Compare the rates of expulsions and suspensions of greater than 10 days in a school year for children with IEPs among LEAs in the State; or

The rates of expulsions and suspensions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA.

If the State used a minimum “n” size requirement, the State must report the number of districts excluded from the calculation as a result of this requirement.

If significant discrepancies, by race or ethnicity, occurred, and the district with discrepancies had policies, procedures, or practices that contributed to the significant discrepancy and do not comply with the requirement relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, the State must describe how it ensured that such policies and procedures and practices were revised to comply with applicable requirements. In reporting on correction of noncompliance, the State must report consistent with OSEP Memorandum 09-02 dated October 17, 2008.

Example:

A State identifies a district as having a significant discrepancy in rates of long-term suspensions and expulsions if the district’s suspension/expulsion rate for students with disabilities in any racial or ethnic category, was at or above two standard deviations from the statewide mean for students with disabilities in that racial or ethnic category, and the district had four or more students with disabilities in that racial or ethnic category who were suspended/expelled for more than ten days in a school year.

The State identifies districts with significant discrepancies in the rates of long-term suspensions and expulsions, by race or ethnicity, through the following steps:

- Separately, for each race and ethnicity category, aggregate each district’s total number of students with disabilities who were suspended/expelled for greater than ten days, and divide by the total number of students with disabilities by that race or ethnicity in the district. This process will result in each district’s rates of suspensions/expulsions by race and ethnicity.
- Separately, for each race and ethnicity category, calculate the mean rate and the standard deviation across all districts reporting suspension/expulsion data (districts with fewer than ten students who were suspended/expelled for more than ten days were removed from the list of identified districts).
- Identify districts at or above two standard deviations from the mean in any race or ethnicity category as having a significant discrepancy.

Based on the data, the State identified one school district with significant discrepancy by race for this reporting period. This district was required to provide the State with information on each of the students in the specific race category that were suspended or 10 or more days. Information for seventeen students was reviewed.

The State determined that twelve of those students had behavior intervention plans that were not fully implemented, thus contributing to the significant discrepancy, but did not identify any other problems with policies, practices or procedures regarding the development and implementation of IEPs, the use of positive behavioral interventions and supports or procedural safeguards.

The State made a finding of noncompliance in the district, required a revision to the district’s policies, practices and procedures related to the development and implementation of IEPs, specifically regarding implementation of behavior intervention plans, and required correction consistent with OSEP Memorandum 09-02 dated October 17, 2008.

The State will report this district in the APR under Indicator 4B(a) and 4B(b).

Baseline Data for FFY 2009 (using 2008-2009 data):

FFY	Measurable and Rigorous Target
2009 (using 2008-2009 data)	0%
2010 (using 2009-2010 data)	0%
2011 (using 2010-2011 data)	0%
2012 (using 2011-2012 data)	0%

For this indicator, report baseline data for the year before the reporting year (FFY 2008 data).

0 %

Relative Difference 2008-2009					
AI/AK	Asian/PI	Black	Hispanic	White	District
0.00	-1.00	-0.18	-1.00	0.628	A
0.00	0.00	0.45	-1.00	0.861	B
0.00	0.00	0.17	2.60	-0.383	C
0.00	0.00	-0.58	-1.00	-0.740	D
4.17	0.00	-0.38	1.99	-0.145	E
0.00	0.00	0.20	1.42	-1.000	F
0.00	0.00	-0.18	1.61	-0.048	G
0.00	-1.00	-0.17	-1.00	-0.454	H
-1.00	-1.00	0.01	-1.00	-0.130	I
0.00	-1.00	0.17	0.08	0.234	J
0.00	-1.00	-0.11	0.12	0.086	K
-1.00	-1.00	-0.05	1.96	-0.053	L
0.00	0.00	0.00	0.04	-0.552	M
0.00	0.00	-0.52	-1.00	-1.000	N
-1.00	0.00	-0.47	1.52	0.218	O
0.00	0.00	0.00	0.00	-1.000	P
-1.00	-1.00	1.32	1.60	0.995	Q
0.00	0.00	-1.00	0.00	3.673	R
0.00	0.00	6.29	0.00	1.464	S
0.00	0.00	0.00	0.00	0.000	T
0.00	0.00	0.69	0.00	0.000	U
0.00	0.00	-0.79	-1.00	-1.000	V
0.00	0.00	1.31	0.00	0.000	W
0.00	0.00	-1.00	-1.00	-1.000	X
0.00	0.00	-0.37	0.00	0.000	Y
0.00	0.00	-1.00	-1.00	0.000	Z
0.00	0.00	0.00	0.00	0.000	AA
0.00	0.00	-1.00	0.00	0.000	BB
0.00	0.00	0.00	0.00	0.000	CC
0.00	0.00	0.00	0.00	0.000	DD
0.00	-1.00	0.00	-1.00	-1.000	EE
0.00	0.00	0.00	0.00	0.000	FF
0.00	0.00	0.00	0.00	0.000	GG
0.00	0.00	0.00	0.00	-1.000	HH
0.00	0.00	0.00	0.00	0.000	II
0.00	0.00	0.00	0.00	0.000	JJ
0.00	0.00	0.00	0.00	0.000	KK
1.92	-1.00	0.04	0.76	-0.055	STATE

Discussion of Baseline Data:

Describe the results of the State examination of the data.

The DDOE identified districts with a relative difference greater than .04 for African American students, .76 for Hispanic students, and -0.055 for White students as having significant discrepancies. The DDOE determined that three (3) LEAs, Districts B, J, and Q, had significant discrepancies in rates of suspensions and expulsions among African American students and one (1) LEA, District L, had significant discrepancies in the rate of suspensions and expulsion for Hispanic students with disabilities. For FFY 2009, three (3) districts and two (2) charter schools were excluded from this calculation for African American students, eight (8) districts were excluded from the calculation for Hispanic students, and fifteen (15) districts were excluded from the calculation for White students due to “n” size below 15.

Based on the DDOE’s review of district self-assessments as described in the following section, as well as review of districts’ policies, procedures, and practices, and interviews with district staff, the DDOE did not find that any of these districts’ policies, procedures, or practices were noncompliant with the IDEA. The DDOE did not require the LEAs identified with significant discrepancies based on 2008-2009 data to revise policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. Therefore, no districts were identified with significant discrepancies in long-term suspensions and expulsions in any race or ethnic category as a result of inappropriate policies, procedures, and practices, resulting in a baseline of 0%.

4B(a). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspension and Expulsion:

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent**
FFY 2009 (using 2008-2009 data)	37	4	10.81%

*States can choose to either: (1) include the total number of LEAs in the State in the denominator; or (2) include only the number of LEAs that meet the minimum n-size in the denominator.

4B(b). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and 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.

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies, by Race or Ethnicity, and 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.	Percent**
FFY 2009 (using 2008-2009 data)	37	0	0.00%

*States can choose to either: (1) include the total number of LEAs in the State in the denominator; or (2) include only the number of LEAs that meet the minimum n-size in the denominator.

***PC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “!Zero Divide”), then right click for a menu of options, and then select “update field.”*

***MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “!Zero Divide”), then right click (PC) or select the control key (Mac) for a menu of options, and then select “update field.”*

Review of Policies, Procedures, and Practices (completed in FFY 2009 using 2008-2009 data): *If any LEAs are identified with significant discrepancies:*

- a. *Describe how the State reviewed policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The State must complete this review by June 30, 2010. The failure of the State to conduct this review is noncompliance with 34 CFR §300.170(b); and*
- b. *In addition to conducting the review required by 34 CFR §170(b), the State must report on the results of its review. The State must complete the review, and identify any noncompliance by June 30, 2010; and*
- c. *Describe how the State, if appropriate, revised (or required the affected LEA(s) to revise) policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Report if the State identified any noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).*

The Delaware Department of Education conducted reviews of district policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards through analyses of district self-assessments. These self-assessments included reviews of written policies and procedures, examination of district- and school-based practices, interviews with instructional support or problem-solving team staff, examination of individual student files, review of Student Codes of Conduct, and analysis of discipline data. The DDOE did not find that any of these districts’ policies, procedures, or practices noncompliant with the IDEA as a result of this review. Therefore, the DDOE did not require the LEAs identified with significant discrepancies based on 2008-2009 data to revise policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA.

However, districts identified areas in which they planned to focus improvement and DDOE concurred with the analyses, making additional recommendations. The DDOE will continue to provide technical assistance to identified districts based on need.

To date, the DDOE, through the DE-PBS Project, has sponsored the following professional development and technical assistance activities statewide. The DE-PBS Project will continue to provide distributed professional development to districts and the DDOE will continue to specifically invite focused districts to identify schools for participation based on need. Professional development and Technical Assistance continues to center on: implementation and refinement of existing School-wide Positive Behavior Support Programs; Targeted PBS professional development; technical assistance in the use of progress monitoring strategies and data management tools for student interventions; and continuing collaboration and skill building with the statewide cadre of DE-PBS Coaches.

Of the two districts identified with significant discrepancies for African American and White students, both include schools designated through Delaware’s Education Reform (RTTT) as Partnership Zone schools due to persistently low achievement. The DDOE and DE-PBS Project staff will collaborate with the DDOE RTTT Turnaround staff to provide professional development, resources, and technical assistance in the areas of tiered behavior supports, and the use of a variety of data sources to include school climate and discipline data disaggregated by race and ethnicity.

Improvement Activities/Timelines/Resources:

Please be sure to project improvement activities through FFY 2012 (2012-2013).		
Improvement Activities	Timelines	Resources
4-1. Districts identified with significant discrepancies in rates of suspensions/ expulsions > 10 days by race/ ethnicity will provide DDOE with: <ul style="list-style-type: none"> a) A review of their policies, procedures, and practices relating to the development and implementation of IEPs, the identification of appropriate services, the use of functional behavioral assessments and behavioral interventions, and adherence to procedural safeguards to ensure these procedures comply with IDEA; b) If these reviews result in DDOE findings of noncompliance, identified districts will provide corrections of noncompliance at individual student and systemic levels as necessary to include revised IEPs and behavior support plans, provision of procedural safeguards, professional development and improvement strategies, timelines, and targets. 	Ongoing <ul style="list-style-type: none"> a) Districts will provide report of review within 60 days of DDOE notification b) If identified noncompliance, DDOE will verify corrections within one year and conduct monitoring activities 	DDOE staff, identified districts
4-2. Identified districts will participate in DE- PBS Project or present a plan which indicates similar or parallel strategies, to include implementation of research-based strategies and participate in use of various, disaggregated data sources and evaluation tools to adequately measure the impact of the proposed strategies.	Summer 2011 and Ongoing	DDOE staff, DE-PBS Project staff, identified districts
4-3. Identified districts will determine school(s) with highest need to participate in professional development focused on consultation, team-based problem-solving, and tiered behavior supports; implement targeted and individual behavior support interventions (tier 2 and 3); conduct progress monitoring and evaluation activities; and collaborate with DE-PBS Project and District PBS/ Instructional Coaches through technical assistance and evaluation activities.	January 2011 and On-going	DDOE staff, UD DE-PBS Faculty/ staff, District PBS Coaches, identified districts
4-4. All districts will track special education students receiving in- and out-of-school suspensions greater than 10 days by revised race/ethnicity categories.	On-going	DDOE staff, districts
4 – 5. Provide professional development in the interpretation of school climate scores and translating those scores into the use of evidence-based practices for establishing and maintaining a school climate that prevents problem behavior and promotes positive behavior (as observed in the implementation of school-wide behavior support strategies, lower ODRs, and suspensions/expulsions).	On-going	DDOE staff, UD DE-PBS Faculty/ staff

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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.

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.

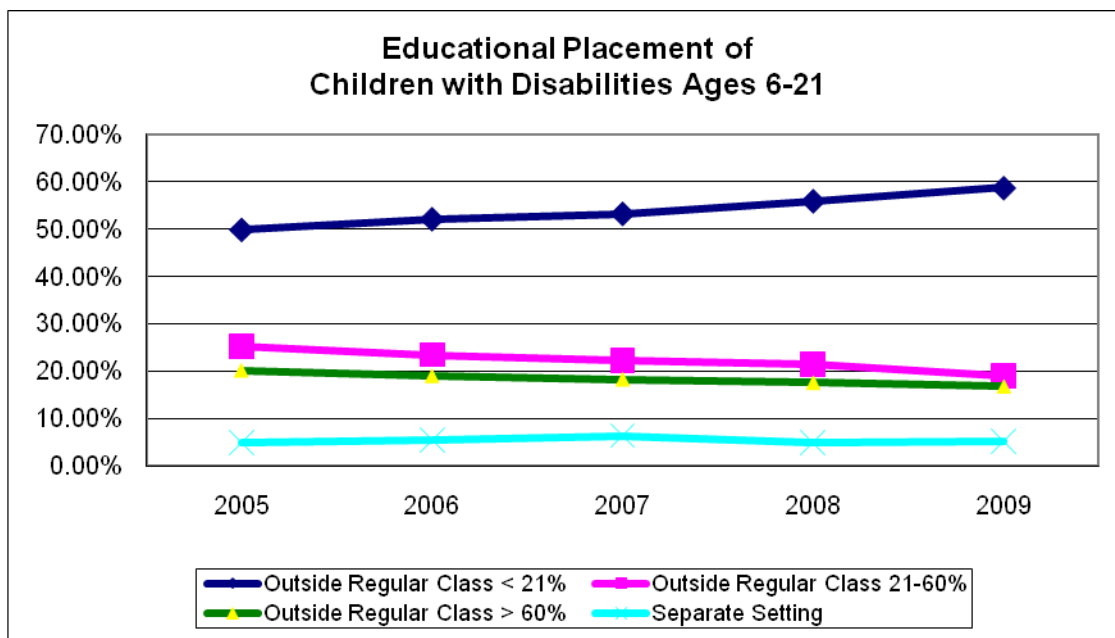
Actual Target Data for FFY 2009:

FFY	Measurable and Rigorous Target		
	A. Inside Regular Class 80% or more of the day.	B. Inside regular class less than 40% of the day.	C. Served in separate schools, residential placement, homebound or hospital placements.
2009	62.0%	18.2%	3.8%

Education Placement of Children with Disabilities Ages 6-21

State	Inside Regular Class > 80%	Inside Regular Class <79% and >40%	Inside Regular Class <40%	Separate Setting	Total
12/1/2005	8,350	4,226	3,383	825	16,784
12/1/2006	8,928	4,023	3,264	938	17,153
12/1/2006 - Crossed walked to new codes	8,805	4,022	3,264	1,062	17,153
12/1/2007	9,169	3,823	3,147	1,097	17,239
12/1/2008	9,354	3,603	2,941	834	16,732
12/1/2009	9,711	3,166	2,801	861	16,539

State	Inside Regular Class > 80%	Inside Regular Class <79% and >40%	Inside Regular Class <40%	Separate Setting	Total
12/1/2005	49.8%	25.2%	20.2%	4.9%	100.0%
12/1/2006	52.1%	23.5%	19.0%	5.5%	100.0%
12/1/2006 - Crossed walked to new codes	51.3%	23.5%	19.0%	6.2%	100.0%
12/1/2007	53.2%	22.2%	18.3%	6.4%	100.0%
12/1/2008	55.9%	21.5%	17.6%	5.0%	100.0%
12/1/2009	58.7%	19.1%	16.9%	5.2%	100.0%



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

The data representing students who are inside the regular education classroom more than 80% of the day continues to increase, (moving our state average to 58.7% in 2009-10 SY from 55.9% in the previous APR), but did not meet the increasing rigorous target of 62%. Trend data indicate the state averages have increased steadily from 37.7% in 2002 to 49.7% in 2005 to 58.7% in FFY 2009. DDOE can report that 72% of districts and charter schools (26 of the 36) met the state target of 62% demonstrating continuous improvement as our target increased by 3.0%. Of the ten (nine districts and our residential/corrections facility) that did not meet the state target, seven districts showed improved percentages for educating students in the general education classroom for >80% of the day. Looking at the long range data from 2005-2009, four of our LEAs with low numbers of students in the placement “A” category have shown significant growth (one from 8.2% in 2005 to 44% in 2009; another from 44.9% to 58%; another from 23.1% to 38%; and another LEA from 44.4% to 61%). Data show slippage in two districts. One district has demonstrated a slow decline and has been working on various school improvement strategies to ensure appropriate decisions are made regarding placement. The second district is very small and a few students who might need a more restrictive setting can easily change the percentages of each category. The special education director in this district has discussed the data analysis with her principals and district leadership and has put an action plan in place to ensure that placements are appropriate.

Technical assistance has been on-going with the seven LEAs to ensure the regulatory requirements regarding placement decisions were being appropriately implemented by IEP teams. Technical assistance was provided to low performing districts regarding linking data with improvement activities. Three of the four LEAs showing increases mentioned above have been targeted for over four years and progress has been demonstrated. Including representatives from those districts on our state stakeholder group has been instrumental in making them aware of strategies that can be implemented so that children are effectively educated in the least restrictive environment.

Delaware has met and exceeded the state target of 18.2% for students educated inside the regular class greater than 40% of the day with a state average of 16.9% for this reporting year. 75% of LEAs met the target. Three of the nine LEAs that did not meet the target demonstrated that the number of students educated inside the regular classroom < 40% of the day decreased and three remained at about the same level. Two of the LEAs had a slight increase in children being served outside the general education classroom >60% of the day. The LEAs have small “n’s” and the change in percentages is greatly affected with the movement of one or two children. Data are reviewed by all districts in the stakeholder group. When an affected LEA is not participating in the stakeholder group, data are shared and technical assistance is provided and the DDOE recommends to those LEAs to participate in the stakeholder group.

Trend data demonstrate decreases in our state averages for Placement B from 20.9% in FFY 2002 to 16.9% in FFY 2009. The DDOE has identified changes in practices such as co-teaching and learning support models in targeted LEAs which have contributed to this decrease.

Data for FFY 2009 in separate settings remained fairly consistent at 5.2%, but did not reach the new target of 3.8%. 78% of LEAs (28 of the 36) met the target. Districts which host county wide specialized programs for children with autism, significant mental disability and/or deafness are the districts which do not meet the target for separate setting. The numbers are so small in this category that although three of the LEAs demonstrated a decrease, this can be accounted for by the placement of just a few children. The stakeholder committee for this indicator managed by DDOE is called “Accessing the General Education Curriculum” (AGEC). We have increased our representation during this last year, and we meet triennially. During the last APR reporting period (FFY08) the AGEC revised the Improvement Activities. This committee is representative geographically and in terms of critical roles such as:

- Parents
- District special education and related services staff, including State-wide Programs for Students who are Deaf, Hard of Hearing and/or Deaf-Blind
- Institutes of Higher Education
- The Delaware Center on Teacher Education and the Southern Delaware Professional Development Center
- Parent Information Center
- Part C Birth to Three

Analyzing the FFY 2009 LRE and achievement data, trend data across the SPP 2005-2009 year, and improvement activities have been the emphasis of our AGEC committee. The AGEC committee jointly reviews the outcome and LRE data for Indicator 3 and Indicator 5 and the effectiveness of the improvement activities. Reviewing and revising activities is an on-going commitment of the committee.

Delaware is in its third year of a state-wide improvement activity designed to increase achievement and build the capacity of general and special educators to support diverse learners through professional development in Learning-Focused Strategies. Based upon the research of Robert Marzano, MCREL, Douglas Reeves, the Pew Educational Forum projects, and the US DOE Evaluation Consortium, Dr. Max Thompson has developed a comprehensive continuous school improvement model that:

- provides schools with consistent learning
- provides exemplary strategies instruction
- integrates research-based exemplary practices

Delaware has school teams representative of approximately two-thirds of the LEAs attending training in **Learning-Focused Solutions that Work!** to improve systemic teacher practice by prioritizing goals and monitoring for learning and achievement at both the elementary and secondary levels. An emphasis in 2009-2010 was to have principal leadership represented so there was shared vision across the School Success Plan. Unit and lesson planning, differentiating instruction and accelerating learning high quality core instruction is improved. Teachers feel better equipped to face the challenges that many of our learners have when meeting state standards and apply strategies to maximize achievement. Training at the individual school level has been more effective than offering regional trainings and we have contracted through the University of Delaware to enhance on-going professional development beyond the Learning-Focused national trainers.

Many schools are under improvement through AYP due to low performance in the special education cells and are currently participating in Learning-Focused Strategies professional development. In addition to strengthening core instruction, an emphasis on providing appropriate research-based interventions through RTI in the general education classroom to close the achievement gap has been a target of the DDOE.

One by-product of these state-wide efforts is the development of Learning Progressions and Student Learning Maps that align with current prioritized state standards and Common Core Standards. A mechanism for sharing these learning maps occurs in our content-specific coalitions that are formed with representation of our LEAs across the state: Reading Cadre, Math Coalition, Social Studies Cadre and Science Coalition. While training every teacher in the state on the common core standards, realignment and cross-walks are in development by these coalitions to match new expectations at the various grade levels.

DDOE staff, with the input of a task-force from AGECEC, is developing a technical assistance document that will emphasize data-based decision making with guiding questions to assist LEAs in making placement decisions that are congruent with student needs and state regulation. Several drafts have been shared with the entire AGECEC stakeholder group and feedback has been prescriptive and valuable. This document will undergo vetting from DDOE and then be shared with the Special Education Directors at our next state-wide meeting.

As described previously, DDOE provides technical assistance to LEAs, targeting those most in need through a process referred to as Delaware Education Support System. Our DDOE website describes DESS in the following way:

“DDOE activities, projects, and supports are intended to maximize educational opportunity and quality for each child in our public education system. In Delaware, this includes educational services to children from birth to age 21. DESS Services within each domain include professional development and technical assistance. The DDOE provides these services to:

- *Public school districts;*
- *Public schools;*
- *Early childhood programs; and*
- *Interagency collaborative projects.*

Services are provided on a prioritized basis. Entities with greatest needs, based on data analyses, are eligible to receive more intensive level of services than their non-high-need counterparts.

DESS Professional Development Services are defined as a combination of job-related, focused and in-depth learning, practice, feedback, reflection, and support experiences designed to enhance participants' perspectives, insights and/or attitudes; and which lead to improved professional practice and student performance. Effective professional development programs include ample opportunities for knowledge acquisition, skill mastery, descriptive feedback, and refinement in the work setting.

DESS Technical Assistance Services are defined as timely, specialized guidance, and customized support that help districts and schools, including charter schools, early childhood programs, and other educational programs, solve specific problems and increase their capacity to improve student learning. Technical assistance can be short term, such as a phone call or email exchange, or longer in duration, such as helping a school or district develop and implement an improvement plan.

The Education Success Planning and Evaluation System (ESPES) allows district and school staff to better align actions with resources resulting in improved outcomes for all students. The system is intended to improve communication among the organization's staff and major components of this dynamic system are Planning, Resource Allocation, Evaluation, and Monitoring. District and school staff can use the System to manage Success Plans for Improvement, apply for grant funding to support Plan implementation, manage projects to support Plan implementation, evaluate Plan progress, and track progress on compliance with Federal and State monitoring requirements.

The Delaware Distinguished Educator Program was established by the Delaware Department of Education to develop a pool of Distinguished Educators with specific expertise to support local educational agencies with schools identified in need of improving student achievement. The Distinguished Educators are not employees of the Department of Education, but rather dedicated individuals available to enter into contractual agreements

with local education agencies-districts and charter schools. The benefit to contracting with a Distinguished Educator is hiring someone with teacher and/or principal experience and expertise with improving student achievement.”

Through the ESPES systems described above, representatives from our Exceptional Children Resources workgroup view and approve all LEA submissions for consolidated application funding. This encompasses reading LEA plans for improvement, implementation and evaluation of success plans, and resource allocations to verify IDEA funds are spent in accordance with regulation. Review of these LEA plans for improved student outcomes aids in our understanding of how IDEA resources are aligned to support that effort.

Other technical assistance provided to LEAs included participation in national webinars the provision of professional development modules, and position papers through:

- Center for Applied Special Technology
- National Center on Accessible Instructional Materials – NIMAS Center
- LRE Communities of Practice
- National Center on Response to Intervention
- Center for Implementing Technology in Education
- NICHY (National Dissemination Center for Children with Disabilities)
- IRIS Center
- What Works Clearinghouse and Center on Instruction
- Mid-South Regional Resource Center
- State Personnel Development Grant monthly webinars
- TA Center on Positive Behavioral Interventions and Supports, established by the Office of Special Education Programs

These webinars focused on topics to increase accessibility of curriculum, optimal practices for increasing strategies within core Tier 1 instruction, accommodations that enhance performance, targeting positive behavior and inclusionary practices.

The DDOE has offered webinars and technical assistance trainings in improving the IEP process with a new state-wide framework, , accommodations for enhancing student outcomes and regional (county-wide) networking opportunities on effective practices to improve outcomes for students are in the general education classroom. .

One of the goals of the DDOE SPDG grant has been to increase the number of highly qualified and certified special education teachers in the State. We chose to expand the focus of this goal toward increasing the number of special education teachers who are not only highly qualified but also “highly effective professionals” thus retaining more of these highly qualified, certified and skilled professionals. As part of a University of Delaware Center on Teacher education project, middle and high school special education teachers and general education teachers have been working together as “curriculum development teams,” working in one of the specific four content areas. The work of these teams have been effective in developing exemplary instructional units that accommodate the needs of all learners. Strong learning communities have emerged as a result of this activity. .. One key lesson learned is that instruction that accommodates all learners often – after substantial field testing – ends up being the best instruction for all learners. When differentiated instruction does differ from “main stream” instruction, teachers also learned that there *are* ways of doing so without diluting the rigor of the content. These exemplars and model units will be shared with our LEA Curriculum and Special Education Directors at our monthly sessions, as well as with the various Coalition members.

During this reporting period, consultants from the University of Delaware’s Center for Secondary Teacher Education, the Southern Delaware Professional Development Center and staff representing the Delaware Distinguished Educator Program provided services to schools on various models of inclusive classrooms. The

audience varied between total faculty, building leadership teams, small learning communities, and teacher pairs, but all content areas were addressed. These consultants are trained in Learning-Focused strategies and bring that level of expertise as well. Seventeen schools in five low performing districts received professional development and technical assistance, with varying levels of commitment of school leadership to changing practices. Of note, the LEA with LRE data that demonstrated the most discrepancy from our state targets contracted with this group to receive professional development in all four of its high schools. Collaboration between these consultants and the DDOE Exceptional Children Resources staff is continuous and they serve on our AGEC subcommittee, sharing data to target LEAs who need to improve practices. They have reported conducting workshops on topics such as these:

- Role of the special educator in co-teaching versus a learning support coach model
- Interpreting confidential folder assessment to develop snapshot IEPs
- Developing curriculum based measures to determine present level of performance
- Structuring class period to include curriculum assistance time
- Ethical issues and use of accommodation and modification
- Lesson planning for differentiating instruction and focused instructional strategies
- Previewing vocabulary and strategies for acceleration (part of Learning Focused)

Support for development of learning maps and using them as advanced organizers for students with IEPs (part of Learning Focused)

In other secondary schools the emphasis was on providing support to high school content departments as they prepared for their first year with special education students included in the general education classrooms. Sessions included:

- Previewing and preparing for students
- Protocol development for supporting student leadership in IEP goal writing & meetings
- Scoring common assessments and planning interventions matched to student need
- Planning differentiated assignments
- Various models of inclusionary practices

Needs Based Funding

Statutory changes to the special education funding system were finalized in January 2011. The funding system no longer provides additional resources to children who are served in restrictive settings such as special schools or special programs. Resources are now tied to a level of need, not to a placement or educational classification. Further, the requirement that a minimum of 12.5 hours weekly must be spent with a special education teacher in order to be funded as a full time special education student has been deleted. This requirement often resulted in more children placed in a self contained classroom in order to generate the appropriate funding needed.

The statewide data have demonstrated a steady increase with the percentage of children being served in a regular setting as needs based funding was gradually piloted throughout the state. When developing the IEP under the categorical system, IEP teams documented the hours with a special education teacher to confirm a child's "full time" status for funding purposes. This section has been removed from the form and IEP teams have been provided training regarding identifying the location, frequency and duration of IEP services rather than documenting time with a special education teacher.

Training was provided statewide, multiple times in the summer of 2010 on the IEP including how the location, duration and frequency of special education services are documented. Technical assistance documents have been provided to all LEAs.

There is not an expectation that IEP teams must understand or be familiar with the language used when identifying the funding units in the needs based system. The IEP team must identify the supports, services, modifications and accommodations based on the unique needs of the child. Further the district must assure that the LEA representative must have the authority to release the funds needed to provide the supports, services, modifications and accommodations identified. The DDOE does not guide its districts to have funding

discussions at IEP team meetings and in fact, believes this is inappropriate. Training has been focused on the required elements of the IEP and the IEP process which includes ensuring the child is served in the least restrictive environment. It is not necessary for all special education teachers, regular education teachers or parents to be familiar with the funding system. Rather IEP teams should focus on identifying the unique needs of the child and the necessary services so that the child may progress in the regular education curriculum.

However, training has been provided to LEA special education directors and district unit count contacts. A revision to the unit count procedures book will be completed and scheduled training for all unit count LEA contacts will occur in the spring and summer of 2011 and annually thereafter.

Either through a building or district administrator or administrative team, the funding units are identified based on a DDOE approved rubric which is now statutorily required. A draft training manual will be finalized and disseminated to all LEAs regarding appropriate use of the rubric.

DDOE has not been able to finalize all training materials until the final statutory changes were made. The bill went through multiple revisions. Training will continue to be provided in the spring and summer of 2010 based on the final legislation and annually thereafter through the regularly scheduled unit count meetings and special education leadership meetings.

Improvement Activities	Timelines	Resources
5.1) Data at the LEA level will be examined and a recommendation for district self-assessment will be given for districts whose data are significantly below the averages for the state in regards to targets.	Fall	DOE Staff

<p>Status: Public reporting of the data collected on 12/1/09 with district progress toward the indicators was completed. Discussions with LEAs that were quite discrepant from state targets about systemic change efforts in LRE occurred. AGECE made recommendations regarding focus monitoring that were shared with state stakeholder advisory council. Our new DOE compliance monitoring tool targets possible LRE issues and changes were made to the state IEP form to capture more information when designating educational environments as a part of the IEP process. Data that is found non-compliant must be corrected within one year and a data-base is used to collect and report that data at the LEA level.</p>		
<p>5.2) Dissemination of information and resources on Inclusive Schools and Access to the General Education Curriculum will be made to administrators, special education and curriculum directors, pre-service instructors, educators, families, students, and community organizations (that support access to the general education curriculum) through email, websites, committee meetings, and conferences.</p>	<p>Ongoing</p>	<p>DDOE, CDS staff, AGECE members and state-level Curriculum, Assessment and Special Education Directors</p>
<p>Status: Materials developed as a part of our state efforts toward inclusive practices were shared at state and county-wide Special Education Leadership meetings and for families through our Parent Information Center. Participation in community organizations such as the DE Easter Seals advisory board, Division of Vocational Rehabilitation, the DE Development Disabilities Council, Children and Families Subcommittee and the Delaware Assistive Technology Initiative Advisory Board make dissemination natural. NIMAS training on accessing instructional materials was given to Curriculum Cadre representatives from all LEAs in the state. Part of our SPDG grant is to work with higher education staff to retain and increase certified special education teachers and to increase the capacity of general education staff to better serve students with IEPs. In collaboration with the University of Delaware Center on Teacher Education, training workshops were held to build inclusive strategies. Also in collaboration with the Center for Disabilities Studies at the University of Delaware, parent meetings were held across the state to share current practices in accessing the general education curriculum for students with the most significant cognitive disabilities. AGECE and Special Education Directors were invited to participate in various webinars held at the state and national level. Presentations were made to the Governor’s Advisory Council for Exceptional Citizens to share current LRE data and improvement activities.</p>		
<p>5.3) Integrate a variety of frameworks facilitating access to the curriculum for all students. Provide materials, professional development and technical assistance for administrators, district representatives, teachers, parents and students in:</p> <ul style="list-style-type: none"> • Universal Design for Learning • Accommodations, Modifications and Differentiating Instruction with grade level expectations of state standards • Provision of Accessible Instruction materials in specialized formats • Augmentative Communication • Social Skills <p>The goal is to increase the capacity of all teachers to support students with disabilities to ensure access and progress in the general education curriculum within the least restrictive environment, first considering the general education.</p>	<p>Ongoing</p>	<p>DDOE and CDS staff, district AGECE members, AIM Cadre, district trainers, and Delaware teachers</p>

Status:

Many training opportunities offered the opportunity to integrate a variety of frameworks:

In the area of Universal Design for Learning and Accessing Instructional, a graduate course was held at the University of Delaware, free to all state educators, to build capacity of general and special educators to develop and implement lessons aligned to state standards using multiple means of representation, engagement and expression. Both general and special education teachers from all three counties in the state were representative and final projects were outstanding.

Training throughout the state has been offered in Differentiating Instruction and Accommodations/Modifications as it is included in Learning Focused Strategies training modules and in particular, “Catching Kids Up Collection:

Catching Kids up with Acceleration

Scaffolding Grade Level Learning and Technology

Vocabulary Instruction

Differentiated Assignments

Coursework at four higher education institutions (University of Delaware, Delaware State University, Wilmington University and Delaware Technical and Community College) for undergraduate and graduate students in Nursing, Education and Related Services for meeting the needs of students through Assistive Technology were attended by 649 individuals. In-service opportunities for training on Accessible Instructional Materials and NIMAS eligibility encompassed 275 educators and parents. Eligibility Certification and technical assistance guidance around decision-making on identifying needs were developed and training occurred at the state and local LEA level. Various LEAs have utilized the PD opportunities from DATI, Bookshare and RFB&D and some conducted additional training in text to speech software for students and staff. AT information for students through career development events were attended by 270 students.

Other training and exhibits accessed by educators at events such as the LIFE Conference (technology for hearing impaired (65), AT Funding (70); Early Childhood Conference (113), Transition Conference (600) offered other opportunities to disseminate information.

Alternative Augmentative Communication workshop sponsored by DynaVox was offered state-side and 25 parents, educators and related service providers attended. Technical support from our AT Act providers (Delaware Assistive Technology Initiative) through the University of Delaware was given at the parent, teacher, and student level.

Close to 400 educators across the state received professional development in how to modify curriculum in order for students with the most significant cognitive disabilities to access grade level standards. Technical assistance was also provided to 350 educators on how to create learning activities and set learning goals that address grade level expectations.

Social Thinking Skills professional development to Co-Facilitators, school faculty, and teachers of focused students was provided to: 5 different LEAs across the state. Participating during the 2009 - 2010 school year were: 1 preschool center, 11 elementary schools, 4 middle schools, 2 high schools and our state-wide Delaware Autism Program. The training was given by Social Sensibility, LLC (trainers: Deborah Korngold and Linda Raymond) and Jill Kuzma, Speech-Language Pathologist, DE-PBS Project, district partners, and parent/ advocacy partners. Monthly coaching to include observation of group facilitation and activities, as well as follow up consultation on group process and individual student strategies, was offered by contracted consultants. In addition, parents and teachers of focused students received regular updates on individual and group progress, as well as strategies and vocabulary for generalization at home and across school day. Co-Facilitators met across the year to network and share materials and ideas. In addition to professional development, coaching and technical assistance for focused districts and schools, professional development activities were offered during the summer and will continue to be provided annually to Pilot District participants as well as educators and parents across the state. Given the success of this PD and the need across the state to disseminate this skill set, plans to expand this training across other schools demonstrating a need were made for the following school year.

<p>5.4) Develop a technical assistance document with Guiding Questions on Placement in the Least Restrictive Environment for LEAs to use as a self assessment. This protocol is designed to evaluate a district (or school’s) performance regarding placement of students with disabilities in the LRE including a review of policies, procedures and practices and determination of root causes for high rates of placement in the most restrictive settings. This may lead the DDOE to conduct a focused monitoring review at the district level.</p>	<p>2010-2011</p>	<p>DDOE, CDS, and AGEC Task Force</p>
<p>Status: A small, volunteer Task Force representative of the AGEC committee met on three different occasions to develop Guidelines for Making Least Restrictive Placement Decisions to use when selecting Educational Environments for students during IEP team planning. The decision-making Technical Assistance document has regulatory information and questions to prompt serious consideration of the various steps in the IEP process where needs, services, aids and modifications are listed. In addition, student scenarios with model descriptors were developed with a variety of matrix options for listing students’ needs and adaptations or modifications in the various content areas across a day.</p>		
<p>5.5) Provide high quality professional development opportunities from birth to 21 through annual state conference focused on building supportive positive environments, peer interactions, curricular accessibility and transition to the world beyond school.</p>	<p>Yearly</p>	<p>DDOE, CDS, DATI, BCNE, Community Organizations</p>
<p>Status: The 16th Annual State Inclusion Conference was attended by 604 parents, general and special educators and administrators, policymakers, child care and related service providers. The theme was Keys to Inclusion: Unlocking Potential, and Dr. Paula Kluth gave the keynote: <i>Dwelling in Possibility: The Values, Beliefs, & Habits of Inclusive Schools</i>. The other strands were:</p> <ul style="list-style-type: none"> • Joyful Learning: Using Active & Collaborative Structures to Differentiate Instruction (Paula Kluth) • Improving Academic and Behavioral Outcomes for Students with Challenging Behavior: Classroom Management Practices that Work! (Peter Alter, University of Louisville) • Sensory Integration & Behavior; Understanding the Signs, and Strategies to Improve a Child's Success (Pam Reuther) • Accessible Instructional Materials: Opening the Curriculum for the Benefit of All Learners (Beth Mineo, Karen Jones, Dan Fendler, Eddie Jory, and Marvin Williams) • Making it Meaningful! Access to the General Education Curriculum for Students with Significant Cognitive Disabilities (Shawnee Wakeman, UNC) <p>All LEAs were supported by providing substitute teaching staff when teaching pairs attended the conference.</p>		
<p>5.6) Build awareness and improve effectiveness of the various initiatives across the state and their common goals working to support access to the general curriculum and inclusive environments.</p>	<p>On-going</p>	<p>DDOE, CDS staff, ICAT and AGEC</p>

Status:

Four schools, representative of three LEAs, formed teams as part of the new cohort for Instructional Consultation teams. IST Facilitators and Co-Facilitators from new and existing teams participated in fifteen days of professional development. They also received coaching through a case management system, support in the use of ICAT Resources’ new on-line data system tool, and technical assistance in the implementation of consultation, instructional assessment, and intervention design. Facilitators and Co-Facilitators who have trained teams from the previous seven years come together as networking teams through on-line sharing and in-person meetings times during the year to update their skills and problem solve around basic concerns with the IST process. Continued support for understanding the problem-solving process in relationship to RTI is highlighted in these meetings and model frameworks are shared. Several principals attended training sessions and were instrumental in implementing team development back at the school level. Members of IST teams were invited to take part in targeted PBS and functional behavior assessment training opportunities and often serve on Building Level teams for Inclusion. Many IST facilitators are also members of school DE-PBS teams and considered data coaches .Participation in Learning Focused strategies allows DDOE staff to collaborate across the state with colleagues working to provide differentiated instructional opportunities to all students.

The AGEC subcommittee recommended we share resources and a Professional Development table was developed and shared with the committee members to complete when training activities were occurring in their respective LEAs. This information can be housed on a website that pertains to inclusive practices, along with other tools (self assessments and guidance documents, etc). This information has been helpful for data collection at the state level to see what type of PD opportunities are building educator skills to enhance the outcomes for students with disabilities. Strategy instruction in ELA and Math, Co-teaching, using technology to differentiate instruction and learning are among the highlighted topics for staff training.

5.7) Investigate methods of collecting and analyzing natural proportions data nationally. Determine method for analyzing natural proportions data in Delaware. Consider feasibility of using the state eschool system to collect school data.

Discontinued

DDOE and CDS staff

Status: This effort is ongoing as the system varies across LEAs for the way that data is collected representing class structure in the data management system of eschool. Our current guidance is that any classroom list of students should be representative of the total proportion of general education to special education students in the school. It is our recommendation to remove this as an improvement strategy as site-based data collection it too variable for state reporting consistency.

5.8) Professional development, technical assistance, and state guidelines to facilitate the identification of students with print disabilities, as well as the selection, acquisition, and the use of appropriate specialized formats:

- Systematic process to track students who are addressed in statutory and regulatory requirements regarding NIMAS
- Systematic process for providing accessible instructional materials to students identified as having a print disability

Ongoing

DDOE, DATI, AIM Cadre, IEP Trainers

Status: Progress continues in this area across the state as efforts spread to make curriculum accessible for students. Technical Assistance documents have been shared with Special Education leaders with recommendations to make them available to IEP teams for decision-making. Conferences across the state (LIFE and Inclusion) have all had professional development opportunities to build capacity in providing decision-making tools for determining needs and matching those in various environments toward the mechanisms to accelerate learning for a student with print disabilities. Efforts are made to keep the Accessible Instructional Materials Cadre, representative of almost all 37 LEAs, up to date on all information available.

One major contribution was to add this Special Factor to the state level IEP form which reads:

- Interventions, supports and strategies for students who have difficulty accessing and/or using grade-level textbooks and other core materials in standard print formats.**

Continual training in the SETT framework and access to instruction through tools for transforming text to digital and auditory representation has been shared. Educational representatives from Bookshare, RFB&D, Don Johnston and DVI have demonstrated accessibility of textbook and supplementary sources. We now track students who require AIM through the NIMAC and other resources through our certification forms, and a link to our longitudinal data tracking system with unique student identification numbers is in development.

5.9) Promote district-level participation in Response to Intervention training and in curriculum-based assessment and problem-solving skills through the Instructional Support Team Model to increase early intervening services that support achievement and access to the general curriculum.

Ongoing

DDOE, CDS, RTI Presenters, personnel representing Instructional Consultation Assessment Teams Resources

Status:

DOE continues to support RTI at both the elementary and secondary level. We have begun conducting live and recorded webinars to replace large scale PD venues to reach more staff through a web conferencing program with collaborative meetings called Elluminate. In 2009-2010 three trainings were held to build the capacity of general education teachers to better meet the literacy needs of students who are English Language Learners. During the year principals, reading specialists and elementary teachers, participated in monthly RTI training webinars in Reading Assessment, Screening, Progress Monitoring and Interventions through Dr. Sharon Walpole, a U of D Professor of Reading. Secondary schools had webinars in assessing students, using appropriate interventions and strategies to meet the needs of students through literacy and math classes. Selected principals also conducted webinars to describe their school model and how professional learning communities served to support their RTI efforts. Over the year, Elluminate was utilized by over 500 educators for building capacity across the state in RTI and Instructional Consultative problem-solving initiatives.

As stated in 5.6, we added a new cohort for Instructional Consultation training during the FFY2009 year. Schools are successfully implementing RTI in all Delaware elementary schools, but occasionally struggle with matching the student needs to the appropriate intervention. The use of problem-solving skills through the Instructional Consultation team process with individual curriculum-based assessment data is valuable to the RTI process. It is always our intention to involve principals in team trainings and individual training sessions on curriculum based instructional assessments and interventions. Networking sessions focused on RTI and how to meet the steps of problem solving with large number of students not meeting benchmark.

<p>5.10) Data will be examined to identify high performing districts in both achievement and LRE placement. Further delineation of the district data to identify schools that meet both outcome criteria will be completed. A review of policies, procedures and practices at those exemplary schools will be shared with district teams as a model for success.</p>	<p>2010-2012</p>	<p>DDOE and CDS Staff</p>
<p>Status: This improvement activity is well aligned to goals both in our State Personnel Development Grant and our Race to the Top mission and plan. Courageous conversations about the utilization of effective strategies to improve outcome data for student with disabilities are vital to our educational reform. It is our intention to use data from our new computer-adaptive high stakes assessment -Delaware Comprehensive Assessment System – to collect this data. We began with a field test assessment in the spring of 2010, but the purpose was both to field test items and to give schools and students the opportunity to gain comfort with the new assessment. We plan to match school data on successful outcomes of students with disabilities with schools exceeding state targets for LRE and then do focus groups on policies, procedures, priority strategies, and curricular materials to synthesize and share exemplary practices. We are currently looking at DSTP data from Spring 2010 matched to December 1, 2009, LRE Educational Environment data. Because of the length of time that the two data reports become reconciled and available, the analysis is lag data. This information will then be shared with district teams as they plan for RTTT efforts.</p>		

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

Discontinue due to difficulty representing the information state-wide with consistency.

<p>5.7) Investigate methods of collecting and analyzing natural proportions data nationally. Determine method for analyzing natural proportions data in Delaware. Consider feasibility of using the state eschool system to collect school data.</p>
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Proposed Revision for Improvement Activity

<p>5.7) Professional development will be provided regarding how to include students with the most significant cognitive disabilities in general education environments. This will be provided to general and special education teachers (specific focus given to special educators who work with these students), parents, and the administrators of the programs and districts in which these students are enrolled.</p>	<p>2010-2013</p>	<p>DDOE and CDS Staff</p>
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Proposed Targets for State Performance Plan

New targets were identified with stakeholder input for FFY 2011 and 2012

FFY	Measurable and Rigorous Target		
	A. Inside Regular Class 80% or more of the day.	B. Inside regular class less than 40% of the day.	C. Served in separate schools, residential placement, homebound or hospital placements.
2011-2012	66.0%	17.5%	3.6%
2011-2012	68.0%	17.3%	3.5%

Stakeholders agreed to the above rigorous increases in targets in the regular class environment. Targets were more incremental in the other areas, in line with trend lines. There is an emphasis on serving our students with significant disabilities in the same building as their general education same-age peers. With a reduction of placement in separate schools as our goal, we may see a rise in the number of students educated inside the regular class less than 40%. For this reason our targets appear realistic and have the support of our stakeholder group.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: 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. B Separate special education class, separate school or residential facility.**

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

Indicator 6: States are not required to report on Indicator 6 for FFY 2009

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
2009	<i>(Insert Measurable and Rigorous Target.)</i>

Actual Target Data for (FFY 2009):

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (Insert FFY):

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (Insert FFY) [If applicable]

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

<p>Monitoring Priority: FAPE in LRE</p>
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Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

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

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

Measurement:

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

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

- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy)
- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
 - b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
 - c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
 - d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $\frac{[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers})]}{(\# \text{ of preschool children with IEPs assessed})} \times 100$.

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

C. Use of appropriate behaviors to meet their needs:

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

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

Summary Statements:

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

1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program.
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program.

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

1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program.
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program.

Outcome C: Use of appropriate behaviors to meet their needs

1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program.
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program.

Target Data and Actual Target Data for FFY 2009:

Targets and Actual Data for Preschool Children Exiting in FFY 2009 (2009-10)

Summary Statements	Targets FFY 2009 (% of children)	Actual FFY 2009 (% of children)
Outcome A: Positive social-emotional skills (including social relationships)		
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program	90.6%	86.3%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program	60.3%	51.4%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
1 Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program	93%	87.2%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program	54.4%	46.0%

Outcome C: Use of appropriate behaviors to meet their needs		
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program	91.9%	86.3%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program	64.9%	64.9%

Progress Data for Preschool Children FFY 2009

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	8	1.6%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	53	10.5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	185	36.6%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	200	39.5%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	60	11.9%
Total	N= 506	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	3	0.6%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	57	11.5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	208	41.9%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	201	40.5%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	27	5.4%
Total	N= 496	100%

C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	7	1.4%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	46	9.5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	117	24.1%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	216	44.5%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	99	20.4%
Total	N= 485	100%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

When discussing improvement activities, be sure to specify which improvement activities targeted improvement in the quality of the data, and which were designed to improve the quality of programs and services in order to improve the children’s outcomes.

Discussion of improvement activities may include:

- What you did
- Whether the activity related to quality of data or quality of the program/services
- What difference the improvement activity made, (and how you knew whether the activity(ies) had made a difference)

The state did not meet the initial targets set for FFY 2009. After careful analysis, it appears that several factors may have played a considerable role for the lower rating scores for child outcomes this year.

One factor that influenced this year’s data was a Child Outcomes Summary Form (COSF) training in March 2010 for all practitioners in the local school districts. The training, facilitated by the National Early Childhood Technical Assistance Center (NECTAC) and Early Childhood Outcomes (ECO) Center which focused on the quality and subsequent reliability of COSF generated ratings. Participants had guided practice in making informed decisions on children using the COSF scale both for entry and exit ratings. Training focused on establishing clearly defined functional outcomes, identifying typical and atypical child development, and then establishing respective COSF rating scores. After the training, site visits to a sampling of school districts confirmed that the training resulted in a change of practice in completing the COSF. Local districts teams are now working collaboratively to determine the developmental changes that children are making in their programs. LEAs noted that as a result of the improvement/training activities they now have a better understanding of age-expected and foundational skills. Practitioners also reported that the training provided strategies that they are now using for analyzing multiple sources of assessment information at team meeting to make informed decisions on children’s progress and determine COSF ratings. These changes have resulted in stronger and more reliable ratings of children’s performance. Prior year data may have reflected over-inflated COSF ratings.

A second factor is a 22% increase in the number of children entered in the state’s eSchool Plus data system for FFY2009 used to manage early childhood outcome data. This is an increase of 100 more children reported for each

outcome. We will complete further analysis of this additional population of children. However it appears that the additional number of children has had a substantial impact on the overall aggregate results.

A third factor was the use of the Creative Curriculum assessment measure (OSEP Online version) by the state’s largest district. Subsequently the Creative Curriculum publisher, in conjunction with the ECO Center identified that the OSEP Online version of the measure produced inflated outcome ratings. This was identified after states reported data in February 2010. The Creative Curriculum publisher has corrected the error. Taking into consideration that these inflated rating resulted in overall inflated state aggregate scores, it is our contention that the current ratings provide a more accurate reflection of performance.

Stakeholders agreed that consideration will be given to changing targets after reviewing the child outcome data for the next reporting period.

Improvement Activities/Timelines/Resources:

Improvement Activities	Status	Resources
<p>Development and implementation of a statewide professional development process for all individuals involved in the assessment of young children as part of the state’s early childhood accountability system. Training will focus on assessment measures and assessment practices.</p>	<p>In March, 2010 the DDOE sponsored a full day training event for all LEA early childhood professionals.</p> <p>Follow up visits and communications occurred after the training to determine the impact of the training on practices.</p> <p>LEA practitioners participated in Teaching Strategies GOLD Training to review general observation and authentic assessment procedures and to find out how to implement the revised assessment tool.</p> <p>A survey was completed by early childhood practitioners to identify professional development needs.</p> <p>Technical assistance will be ongoing</p>	<p>DDOE IDEA/619 ECO Center</p>

<p>SEA monitoring procedures will be implemented to include strategies for examining assessment practices and outcome rating activities during record reviews and focused monitoring activities. The SEA will work with the LEAs to carefully examine outcome data and use this information for local program reform where necessary.</p>	<p>In 2010, visits to LEAs to review Child outcomes procedures and make suggestions for building reliability in individual programs.</p>	<p>DDOE staff</p>
<p>Work with the ECO Center on the development of professional development experiences focused on effective use of the Child Outcomes Summary Form.</p>	<p>LEAs will participate in one line training modules developed by Early Childhood Outcomes Center</p>	<p>DDOE staff ECO Center</p>
<p>SEA will meet with stakeholders group to discuss and interpret FFY09 Child Outcomes data and generate improvement activities.</p> <p>SEA will visit all LEAs to share local Child Outcomes data and develop improvement plans.</p>	<p>Ongoing</p>	<p>DDOE staff</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010

[If applicable]

NOTE: If you are choosing to reestablish your baseline and/or proposed targets, remember that you must:

- Describe the reason why the FYY 2009 data better reflect the state’s child progress than the baseline data reported for FFY2008, e.g. the quality of the state data improved so this data is more accurate, the state changed their approach to measuring child outcomes so this data is more accurate
- Also update the state SPP to provide the rationale for the revisions, and the revised baseline and proposed targets.

Targets were set for FFY 2011 and FFY 2012 as follows:

Targets	Targets
FFY 2011 (% of children)	FFY 2012 (% of children)

Outcome A: Positive social-emotional skills (including social relationships)		
90.6%	90.6%	
60.4%	60.4%	
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
93%	93%	
54.5%	54.5%	
Outcome C: Use of appropriate behaviors to meet their needs		
91.9%	91.9%	
65%	65%	

No revisions to improvement activities.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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.

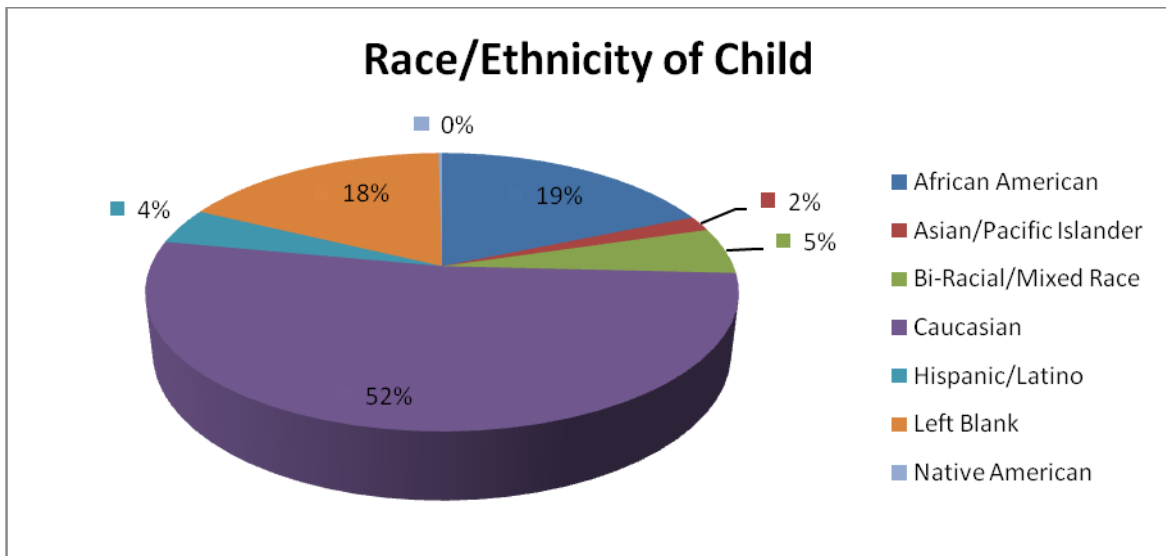
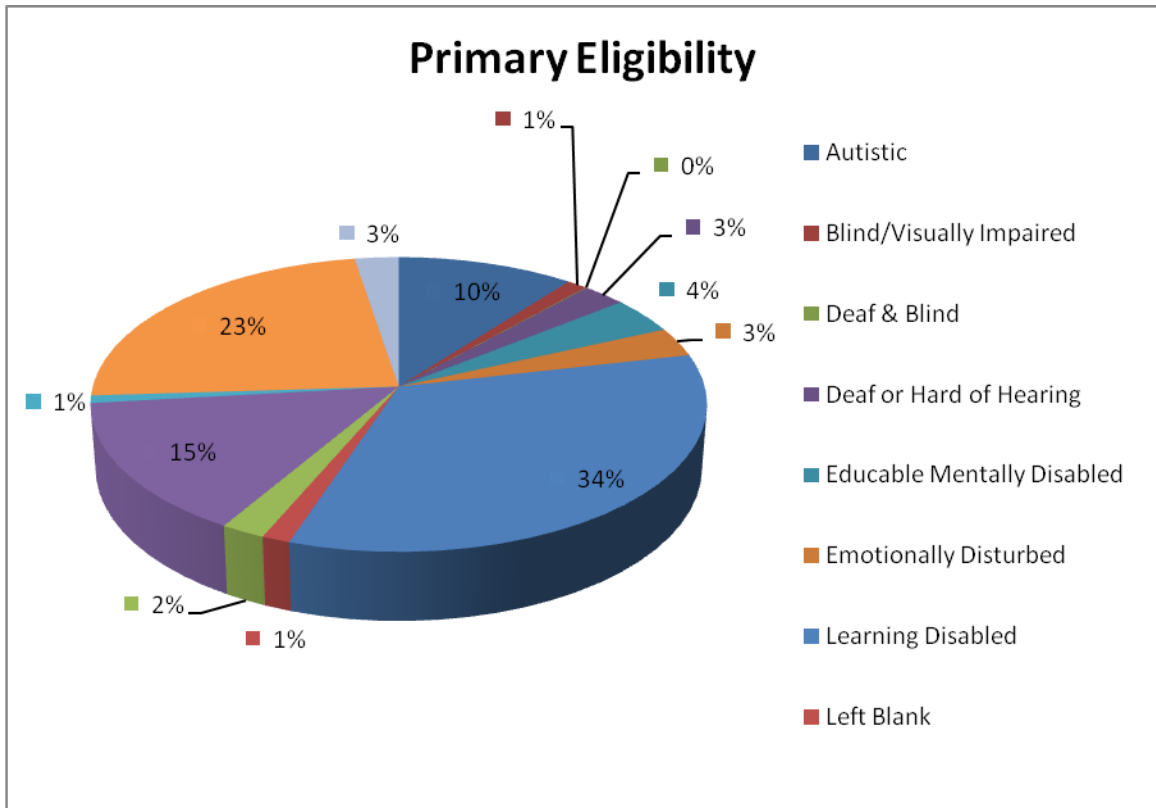
FFY	Measurable and Rigorous Target
2009	86% of respondent parents will report schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Target Data for (2009 FFY):

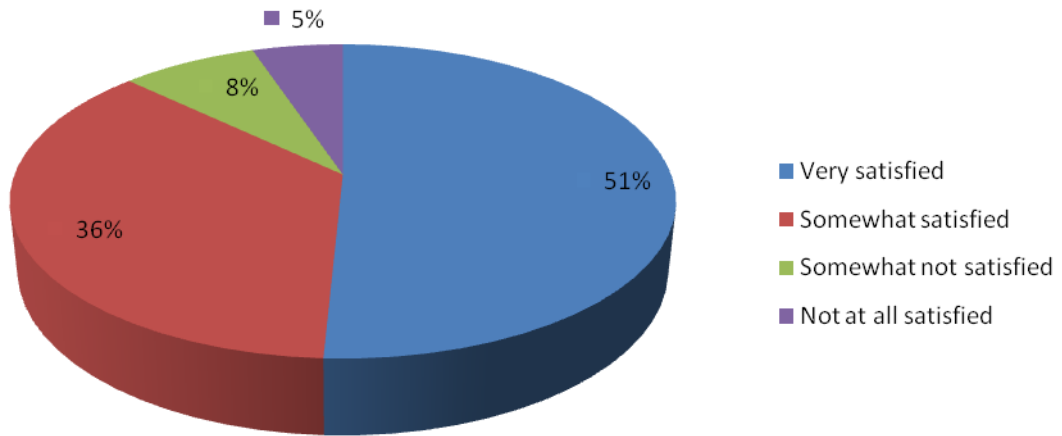
85.29% or 2663 of 3122 respondents agreed or strongly agreed that schools facilitated parent involvement as a means of improving services and results for children with disabilities. The final pie chart illustrates this break down. There were 3122 completed surveys returned out of 18,887 surveys disseminated. A full census survey is used. There were 1326 surveys returned as undeliverable. Addresses used were the most recent addresses in the statewide Pupil Tracking system. After accounting for the surveys that were undeliverable, the return rate for this reporting period is 17.3%. This return rate is slightly lower than last year’s return rate of 18.2%.

The demographic data are consistent with statewide data in terms of disability categories represented. Surveys returned by parents who identified their children as African American were somewhat under-represented when the percentages for the entire special education population are considered. Likewise, surveys returned by parents who identified their children as Caucasian is somewhat over-represented. However, 18% of respondents left this answer blank and 5% of respondents identified their children as bi-racial; a category which is not used in the overall breakdown of race/ethnicity for the December 1 child count. These differences may account for the variations in over and underrepresentation.

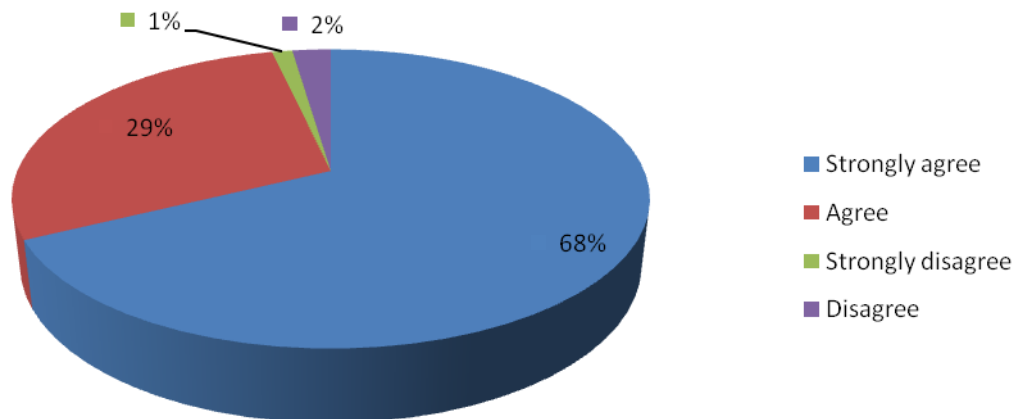
Overall satisfaction remains relatively high with 87% of parents responding that they are very or somewhat satisfied with their child’s special education services.



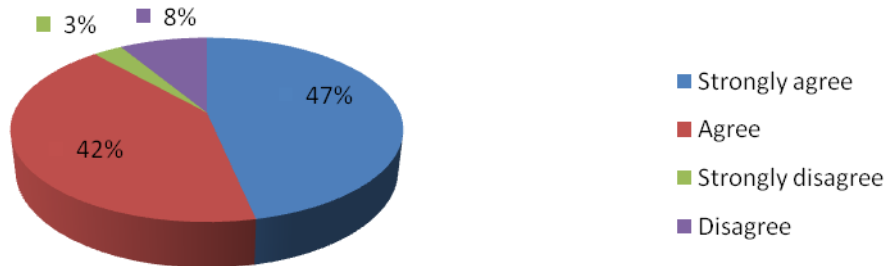
How satisfied are you with your child's overall special education program?



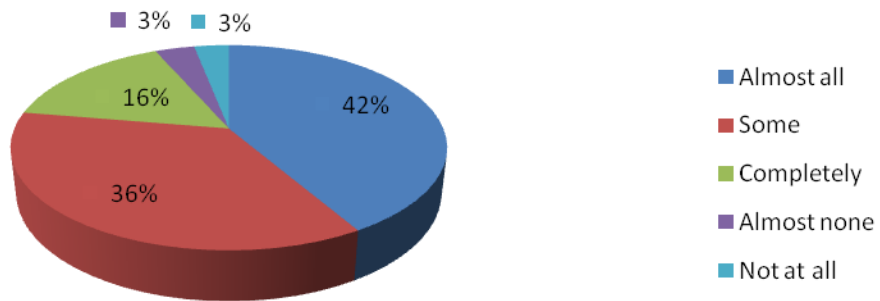
I was given the opportunity to be an active participant in my child's IEP meeting



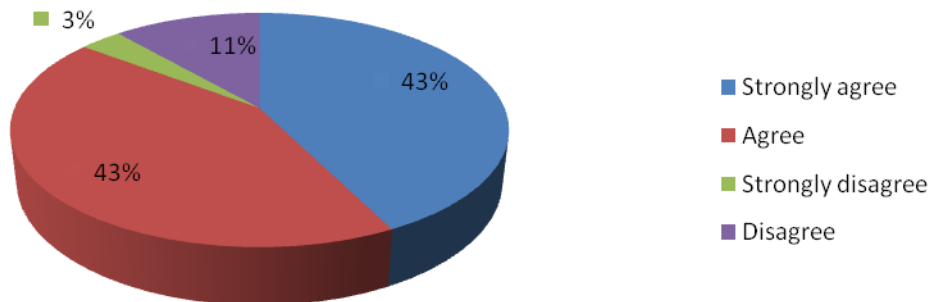
My child's IEP provides the services, supports and accommodations necessary to meet his/her goals and objectives



During the current school year, my child accomplished his/her IEP goals



My school seeks my involvement as a means of improving services and results for my child



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2009 FFY):

There were 3.5% fewer surveys returned during this period than in previous surveys although there is no clear explanation why the rate of return decreased. The demographics are representative of the special education population both by disability category and race/ethnicity. The requirement that all LEAs must address family involvement activities in the Consolidated Application for federal funds may have contributed to the continued positive results.

Improvement Activities:	Timelines	Resources
8.1 Family survey created and disseminated	Annual	DDOE staff
Status: Family survey is disseminated annually		
8.2 Family brochure revised to reflect IDEA 2004 regulations and disseminated after state regulations are finalized in August 2007.	School year 09-10	DDOE and contractor
Status: Parents are the Key brochure has been completed by contractor. Release is expected in early 2011 pending final legal review.	Dissemination in School 10-11	DDOE and contractor

Improvement Activities:	Timelines	Resources
8.3 Stakeholder groups for APR will include parents	Ongoing	DDOE
Status: All subcommittees managed by DDOE staff for all indicators include parents or family members		
8.4 Monitoring tool has been revised and shared with State Advisory Panel. Results of LEA monitoring will be shared with State Advisory Panel and will be considered in appropriate stakeholder groups when planning improvement activities.	Ongoing	DDOE
8.5 District plans will include strategies to improve family involvement	Ongoing	DDOE
Status: All District Success Plans (Consolidated Application for state and federal funds) includes a required indicator around family involvement.		

Revisions, with Justifications, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2009

1. Improvement Activity 8.2 reflects a revision of the timelines to dissemination pending legal review.
2. Activity 8. 4 has been revised. Focused monitoring activity has been removed because of the revamp of the monitoring system. New monitoring tool and results of district monitoring are shared with State Advisory Panel and results will be considered by all stakeholder groups when planning improvement activities.

APR Template – Part B (4)

Proposed targets until FFY 2013 are as follows:

Overall Satisfaction	Active participant in IEP Meeting	IEP provide necessary services	Accomplished IEP goals	Seeks involvement as a means of improving services
90.8%	95.9%	89.7%	77.5%	86.5%
90.8%	95.9%	89.8%	78%	87%

Targets that were already high (above 90%) remained the same. Data have remained somewhat the same, trending in the mid to high 80%. 90% or higher was deemed to be a rigorous target.

Increases to targets in the other areas seemed reasonable and achievable given improvement activities throughout the state as part of Delaware’s Education reform plan.

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

In analyzing data for this indicator, the State must:

Use data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended) for all children with disabilities aged 6 through 21 served under IDEA.

Definition of “Disproportionate Representation” and Methodology

States are instructed to provide their definition of disproportionate representation and include the method(s) used to calculate disproportionate representation (e.g., risk ratio, weighted risk ratio, E-formula, etc.).

Step One: *States must provide the **number of districts identified with disproportionate representation** of racial and ethnic groups in special education and related services (see Table below).*

Definition for Disproportionate Representation

The DDOE used its September 30 2009 student enrollment data and December 1, 2009 child count data for the FFY 2009 SPP/APR submission.

Delaware uses the composition index relative difference method to determine whether there is disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. When using the relative difference method, the overall enrollment of all students is considered in relation to the enrollment of special education students. A minimum “N” size of 10 is used in the calculation.

Delaware collects enrollment data based on an annual count each September 30. December 1 child count data are used for special education identification and individual educational classification identification.

A relative difference is calculated using a composition index to determine the difference between racial/ethnic group's percentage of disability or classification in an LEA when compared with the enrollment of the specific racial/ethnic group in the LEA.

For example: District A's total enrollment using the September 30 enrollment count is 10,168. The total enrollment for all black students is 3909. The percent of all black students in the district is 38.4%.

Using December 1 data, the number of all special education students identified in the district is 1108. The number of special education students who are black is 605. Therefore the percentage of black students who are receiving special education in District A is 54.6%.

The difference between the percentages in total enrollment of black students and black students in special education is 14.8% ($54.6\% - 38.4\% = 16.2\%$.)

16.2% is divided by 38.4% to obtain the relative difference of .42

When the relative difference is above .21, disproportionate representation is identified in over identification. When the relative difference is below .21, disproportionate representation in under identification is identified.

The relative difference method is the same method that has been used to identify disproportionate representation in past submissions of the APR. Districts have had difficulty in using the risk ratio method to drill down into their data to determine more specific areas of disproportionate representation. The relative difference method is easier to replicate when drilling down at the district level.

After disproportionate representation data are determined, the DDOE then determines whether the LEA identified with disproportionate representation is due to inappropriate identification.

Definition for Significant Disproportionality

Significant disproportionality is defined also using the relative difference method described above. However, the relative difference to indicate **significant** disproportionality will be greater than .30 and data will be examined over two years before identifying an LEA with significant disproportionality.

*States are to provide the **number of districts identified with disproportionate representation of racial and ethnic groups in special education and related services** (see Table below).*

For FFY 2009, the following LEAs in the table below were identified with disproportionate representation in the over identification of African American Students. All racial/ethnic categories were considered and both over and underrepresentation was considered. The LEAs identified during this FFY are the same as those identified during the last report.

District	N Size	Relative Difference
A	605	0.42
B	509	0.35
C	227	0.43
D	32	0.47
E	298	0.41
F	158	0.34
G	200	0.3
H	761	0.44
J	102	0.24

Using the criteria established above, DDOE determined that 9 LEAs were identified as meeting the data threshold for disproportionate representation in the over or under-identification of children in specific ethnic groups in special education for FFY 2009.

- Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification** States must report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2009 reporting period, i.e., after June 30, 2010 (See Table below).
- The State must describe **how** it made its annual determination that the disproportionate representation of racial and ethnic groups in special education and related services was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a). The State may use monitoring data; review policies, practices, and procedures, etc. States must determine whether districts with disproportionate representation of racial and ethnic groups in special education and related services are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, and include that information in its APR.

How the State Determined if Disproportionate Representation is the Result of Inappropriate Identification

When disproportionate representation is identified, the DDOE notifies the LEAs and directs the LEAs to conduct a self-review of policies, practices, and procedures. In October 2009, the DDOE provided a technical assistance webinar to the LEAs covering the regulations on disproportionality, methods on how to conduct a review of policies, practices, and procedures, and methods on how to report the results of the LEAs’ review to the DDOE. To conduct a comprehensive self assessment at the LEA level, the DDOE identified the following methods:

- Convene a “disproportionality team”
- Identify particular schools which triggered disproportionate representation
- Review relevant written policies and procedures such as those around Instructional Support Team or Response to Intervention

- Review relevant student files regarding eligibility decisions
- Interview staff involved in eligibility determination
- Conclude whether identification was the result of inappropriate identification
- If disproportionate identification was the result of inappropriate identification, describe the changes to policy or practices and how the public will be informed.

Once the LEAs report the results of the self assessment, the DDOE analyzes it, and determines if the LEA identified with disproportionate representation is the result of inappropriate identification. When reviewing the self-assessments, the DDOE uses a rubric that aligns with the identified components above. Follow up with LEAs occurred when clarification or more information was needed.

The DDOE determined that as a result of review of the LEA policies, procedures and practices, one LEA is identified as having disproportionate representation that was the result of inappropriate identification.

For LEAs identified with disproportionate representation for multiple years, the DDOE requires the LEAs to confirm that policies and procedures remained unchanged since the prior in-depth self assessment or, if they had changed, to provide DDOE with a report of any changes. There were no changes for those LEAs whose disproportionate representation was not due to inappropriate policies, practices, or procedures.

Actual Target Data for FFY 2009:

FFY	Measurable and Rigorous Target
<i>FFY 2009</i>	<i>0%</i>

<i>Target Data for FFY 2009</i>
<i>2.7%</i>

Provide actual target data.

Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2009 (2009-2010)	19 districts and 17 Charter Schools	9	1	2.7

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

The DDOE is reporting one LEA to have disproportionate representation as a result of inappropriate identification. It is the same LEA reported in the State’s 2008 APR. DDOE staff are continuing activities to bring the LEA into compliance with requirements related to child find, evaluations, and eligibility decisions. The status of improvement activities are discussed below.

Correction of FFY 2008 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 2.78%%

7. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	1
8. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
9. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

10. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	1
11. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
12. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	1

Actions Taken if Noncompliance Not Corrected:

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

The DDOE identified one LEA with disproportionate representation due to inappropriate identification. The DDOE first notified the LEA of its findings, and directed the LEA to develop an improvement plan focusing on corrective actions in the areas of evaluation and eligibility decisions. The DDOE directed the LEA to develop an improvement plan to include a process to ensure LEA forms and written procedures are reviewed and updated periodically to align with current state and federal regulations. The LEA was also directed to provide staff training on the practices of evaluating and identifying children as children with disabilities, to include a review of relevant state and federal regulations, response to intervention procedures, and practices in identifying learning disabilities among students who are English language learners. The LEA was directed to conduct a self-audit and review of student files at various schools once the staff training was provided. The LEA's self-audit was required to include the review of files for evaluations and eligibility decisions to determine if the procedures are compliant with state and federal regulations.

The LEA submitted its improvement plan to the DDOE. However, the DDOE reviewed the improvement plan, and rejected it given the absence of key provisions related to areas of the noncompliance. DDOE staff met with LEA staff and provided technical assistance on the development of effective strategies. The LEA was given additional time to revise and re-submit the improvement plan. A second plan was submitted to the DDOE, and eventually accepted. The LEA conducted staff training on the practices and procedures of evaluating and identifying children as children with disabilities, and submitted adequate evidence of the training to the DDOE. The LEA proceeded to complete its self-audit and review of files for compliance with evaluations and eligibility decisions. There was some delay in completing the self-audit due to a leave of absence by LEA administrative staff. Once completed, the DDOE reviewed the report of the self-audit and decided it was necessary to conduct additional review at the State level to ensure the LEA fully corrected its noncompliance and is properly implementing the regulations. The LEA was directed to provide additional records to DDOE staff. DDOE staff are now reviewing a random sample of evaluation summary reports and eligibility decisions to verify whether the practices are in compliance with state and federal regulations. The DDOE anticipates it will be able to report the LEA's noncompliance as corrected in the next APR.

Verification of Correction (either timely or subsequent):

For States that Reported Less than 100% Compliance for FFY 2008 for Indicator 9:

As specified in OSEP's June 1, 2010 FFY 2008 SPP/APR Response Table, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2008 or, if applicable districts identified in FFY 2008 based on FFY 2007 data, with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:

As noted above, the State is reporting one finding of noncompliance not yet verified as corrected.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

1. Number of remaining FFY 2007 findings noted in OSEP’s June 2010 FFY 2008 APR response table for this indicator	0
1. Number of remaining FFY 2007 findings the State has verified as corrected	0
2. Number of remaining FFY 2007 findings the State has not verified as corrected [(1) minus (2)]	0

Verification of Correction of Remaining FFY 2007 findings:

For States with Findings of Noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR, as specified in OSEP’s June 1, 2010 FFY 2007 SPP/APR Response Table, the State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2007 with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with remaining noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

There were no findings of noncompliance identified in FFY 2007.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:

There were no findings of noncompliance identified in FFY 2007.

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):

Provide information regarding correction using the same Table format provided above.

There were no findings of noncompliance identified in FFY 2006.

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

Statement from the Response Table	State’s Response
N/A	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2009:

9.1 Implement methods to collect and analyze State and district level data.	February 2006	E-School Plus student data collection
Status: Completed.		
9.2 Review of policies, practices and procedures of districts with disproportionate identification through analysis of district APRs.	1 st review by March 2006 and ongoing for districts triggering as disproportionate.	DDOE Staff
Status: This improvement activity is being deleted. The DDOE has identified other improvement activities that are more effective for reducing disproportionate representation in the State due to inappropriate identification.		
9.3 Instruct districts to revise practices, policies and procedures when found to be inappropriate	March 2006 and ongoing	DDOE Staff
Status: The DDOE has an established practice of directing LEAs to revise practices, policies, and procedures when found inappropriate or otherwise noncompliant with state and federal regulations. The DDOE provides ongoing technical assistance to LEAs on how to develop effective and compliant policies, practices, and procedures related to evaluation and identification of children as children with disabilities.		

<p>9.4 The DDOE’s enhanced monitoring system will review student records and LEA practices for compliance with evaluation and identification procedures, specifically including C.F.R. §§ 300.300; 300.301, 300.303, 300. 306; 300.308; 300. 311</p>	<p>October 2010 and ongoing</p>	<p>DDOE staff</p>
<p>Status: DDOE staff developed a comprehensive monitoring protocol to review student records in the areas of evaluation, identification, and Response to Intervention procedures. DDOE’s revised monitoring system includes a “monitoring workbook” to track findings of noncompliance and the completion of corrective actions at the LEA level. Refinement and improvement of DDOE’s monitoring system is ongoing and should support more accurate and efficient data collection around Indicators 9, 10, and 15.</p>		
<p>9.5 Desk audit of LEAs’ forms, policies and procedures after State regulations are revised</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: The DDOE developed, and is implementing a web based IEP. The DDOE has introduced some forms to LEAs, such as the Evaluation Summary Report, obviating the need for a review of separate forms used by LEAs. All forms are not yet available through IEP plus.</p>		
<p>9.6 Target professional development activities and technical assistance to districts with ongoing disproportionate representation</p>	<p>Ongoing</p>	<p>DDOE Staff; contracted trainers and professional development providers</p>
<p>Status: Although there has been only one LEA identified with inappropriate policies and practices, districts with disproportionate representation are identified and recommendations are made regarding appropriate professional development in RTI and the Instructional Support Team Process.</p>		
<p>9.7 Design and deliver RTI training</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: Intensive training began in 2007 and continued through 2009 through DDOE staff. RTI is required for all LEAs at the elementary level in reading. Secondary RTI requirements will not be required until (approximately) school year 2012, or later.</p>		
<p>9.8 Design and deliver IST training</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: A contract continues to be in place for IST training and this activity will continue as a priority.</p>		

<p>9.9 Analyze longitudinal disproportionate representation data after implementation of RTI model</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: The demographic data remain unchanged in the LEAs which trigger disproportionate representation.</p>		
<p>9.10 Analyze longitudinal disproportionate representation data after full implementation of needs-based funding system</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: Statutory changes for needs based funding were passed by the General Assembly, currently pending approval by the Governor. The DDOE will analyze the data after full implementation of the revised funding system.</p>		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

Improvement Activity 9.4 was rewritten to align with the DDOE’s enhanced monitoring system.
 Improved Activity 9.2 was deleted, because the DDOE has identified other improvement activities that are more effective for reducing disproportionate representation in the State due to inappropriate identification.

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

In analyzing data for this indicator, the State must:

*Use data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended) for all children with disabilities aged 6 through 21 served under IDEA. The State must provide these data at a minimum for children in the following six disability categories: **mental retardation, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism** (see Part B Indicator Measurement Table for additional instructions).*

Definition of “Disproportionate Representation” and Methodology

The DDOE used its September 30 2009 student enrollment data and December 1, 2009 child count data for the FFY 2009 SPP/APR submission.

Delaware uses a relative difference method for disproportionate representation. Only those racial/ethnic groups where there is an “n” size of 10 are considered. When the difference is greater than .21 or less than .21 for a specific category then disproportionate representation is identified. Both under and over representation are considered.

After disproportionate representation data are determined, the DDOE then determines whether the LEA identified with disproportionate representation is due to inappropriate identification.

Please see Indicator 9 for the State’s definition of significant disproportionality which differs from the definition of disproportionate representation.

Using the criteria established above, the DDOE determined that 14 LEAs were identified as meeting the threshold for disproportionate representation of racial and ethnic groups in specific disability categories.

States are instructed to provide their definition of disproportionate representation and include the method(s) used to calculate disproportionate representation (e.g., risk ratio, weighted risk ratio, E-formula, etc.).

States are to provide the **number of districts identified with disproportionate representation** of racial and ethnic groups in specific disability categories (see Table below).

- **Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification** States must report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2009 reporting period, i.e., after June 30, 2010 (See Table below).
- The State must describe **how** it made its annual determination that the disproportionate representation of racial and ethnic groups in specific disability categories was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a). The State may use monitoring data; review district policies, practices, and procedures, etc. The State must determine whether districts with disproportionate representation of racial and ethnic groups in specific disability categories are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, and include that information in its APR.

How the State Determined if Disproportionate Representation is the Result of Inappropriate Identification

When disproportionate representation is identified, the DDOE notifies the LEAs and directs the LEAs to conduct a self-review of policies, practices, and procedures. In October 2009, the DDOE provided a technical assistance webinar to the LEAs covering the regulations on disproportionality, methods on how to conduct a review of policies, practices, and procedures, and methods on how to report the results of the LEAs' review to the DDOE. To conduct a comprehensive self assessment at the LEA level, the DDOE identified the following methods:

- Convene a “disproportionality team”
- Identify particular schools which triggered disproportionate representation
- Review relevant written policies and procedures such as those around Instructional Support Team or Response to Intervention
- Review relevant student files regarding eligibility decisions
- Interview staff involved in eligibility determination
- Conclude whether identification was the result of inappropriate identification
- If disproportionate identification was the result of inappropriate identification, describe the changes to policy or practices and how the public will be informed.

Once the LEAs report the results of the self assessment, the DDOE analyzes it, and determines if the LEA identified with disproportionate representation is the result of inappropriate identification. When reviewing the self-assessments, the DDOE uses a rubric that aligns with the identified components above. Follow up with LEAs occurred when clarification or more information was needed.

The DDOE determined that as a result of review of the LEA policies, procedures and practices, no LEA has disproportionate representation in specific disability categories as a result of inappropriate identification.

APR Template – Part B (4)

For LEAs identified with disproportionate representation for multiple years, the DDOE requires the LEAs to confirm that policies and procedures remained unchanged since the prior in-depth self assessment or, if they had changed, to provide DDOE with a report of any changes. There were no changes for those LEAs whose disproportionate representation was not due to inappropriate policies, practices, or procedures.

Actual Target Data for FFY 2009:

FFY	Measurable and Rigorous Target
<i>FFY 2009</i>	<i>0%</i>

Target Data for FFY 2009
<i>0%</i>

Provide actual target data.

This is again based on an N size of 10 or greater, and reflects a variance greater than 0.2 above or below.

Year	Race	SPED	Number of LEA's	Number of LEA's with Disproportionate Representation	Percent of LEA's with Disproportionate Representation
2010	Black Over Rep.	MR	36	10	27.78%
2010	Hispanic Under Rep.	MR	36	2	5.56%
2010	White Under Rep.	MR	36	1	2.78%
2010	Black Over Rep.	LD	36	10	27.78%
2010	Asian Under Rep.	LD	36	2	5.56%
2010	Hispanic Under Rep.	LD	36	5	13.89%
2010	White Under Rep.	OHI	36	1	2.78%
2010	Black Over Rep.	ED	36	12	33.33%
2010	Hispanic Over Rep.	ED	36	1	2.78%
2010	White Over Rep.	ED	36	14	38.89%
2010	Hispanic Under Rep.	Speech	36	1	2.78%
2010	Black Over Rep.	OHI	36	9	25.00%
2010	Hispanic Under Rep.	OHI	36	1	2.78%
2010	Black Over Rep.	Autism	36	3	8.33%
2010	Asian Under Rep.	Autism	36	1	2.78%
2010	Black Over Rep.	EMD	36	9	25.00%
2010	Black Under Rep.	EMD	36	1	2.78%

Districts with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability categories that was the Result of Inappropriate Identification

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification	Percent of Districts
FFY 2009 (2009-2010)	36	14	0	0.00%

Correction of FFY 2008 Findings of Noncompliance (if State reported more than 0% compliance):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 0%

13. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	0
14. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
15. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

16. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	0
17. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
18. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

There were no findings of noncompliance identified in FFY 2008.

Verification of Correction (either timely or subsequent):

For States that Reported Less than 100% Compliance for FFY 2008 for Indicator 10:

As specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response Table, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR that the districts identified in FFY 2008 or, if applicable districts identified in FFY 2008 based on FFY 2007 data, with disproportionate representation of racial and ethnic groups in specific disability categories

that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:

There were no findings of noncompliance identified in FFY 2008.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

3. Number of remaining FFY 2007 findings noted in OSEP’s June 2010 FFY 2008 APR response table for this indicator	0
4. Number of remaining FFY 2007 findings the State has verified as corrected	0
5. Number of remaining FFY 2007 findings the State has not verified as corrected [(1) minus (2)]	0

Verification of Correction of Remaining FFY 2007 findings:

For States with Findings of Noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 AR, as specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response Table, the State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2007 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with remaining noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

There were no findings of noncompliance identified in FFY 2007.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:

There were no findings of noncompliance identified in FFY 2007.

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):

Provide information regarding correction using the same Table format provided above.

There were no findings of noncompliance identified in FFY 2006.

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

Statement from the Response Table	State’s Response
N/A	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2009:

Please see the discussion of Improvement Activities for Indicator 9

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

Please see the discussion of Improvement Activities for Indicator 9.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

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

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

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

FFY	Measurable and Rigorous Target
FFY 2009	100%

Actual Target Data for FFY 2009:

98%

Describe the method used to collect data – if data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year (July 1, 2009 – June 30, 2010).

For FFY 2009, a total of 9 initial evaluations out of 501 were completed outside of the state regulatory timeline. The 9 initial evaluations outside of timeline occurred in 4 LEAs. Delaware has a state established timeline: Within 45 school days or 90 calendar days, whichever is less, of receiving parental consent, the initial evaluation must be conducted and the child’s eligibility for special education services must be determined. For FFY 2009, the following data concerning the provision of timely initial evaluations was collected from the State’s database:

APR Template – Part B (4)

Delaware
State

School District or Charter School	Within Timelines	Not Within Timelines	Total	% within Timelines	% Not Within Timelines
Academy of Dover	1	0	1	100.0%	0.0%
Appoquinimink	8	0	8	100.0%	0.0%
Brandywine	94	6	100	94.0%	6.0%
Caesar Rodney	8	0	8	100.0%	0.0%
Campus Community	3	0	3	100.0%	0.0%
Cape Henlopen	26	0	26	100.0%	0.0%
Capital	36	1	37	97.3%	2.7%
Christina	22	0	22	100.0%	0.0%
Colonial	63	0	63	100.0%	0.0%
DE College Prep	0	0	0	0.0%	0.0%
Delaware Military	0	0	0	0.0%	0.0%
Delmar	3	0	3	100.0%	0.0%
East Side Charter	26	1	27	96.3%	3.7%
Edison Charter	3	0	3	100.0%	0.0%
Family Foundations	1	0	1	100.0%	0.0%
Indian River	11	0	11	100.0%	0.0%
Kuumba	6	0	6	100.0%	0.0%
Lake Forest	33	0	33	100.0%	0.0%
Laurel	11	0	11	100.0%	0.0%
Milford	22	0	22	100.0%	0.0%
MOT Charter	0	0	0	0.0%	0.0%
NCVT	0	0	0	0.0%	0.0%
Newark Charter	0	0	0	0.0%	0.0%
Odyssey	11	0	11	100.0%	0.0%
Pencader Charter	0	0	0	0.0%	0.0%
Polytech	0	0	0	0.0%	0.0%
Postive Outcomes	0	0	0	0.0%	0.0%
Prestige Academy	0	0	0	0.0%	0.0%
Providence Creek	4	0	4	100.0%	0.0%
Red Clay	9	0	9	0.0%	0.0%
SAAS	2	0	2	100.0%	0.0%
SCVT	0	0	0	0.0%	0.0%
Seaford	58	1	59	98.1%	1.9%
Smyrna	21	0	21	100.0%	0.0%
Woodbridge	10	0	10	100.0%	0.0%
TOTALS	492	9	501	98.2%	1.8%

Delaware has a Pupil Tracking System in which every child has a unique single identifying number. This system is used to collect data regarding the date in which permission was signed by parents for initial evaluation and the date on which eligibility determination occurred. The date on which eligibility or non-eligibility is determined is the end date used in the calculation to determine whether LEAs are timely. By requiring that all LEAs enter the date on which eligibility or non-eligibility is determined, DDOE can confirm that all initial evaluations, although late, have been completed.

A query of the data for initial evaluations is made. The data query identifies all children whose eligibility meeting occurred outside of the prescribed timeline. LEAs are provided data for each child outside of timeline which includes the child’s unique identifying number, school, and the date eligibility was determined. The DDOE requires LEAs to provide written explanations for the delay and corrections for each child evaluated outside of the timeline. After all corrections are made, the final number of children whose evaluations were outside of prescribed timelines is calculated. In all cases, DDOE verifies through the data tracking system that all evaluations are completed, although late.

For FFY 2009, Number of Children Evaluated Within State Established Timeline of 45 School Days, or 90 Calendar Days, Whichever Is Shorter:

a. Number of children for whom parental consent to evaluate was received	501
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	492
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	98%

Account for children included in (a) but not included in (b):

For FFY 2009, 9 children were evaluated outside of the state established timeline.

Indicate the range of days beyond the timeline and provide reasons for the delays:

For the 9 initial evaluations conducted outside of the timeline in FFY 2009 data, the range of days for school days ranged from 6 to 30 days late, and the range of days for calendar days ranged from 31 day late to 63 days late. For the 9 initial evaluations, students were evaluated in an average of 26 school days and 45 calendar days from the date of the initial consent to eligibility.

The reasons for the delays were:

- Unavailability of required staff for various reasons (contracted staff, illness)
- Scheduling problems within the LEA

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:

The data for FFY 2009 demonstrate progress from FFY 2008 with more initial evaluations occurring within required timelines. LEAs are aware of the State’s collection of data on an annual basis, and the State’s subsequent review of the data to ensure LEA compliance with special education regulations. The DDOE’s improvement activities have contributed to LEA’s reporting data with more precision and focusing on the requirement to conduct initial evaluations within a required timeline.

Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **97%**

19. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	10
20. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	10
21. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

22. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	0
23. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
24. Number of FFY 2008 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

Findings of noncompliance identified in FFY 2008 have been verified as corrected.

Verification of Correction (either timely or subsequent):

For States that Reported Less than 100% Compliance for FFY 2008 for Indicator:

As specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response table, the State must, when reporting the correction of noncompliance, report in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:

During the DDOE’s review of data, noncompliance was identified in 10 LEAs related to the State requirement that initial evaluations be completed within 45 school days, or 90 calendar days (whichever is shorter), of receiving parental consent. In each of the LEAs, the DDOE first verified correction of all child level noncompliance through the review of data in the State data system - each child received an evaluation, although late. The DDOE then reviewed subsequently collected data through its system to verify each of the 10 LEAs is correctly implementing the evaluation timeline requirement. The new data showed compliance with the evaluation timeline requirement.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

3. Number of remaining FFY 2007 findings noted in OSEP’s June 2010 FFY 2008 APR response table for this indicator	0
4. Number of remaining FFY 2007 findings the State has verified as corrected	0
5. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	0

Findings of noncompliance identified in FFY 2007 have been verified as corrected.

Verification of Correction of Remaining FFY 2007 findings:

For States with Findings of Noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR, as specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response table, the State must, when reporting the correction of noncompliance, report in its FFY 2009 APR, that it has verified that each LEA with remaining noncompliance: (1) is correctly implementing 34 CFR §300.301(c)(1), (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Findings of noncompliance identified in FFY 2007 were reported as corrected.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:

Not applicable because findings of noncompliance identified in FFY 2007 were reported as corrected.

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):

Provide information for FFY 2006 or earlier, as applicable, regarding correction using the same table format provided above.

Not applicable because findings of noncompliance identified in FFY 2006 have been reported as corrected.

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

Statement from the Response Table	State’s Response
N/A	

Status of Improvement Activities:

Improvement Activities	Timelines	Resources
11.1: Issue written guidance to local agencies about evaluation requirements and timelines and monitoring activities	February 2006	DDOE Staff
Status: Completed		
11.2: Identify local agencies that maintain a comprehensive roster of the students for whom the agency receives consents to evaluate during FFY 2005	April 2006	DDOE staff
Status: Completed		
11.3: Determine whether and how the E-School Plus system can be modified to collect and analyze student-level evaluation data	June 2006	DDOE staff and local Special Education Leadership
Status: Completed		
11.4: Review FFY 2005 procedural safeguards data to identify other local agencies with findings of non-compliance regarding eligibility determination timelines	August 2006	DDOE staff
Status: Completed. No findings of noncompliance found in procedural safeguard data for FFY 2005.		
11.5: During the annual “unit count audit”, audit the files of local agencies that either already maintain a comprehensive list of students for whom consent is received, or that had findings of noncompliance, regarding eligibility determination timelines during FFY 2005.	Ongoing	DDOE staff
Status: Completed. No findings triggered audits. LEAs methods were so varied that moving to a systemic data collection through the state wide data system took precedence as an improvement activity.		

<p>11.6: Review the policies, practices and procedures of any local agency with systemic non-compliance issues identified during the October 2006 audit</p>	<p>March 2007</p>	<p>Committee that includes DDOE staff, LEA staff and at least one parent</p>
<p>Status: Completed None found.</p>		
<p>11.7: Review State policies, practices and procedures to address any Statewide systemic non-compliance with eligibility determination timelines identified during the October 2006 audit and review of local policies</p>	<p>May 2007</p>	<p>Committee that includes DDOE staff, LEA staff and at least one parent</p>
<p>Status: Completed. None found.</p>		
<p>11.8: During the annual record review, eligibility dates collected through the Pupil Accounting System will be verified by reviewing the Eligibility Summary Report from which documents the date of the eligibility meeting.</p>	<p>Ongoing each October</p>	<p>DDOE staff</p>
<p>Status: This improvement activity has been deleted. The Pupil Tracking system will be used for collection of data and verification of correction. The DDOE’s enhanced on site monitoring system will regularly monitor data around evaluation and eligibility.</p>		
<p>11.9: Improve the technological capacity of the SEA’s data management system to allow for easier monitoring of this indicator</p>	<p>Ongoing</p>	<p>DDOE staff</p>
<p>Status: The data system has been updated and can be used for collection and subsequent monitoring.</p>		
<p>11:10: Identify strategies that Charter Schools and Districts without qualified evaluators for English Language Learners can use to complete comprehensive evaluations in a timely manner. Enlist the state school psychologists and state speech pathologists organizations to identify potential retired school personnel who may be able to supplement in these areas.</p>	<p>Ongoing</p>	<p>DDOE staff</p>
<p>Status: Information is shared among LEAs through county wide or state wide meetings regarding resources.</p>		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

Improvement activity 11.8 has been eliminated because the DDOE’s revised monitoring system can review compliance with evaluation and eligibility requirements.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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 for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

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

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

FFY	Measurable and Rigorous Target
FFY 2009	100%

Actual Target Data for FFY 2009:

99%

Describe the method used to collect data, and if the data are from monitoring, describe the procedures used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year (July 1, 2009 – June 30, 2010).

Method to collect data:

The state has an ongoing systematic transition data collection process which has been in place for over five years. Using an electronic reporting process, local education agencies report transition data to the Department of Education annually by June 30th. Using a data tracking spreadsheet, information is captured on the total number of referrals received, the number with less than 90 days notice prior to the child’s third birthday, the number of children not eligible for special education services, and the number of children with IEP’s in place prior to their third birthday. Districts are required to provide additional information and narrative explanation for children who had an IEP

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Delaware
State

developed and implemented after their third birthday. Districts are required to provide documentation of IEP meeting and initiation dates.

Actual State Data (Numbers)

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	559
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	72
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	369
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	89
e. # of children who were referred to Part C less than 90 days before their third birthdays.	27
# in a but not in b, c, d, or e.	2
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 Percent = [(c) / (a-b-d-e)] * 100	99%

**PC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “!Zero Divide”), then right click for a menu of options, and then select “update field.”*

**MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “!Zero Divide”), then right click (PC) or select the control key (Mac) for a menu of options, and then select “update field.”*

Account for Children Included in a, but not in b, c, d, or e:

Two children statewide were determined to be eligible for Part B services and did not have IEP developed and implemented by their third birthday. Two school districts had instances of noncompliance with one instance in each school district. *Indicate the range of days beyond the third birthday and the reasons for the delays:*

District A – 6 days. District failed to complete assessment process before child’s third birthday.

District B – 29 days. District delayed IEP for child with summer birthday.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

The data identifies the status of all children transitioning from Part C Early Intervention Program to Part B programs in their local school districts in Delaware for FFY 2009.

Data were reported directly to the Delaware Department of Education, Exceptional Children/Early Development and Learning Resources Work Group during the summer of 2009. Data were verified by the Department with the LEAs. The Department requested additional information before the final counts and percentages were verified with the LEAs.

FFY 2009 data reflect that 99% of children referred from Part C had IEPs in place and implemented by their third birthday. Late referrals from Part C, parent refusals and cancelations, and delayed assessments for special programs are accounted for in this calculation. This percentage indicates that the LEAs met the same level of compliance as in FFY 2008

In 2009, information specific to transition was provided to LEAs. Departmental memoranda, NECTAC resources and the OSEP Transition FAQ was shared. Ongoing meetings were scheduled with LEAs throughout the year to address federal requirements for transitioning children.

The Department has two Field Agents on staff who are funded by the DDOE to directly assist LEAs and the Part C program staff with transitioning children from Part C to the Part B system. The Field Agents work with programs to ensure they follow the federal and state transition regulations.

Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2008 APR):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 99%

25. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	3
26. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	3
27. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

28. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	0
29. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
30. Number of FFY 2008 findings <u>not</u> verified as corrected [(4) minus (5)]	0

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Actions Taken if Noncompliance Not Corrected:

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against a LEA that continues to show noncompliance.

All instances of noncompliance identified in FFY 2008 were corrected.

Verification of Correction (either timely or subsequent):

For States that Reported Less than 100% Compliance for FFY 2008 for Indicator 12:

As specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response Table, the State must, when reporting the correction of noncompliance, report in its FFY 2009 APR, that it has verified that each LEA with noncompliance

reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:

In FFY 2008, the DDOE identified three (3) instances of noncompliance involving Early Childhood Transition. Three (3) LEAs had one (1) student who did not have an IEP developed and implemented prior to age three (3) in violation of 34 C.F.R. § 300.124. The DDOE issued written notice to each LEA identifying the noncompliance and citing the regulatory requirement. The DDOE directed each LEA to explain the specific reasons the development of each child’s IEP was late. The DDOE also required the LEAs to ensure the IEP for each student was developed and implemented as soon as possible. The LEAs responded to the DDOE in a timely manner and provided written evidence the IEP of each student was developed and implemented. The DDOE then separately verified through its State data system (i.e., the Pupil Accounting System) the IEPs were developed and implemented for each student cited.

To ensure the correct implementation of the regulatory requirements, the DDOE conducted additional verification activities. The DDOE reviewed additional files on-site at each LEA to verify compliance with Early Childhood Transition requirements. A random sample of student files were selected and reviewed by DDOE staff for compliance with the transition requirements of 34 C.F.R. § 300.124. The additional files were all compliant with Early Childhood Transition requirements. In addition, the sample size for verification was sufficient to provide the State with reasonable confidence each of the LEAs is properly implementing 34 C.F.R. § 300.124.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable)

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

6. Number of remaining FFY 2007 findings noted in OSEP’s June 2010 FFY 2008 APR response table for this indicator	0
7. Number of remaining FFY 2007 findings the State has verified as corrected	0
8. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	0

**PC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “0”), then right click for a menu of options, and then select “update field.”*

**MAC Users - To utilize the auto-calculating function; enter numbers in the appropriate boxes. Next, place the cursor in the grey box (in front of the text labeled “0”), then right click (PC) or select the control key (Mac) for a menu of options, and then select "update field."*

Verification of Correction of Remaining FFY 2007 findings:

For States with Findings of Noncompliance Identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR, as specified in OSEP’s June 1, 2010 FFY 2008 SPP/APR Response table, the State must, when reporting the correction of noncompliance, report in its FFY 2009 APR, that it has verified that each LEA with remaining noncompliance: (1) is correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and

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(2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

All instances of noncompliance were corrected.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable)

Provide information regarding correction using the same format table provided above.

Not applicable.

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

Statement from the Response Table	State's Response

Status of Improvement Activities:

Improvement Activities	Timelines	Resources
12.1 The SEA will work with LEAs on appropriate transition strategies. Several sites within the state were originally trained using the S.T.E.P. approach to transitions. The SEA will reactivate components of the approach to enhance the transition process.	Ongoing	S.T.E.P. model Instate S.T.E.P. trainers
<p>Status: DDOE continues to support the activities of the New Castle S.T.E.P. group. DDOE participates in the group meetings. The DDOE Transition Field Agent for the southern counties continues to utilize S.T.E.P. components individually with each school district. Currently, DDOE is in the process of developing a STEP group for the southern county school districts.</p>		

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<p>12.2 The SEA will work with the Part C Lead Agency to enhance and improve the transition process. The SEA meets quarterly with the Part C program to analyze the transition process. The SEA and Part C program staff to participate in periodic joint monitoring visits.</p>	<p>Ongoing</p>	<p>DDOE and Part C Staff</p>
<p>Status: The DDOE continues to meet with the Part C Staff and DDOE Transition Field Agents to address issues related to timely smooth transitions from Part C to the Part B school district program.</p>		
<p>12.3 Initiate monitoring visits targeting transitions with districts flagged as not being in compliance with this transition regulation or with districts as part of the ongoing site visits that are planned over the next six years.</p>	<p>Ongoing</p>	<p>DDOE Staff</p>
<p>Status: On-site monitoring of targeted school districts occurred during the 2010-2011 school year.</p>		
<p>12.4 Provide periodic transition forums to be offered to SEA and LEA staff, and Part C staff. The intent of the forums is to maintain awareness of transition requirements and to facilitate opportunities for communication across LEA and Part C communities.</p>	<p>Bi-Annually</p>	<p>DDOE Staff, LEA Staff, Part C Staff,</p>
<p>Status: DDOE supported a statewide training conference on early childhood transition in October 2006. The conference was open to all Part C and Part B/619 personnel. Dr. Beth Rous from NECTC presented for ¾ of the day followed by a parent panel.</p> <p>Two transition meetings occurred in 2009 for Part C and Part B/619 personnel to discuss transition policies and review the transition procedures in Delaware.</p> <p>Another statewide training conference on early childhood transitions is planned for the fall of 2011.</p>		
<p>12.5 Improve the technology capacity of the SEA data management system to allow for easier monitoring of this indicator.</p>	<p>Ongoing</p>	<p>DDOE data information group</p>
<p>Status: An early childhood data specialist has been hired by the DDOE. One of his responsibilities is to create a data field in the state data system to capture transition data from the school districts.</p>		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

No revisions for FFY 2009

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

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

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))

<p>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.</p>

Note: States must provide actual numbers used in its calculation for this indicator.

Overview of Issue/Description of System or Process:

States throughout the country continually have difficulty in meeting the transition requirements in IDEA. Over the years Delaware has implemented a variety of initiatives, which have included the "Transition Outcomes Project", student involvement in the IEP process, interagency collaboration at the State and local level, and significant professional development to increase quality transition planning for individuals. As a result of these initiatives, there is increased awareness in the State of the transition requirements in federal regulations, and schools have been actively involved in the improvement.

DDOE has adopted an on-line IEP (IEPplus) currently being implemented in all districts and charter schools. Delaware continues to use the adopted secondary IEP for all students in 8th grade or age 14, whichever occurs first; however, during the adoption of IEPplus DDOE has worked to revise the secondary IEP template to allow for improved development of transition planning. The IEP focuses on providing not only overall student strengths but also student strengths in each of the post-school outcome areas (employment, education/training and independent living), documented annual age-appropriate transition assessments, measurable goals, courses of study, and the activities and services that are designed to assist the students in reaching their post-school goals.

DDOE has also redesigned the monitoring protocol and procedures for LEA monitoring. In the past, DDOE has monitored each LEA and charter school annually. After the DDOE federal review in 2009, the DDOE implemented a new monitoring procedure where all districts will rotate on a 3-year cycle for individual LEA monitoring to ensure all LEAs are monitored within a 3-year period. DDOE will continue to use an adapted version of the Indicator #13 checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC).

The fall 2009 audit included a review of IEPs in 15 of the 19 LEAs and 5 of the 6 charter schools for students aged 16 and above for Indicator 13 requirements. Information from the fall 2009 audit will be used for identifying baseline data. The State Transition Council will identify improvement activities, timelines and resources.

Baseline Data for FFY 2009 (2009-2010):

IEP Reviews – Post Secondary Goals and Transition Services 2009-2010		
Total IEPs Reviewed	Total IEP’s Meeting Requirements	% Meeting Requirements
633	559	88.3%

Discussion of Baseline Data:

A review was conducted in 15 of the 19 LEAs and 5 of the 6 charter schools for Indicator 13 requirements where students aged 16 and above with IEPs are enrolled. To conduct the reviews during the fall of 2009 in the district and charter high schools, the DDOE used an adapted version of the Indicator #13 checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC). DDOE staff reviewed a sample of 25 IEP folders in a majority of the chosen high schools using the adapted version of the NSTTAC checklist. For schools with less than 25 IEPs, staff reviewed all IEPs of students ages 16 and older. In a total of 27 high schools representing the 15 LEAs and 5 charter high schools, a total of 633 IEPs were examined. Of those, 559 IEPs met the criteria. For an IEP to meet the set criteria, all checklist questions had to be answered with a yes (as having the requirement). From the reviews, DDOE sends a response to each LEA or charter to share the results of the findings.

On-going technical assistance and training on meeting the Indicator 13 requirements is available to each school district and charter high school. Guidance documents for each checklist item have been created and reviewed by NSTTAC staff. These guidance documents are shared at regional transition meetings and posted on the DOE website.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%

2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
13.1 Coordinate regular transition strategic planning meetings through regional and State Transition Council.	Annually	DDOE, DVR, DDDS, parents, students, providers and LEAs.
13.2 Develop new and revise current training modules and conduct training on “Meeting the Requirements for Indicator 13”	Annually	DDOE staff
13.3 Conduct training and provide technical assistance on the state-adopted secondary IEP form, process and IEPplus.	Annually	DDOE staff
13.4 Conduct annual IEP reviews to ensure LEAs are meeting Indicator 13 transition requirements. Reviews will be conducted during the Fall LEA auditing process in October and November.	Annually	DDOE staff
13.5 Provide targeted training and technical assistance to LEAs that do not meet the 100% compliance requirement for Indicator 13.	Annually	DDOE staff
13.6 Work collaboratively with students, families, LEAs, adult service providers and community partners to identify potential gaps in providing transition services	Annually	DDOE, DVR, DDDS, DSCYF, parents, students, providers and LEAs.
13.7 Support Annual Transition Institute, an interagency professional development opportunity, focuses on transition, graduation, dropout prevention, and successful outcomes for struggling students including students in	Annually	Regional and State Transition Councils, DDOE, DVR, DCDT, Parent Information Center, LEAs, students, parents, adult service providers, and community partners

SPP Template – Part B

special education		
13.8 Develop and conduct training modules for K-12 “Increasing Student Involvement in the IEP.	Spring 2011 – ongoing	DDOE staff
13.9 Continue work to develop the Delaware Transition Community of Practice to address transition issues and facilitate the dissemination of information on transition services for students with disabilities.	Ongoing	Regional and State Transition Councils, DDOE, DVR, DDDS, LEAs, Parents, Students, Community Partners

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

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

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:

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

<p>B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p>
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<p>C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p>
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Overview of Issue/Description of System or Process:

The purpose of special education is to provide FAPE and meet the unique needs of students, with the intended outcome of the experiences to be independent adult living, education/training and employment. Delaware used a “Follow-Up Survey” in years previous; however, FFY 2005 was the first year of a post-school survey meeting the requirements of Indicator 14. In FFY 2009, Delaware implemented a revised post-school survey based on the new requirements of Indicator 14. The use of this survey will provide Delaware with an excellent measure to work towards continual improvement of providing transition services to students with IEPs. The results of the baseline year are encouraging. One hundred percent (100%) of former students who responded to the survey reported being positively engaged within one year of leaving school. Respondents were representative in regards to students with diplomas, certificates of performance, aging out or dropping out, gender, disability category, and race/ethnicity. There is concern, however, about the response rate of 33%. Improvement activities will reflect the need to develop successful strategies to increase the overall response rate in upcoming years

Definitions

Enrolled in higher education as used in measures A, B and C means youth have been enrolled on a full- or part-time basis in a community college (two year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

Competitive employment as used in measures B and C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Enrolled in other postsecondary education or training as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two year program).

Some other employment as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

Methodology: A full census post school survey is conducted in Delaware of all school leavers with IEPs. School leavers include students who graduated with a diploma, received a certificate of performance, aged out, or dropped out of school at any time during SY 2008-2009. In Delaware each student has a unique identifier referred to as Delaware Student Information System number (DELSIS). The data tracking system is managed by the DDOE.

Using the Data Display Template provided by the National Post-School Outcomes Center (NPSO), Delaware is able to determine the representation of school leavers by disability category, race/ethnicity, age, and gender.

Delaware uses a combination of telephone and mail surveys to obtain survey results. School leavers received up to three telephone attempts followed by a mail survey from DDOE if no contact was made over the telephone. DDOE offered each LEA in the state the choice of conducting the post-school surveys itself or use an outside vendor with whom DDOE contracted. Six LEAs chose to use the contracted vendor, while 17 LEAs conducted the surveys, using teachers and other staff.

Data Collection: DELSIS provides information for post-school contacts, including phone numbers and addresses of students. It also includes student demographics, such as race/ethnicity, gender, age, and category of disability. It does not include postsecondary goals, which will need to be identified through exit survey data to be collected this year.

Survey questions focused on postsecondary education/training included:

Was the respondent enrolled in postsecondary education at any time since leaving school?

Did the respondent complete at least one term?

What was the type of postsecondary education/training?

Survey questions focused on employment included the following:

Was the respondent employed at any time since exit from school?

What was the length of employment?

What were the hours per week, and whether the individual made at least minimum wage?

What was the type of employment?

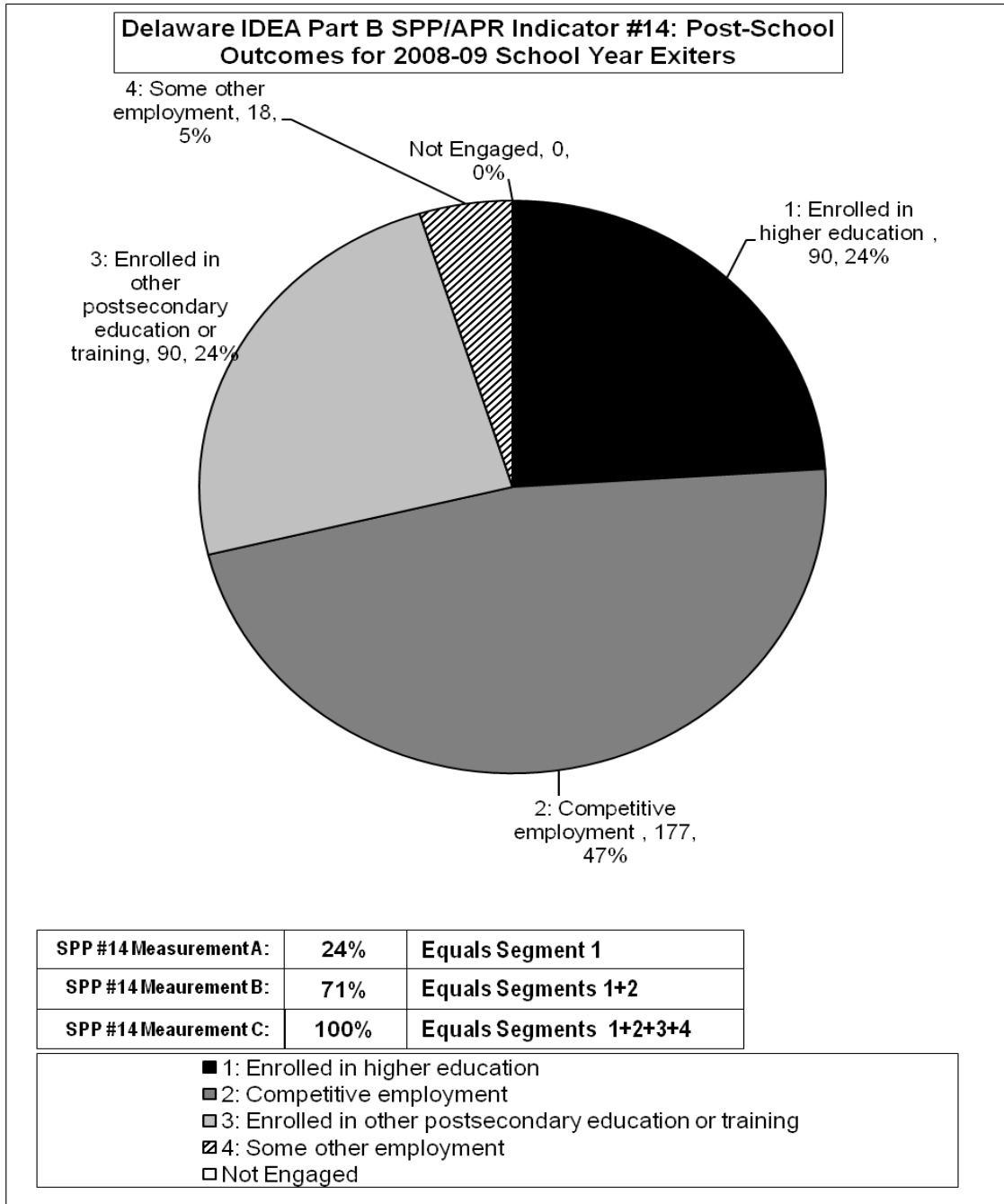
A copy of the survey is attached.

In addition to the Delaware Post-School Survey, the State will explore with stakeholders the addition of an Exit Survey to be collected from each student with an IEP in his or her last year in secondary programs. Input will be

sought from stakeholders to consider including each student’s transition goals and services in their last year of secondary school. This could provide the State and LEAs with important information to continually improve the transition planning process in the IEP and link Indicators 13 and 14. The National Post-School Outcomes Center will provide guidance and support to Delaware as we discuss the inclusion of an Exit Survey in our development of a comprehensive data collection system for post-school outcomes.

Baseline Data from FFY 2009 (SY 2008—2009):

Delaware Post-School Survey



Discussion of Baseline Data:

Results:

Data Reporting: Of the 375 respondents, all 375 respondents (100%) stated they have been enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment. Twenty-four percent (24%), or 90 respondents reported they had been enrolled in higher education within one year of leaving high school; forty-seven percent (47%) or 177 respondents reported being competitively employed within one year of leaving high school (but not enrolled in higher education); twenty-four percent (24%) or 90 respondents reported being enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed); and 5% or 18 respondents reported being in some other employment within one year of leaving high school (but not enrolled in higher education, some other type postsecondary education or training program or competitively employed).

Reporting On the Measures/Indicators:

Measure A = Percent enrolled in higher education. Of the 375 respondents, twenty-four percent (24%), or 90 respondents reported they had been enrolled in higher education within one year of leaving high school.

Measure B = Percent enrolled in higher education or competitively employed within one year of leaving high school. Of the 375 respondents, seventy-one percent (71%), or 167 respondents reported they had been in higher education or competitively employed within one year of leaving high school.

Measure 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. Of the 375 respondents, all 375 respondents (100%) stated they have been enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment.

Response Rates: The response rate was 33%, or 375 out of 1143 potential respondents. The respondents were also representative of the target group. Six percent (6%) of the respondents were dropouts. We were concerned that we not be able to make adequate contact with this group. The response rate of African-Americans (36%) and Hispanic (6%) school leavers closely reflects the actual percentage of those categories in Delaware high schools. Former students categorized with Learning Disabilities amounted to 61% of the respondents, individuals with cognitive disabilities were 11% of the surveys received, and school leavers with emotional disturbance responded at a rate of 5% of the total number. A higher percentage of males (70%) than females (30%) responded to the Class of 2009 survey.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	89% of the respondents to the survey state that they have been either competitively employed, involved in postsecondary education/training, or both within one year of school exit. (Original Baseline Data)
2006 (2006-2007)	89% of the respondents to the survey will state that they have been either competitively employed, involved in postsecondary education/training, or both within one year of school exit. This represents maintenance of target from FFY 2005
2007 (2007-2008)	90% of the respondents to the survey will state that they have been either competitively employed, involved in postsecondary education/training, or both within one year of school exit. This represents a 1% increase from FFY 2006.
2008 (2008-2009)	90% of the respondents to the survey will state that they have been either competitively employed, involved in postsecondary education/training, or both within one year of school exit. This represents maintenance of target from FFY 2007.
2009	Baseline Data:

(2009-2010)	<p>A. <u>24%</u> Percent enrolled in higher education</p> <p>B. <u>71%</u> Percent enrolled in higher education or competitively employed within one year of leaving high school</p> <p>C. <u>100%</u> Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment</p>
2010 (2010-2011)	<p>A. <u>28%</u> Percent enrolled in higher education</p> <p>B. <u>77%</u> Percent enrolled in higher education or competitively employed within one year of leaving high school</p> <p>C. <u>100%</u> Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment</p>
2011 (2011-2012)	<p>A. <u>30%</u> Percent enrolled in higher education</p> <p>B. <u>80%</u> Percent enrolled in higher education or competitively employed within one year of leaving high school</p> <p>C. <u>100%</u> Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment</p>
2012 (2012-2013)	<p>A. <u>33%</u> Percent enrolled in higher education</p> <p>B. <u>83%</u> Percent enrolled in higher education or competitively employed within one year of leaving high school</p> <p>C. <u>100%</u> Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment</p>

Improvement Activities/Timelines/Resources (through 2012):

Improvement Activities	Timelines	Resources
14.1 Adopt the use of the NPSO Center Follow-Up Survey for use with 2008-2009 exiters.	2010 -ongoing	DDOE, LEAs, State Transition Council, PCCD
14.2 Contract with vendor to conduct phone and mail surveys for 6 school districts in State.	January 2007-ongoing	DDOE, vendor
14.3 Provide training to LEAs and charter high schools on data collection system, phone surveys and reporting to DDOE for aggregation.	February 2007-ongoing	DDOE, LEAs
14.4 Conduct the Follow-Up Survey for students exiting school in the 2008-2009 school year and between June and September 2010. Follow-Up Survey will be disseminated to all students with IEPs through telephone calls with paper copies mailed to those students not responding to the telephone attempts.	2010 – Ongoing	DDOE, LEAs, outside contractor
14.5 Work closely with the National Post-Secondary Outcomes Center in the development of the Follow-Up Surveys and subsequent public reports.	2010 – Ongoing	DDOE, National Post-School Outcomes Center

14.6 Provide technical assistance to LEAs to use data and reports to develop and implement improvement strategies	2010 – Ongoing	DDOE
14.7 Improve response rates through numerous strategies developed by DOE and stakeholders to obtain contact information from students before leaving school, as well as reminding students of upcoming survey phone calls.	2010 and ongoing	DDOE, PCCD, National Post-School Outcomes Center, National Dropout Prevention Center for Students w/ Disabilities
14.8 Continue improvement activities in interagency collaboration with Division of Vocational Rehabilitation (DVR), Delaware and the Delaware Division on Developmental Disabilities Services (DDDS) through cross-training, MOUs that will help to increase employment outcomes for students with disabilities.	Ongoing	DDOE DVR DDDS State Transition Council Regional Transition Councils
14.9 Continue to improve supported employment outcomes for students in transition from school to adult living. This project has shown dramatic improvement in employment outcomes for students needing long-term supports. Data from the project is shared annually with regional transition councils as a strategy to continually improve employment outcomes for students with disabilities needing long-term supports.	Ongoing	DDOE DVR The Division on Developmental Disabilities Services (DDDS) Adult supported employment providers High School programs.
14.10 DDOE will ensure that fall monitoring of LEAs includes focused monitoring with middle and high schools throughout the state focused on student employment and post-secondary education rates and other transition indicators for accountability at the building level.	Annually	DDOE
14.11 The revised secondary IEP through a new on-line IEP (IEPplus) focuses on postsecondary goals in employment and post-secondary education, among other transition results. DDOE will provide significant training to assist schools identify courses of study and transition services through the IEP process. This effort will improve post school success for students with IEPs	Ongoing	DDOE
14.12 DDOE will continue using the results of the follow-up surveys to provide information related to post-secondary employment and education targets. This information will be disaggregated and shared with LEAs	Ongoing	DDOE, State Transition Council and GACEC Transition Subcommittee
14.13 In collaboration with DDOE, DVR, and Delaware Technical and Community College continue to provide innovative programs to high school students receiving special education services	January - September 2006 and ongoing.	DDOE in collaboration with school districts, DVR, and Delaware Technical and Community College
14.14 Annual Transition Institute, an interagency professional development opportunity, focuses on transition, graduation, dropout prevention, and successful outcomes for struggling students including students in special education	Annually in Spring	Regional and State Transition Councils, DDOE, DVR, DCDT, Parent Information Center

SPP Template – Part B

14.15 Transition Programs for students with intellectual disabilities into Higher Education (TPSID)	Beginning Fall 2010 then ongoing	DDOE, University of Delaware (Center for Disabilities Studies), DVR, LEAs, DDDS, other state institutions of higher education, others
14.16 Team Approach to Reaching Goals through Education and Training (TARGET)	Beginning Fall 2010 then ongoing	DDOE, DVR, Workforce Investment Board, Division of Employment and Training, DDDS, DSAMH, Del Tech Community College
14.17 Increased efforts between adult agencies (DVR, DDDS) to coordinate services for students into adulthood	Beginning Fall 2010 then ongoing	DDOE, DVR, DDDS, LEAs
14.18 Dissemination of information for the Delaware SEED (Student Excellence Equals Degree) and Inspire scholarship programs	Ongoing	DDOE, DVR, institutions of higher education
14.19 Implementation of Project SEARCH	2010 – Ongoing	DDOE, DVR, LEA, Goodwill Industries, Christiana Care, adult service providers

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
<i>FFY 2009</i>	<i>100%</i>

Actual Target Data for FFY 2009:

100%

Describe the process for selecting LEAs for Monitoring:

For the compliance findings made in FFY 2008, the DDOE conducted on-site monitoring at each LEA in the State. In FFY 2008, the DDOE’s fall monitoring activities were primarily tied to the State’s financial verification or special education “unit count” to verify funding provided to LEAs. In FFY 2008, the DDOE also combined special education monitoring with other monitoring activities to ensure compliance with various federal programs and state requirements.

Since OSEP’s fall 2009 verification visit, the DDOE has revised its procedures. Starting with the fall 2010, the DDOE began a rotating cycle of monitoring each LEA once every three (3) years. In the fall 2010, the DDOE selected the first round of LEAs based on student enrollment demographics and the location of the LEA in each of the State’s three (3) counties. Seven (7) school districts and five charter schools (5) were selected for special education monitoring in the fall of 2010.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:

Since OSEP's fall 2009 verification visit, the DDOE has reviewed and enhanced its general supervision practices and compliance monitoring activities. The DDOE received technical assistance from the Mid-South Regional Resource Center, and materials issued by OSEP.

Compliance Monitoring Training:

Since OSEP's fall 2009 verification visit, the DDOE's special education workgroup has participated in multiple training sessions related to the State's monitoring responsibilities under OSEP's 09-02 Memo and federal regulations, including: (1) the requirement to notify LEAs of the identification of noncompliance in writing; (2) the requirement to ensure the correction of all noncompliance within one year from the date of identification; (3) the requirement to ensure correction of all child level noncompliance; and (4) the requirement to verify correction of noncompliance through the review of additional data and/or IEPs collected through subsequent monitoring or State data systems. Staff from the Mid-South Regional Resource Center (MSRRC) visited Delaware on two occasions (March 2010 and November 2010) to provide technical assistance around compliance monitoring and to facilitate discussion among DDOE's workgroup in developing practices to improve its monitoring system and align it with the principles outlined in OSEP's 09-02 Memo. MSRRC provided the DDOE with a monitoring workbook, sample file review protocols, and other tools to lead the DDOE staff with effective revisions to its monitoring practices.

Development of a Comprehensive Student File Review Protocol

Since OSEP's fall 2009 verification visit, DDOE staff developed a comprehensive student file protocol for use in reviewing educational records and IEPs for compliance with key special education regulations. The protocol was first used by the DDOE in October 2010 during its fall monitoring cycle and on-site visits to selected LEAs. The protocol is more inclusive than the tool used previously by DDOE as it addresses a larger number of regulatory requirements per student file. The protocol was developed as a result of multiple team meetings among the DDOE's special education workgroup and it identifies the substantive areas of regulation that pose a common challenge for LEAs to implement. The protocol provides for the review of student files related to IEP development, procedural safeguards, secondary transition, eligibility, evaluation, reevaluation, and least restrictive educational placement decisions. The DDOE distributed the protocol to LEAs for informational purposes, and several LEAs used the protocol to internal audits and file reviews at the local level.

Use of Monitoring Workbook

With technical assistance provided by the MSRRC, the DDOE adopted a "monitoring workbook" (i.e., monitoring report) to document the DDOE's findings and work with LEAs throughout each monitoring cycle. The monitoring workbook provides the LEAs with the DDOE's findings based on each regulation reviewed. The workbook describes any areas of noncompliance found, and it describes the specific corrective actions required by the LEA based on a percentage level of noncompliance. The workbook establishes timelines for the completion of corrective actions by the LEAs, and it provides the LEAs with a detailed list of all children who require corrected IEPs by a date certain. The workbook provides a method for the LEAs to report the status of corrective actions to the DDOE, and to certify when all corrections have been made.

The workbook also calculates percentage levels of compliance for each regulatory item reviewed for each LEA. The DDOE uses the data to conduct analysis of its compliance findings and tailor the development of technical assistance programs based on the areas of identified need throughout the State. In addition, the workbook allows the DDOE to collect monitoring data in a central and efficient to promote accurate and timely reporting under Indicator 15 of the APR each year.

The workbook was first used by the DDOE in 2010 as part of its fall monitoring cycle, and will be used in subsequent years.

Technical Assistance Provided to LEAs

Since OSEP's fall 2009 verification visit, the DDOE provided targeted technical assistance to LEAs describing the obligation to correct noncompliance at the LEA level and individual student IEPs. The DDOE provided technical guidance to LEAs on how to develop corrective action steps at the local level and take measures to ensure all staff are adequately trained and properly implementing special education regulations. DDOE staff

gave presentations to LEA administrators during special education leadership meetings. The DDOE also developed and provided technical assistance documents to LEAs outlining LEA level responsibilities and State requirements related to the correction of noncompliance.

State Level Verification Activities

Since OSEP’s fall 2009 verification visit, DDOE staff participated in multiple team meetings to plan and identify effective methods for verifying the correction of noncompliance based on the DDOE’s revised monitoring practices and expanded student file review protocol. Methods include the review of additional IEPs and subsequent data collected through on-site monitoring and State data systems.

Integration of Monitoring Activities and Data Collection Among the DDOE’s Special Education Staff

Key staff responsible for monitoring, collecting data, and reporting data have participated in training and the development of the State’s revised monitoring system, including staff responsible for Part B and Part C systems, as well as data managers. As a result, the DDOE’s monitoring activities are more integrated, consistent, and understood by DDOE staff.

Improvement Activities	Timelines	Resources
<p>17.1: The provision of training across the DDOE’s special education workgroup related to compliance monitoring, the requirement to timely identify and correct noncompliance, as well as report compliance monitoring activities consistent with federal guidelines</p>	<p>March 2010 and ongoing</p>	<p>DDOE staff Mid-South Regional Resource Center</p>
<p>Status: DDOE’s special education workgroup participated in multiple trainings and team meetings to discuss compliance monitoring responsibilities, and revisions to procedures to align the DDOE’s system with federal regulations and OSEP’s 09-02 Memo. This activity is ongoing.</p>		
<p>17.2: The development of a standard written notice to inform LEAs of findings of noncompliance and corrective action steps ordered.</p>	<p>March 2010 and ongoing</p>	<p>DDOE staff</p>
<p>Status: DDOE developed a standard written form designed to inform LEAs of findings of noncompliance and required corrective actions based on the regulatory violation.</p>		
<p>17.3: The development of a comprehensive data collection system to track findings of noncompliance and corrective action steps ordered across the DDOE’s special education workgroup.</p>	<p>March 2010 and ongoing</p>	<p>DDOE staff</p>
<p>Status: With assistance from the Mid-South Regional Resource Center, DDOE adopted a “monitoring workbook” containing a set of tools to allow the DDOE to collect monitoring data more centrally and efficiently, and track findings of noncompliance and corrective actions across the DDOE’s special education workgroup. The “monitoring workbook” was first used in the fall of 2010.</p>		

17.4: The development of practices to ensure monitoring activities and data collection are integrated and consistent among the DDOE’s special education monitoring staff	March 2010 and ongoing	DDOE staff
Status: Key staff responsible for monitoring, collecting data, and reporting data have participated in training and the development of revised monitoring procedures, including staff responsible for Part B and Part C systems, as well as data managers.		
17.5: The revision of practices to include more targeted, focus monitoring based on the areas of substantive need throughout the State.	March 2010 and ongoing	DDOE staff; local special education leadership;
Status: DDOE staff developed a process for the review of monitoring data to guide planning and more targeted, focus monitoring throughout the State.		

Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2008 (July 1, 2008 through June 30, 2009) and verified as corrected as soon as possible and in no case later than one year from identification.

Timely Correction of FFY 2008 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

31. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a on the Indicator B15 Worksheet)	38
32. 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)	38
33. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):

34. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	0
35. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
36. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected

For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against a LEA that continues to show noncompliance.

Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either timely or subsequent):

As specified in OSEP's June 1, 2010 FFY 2008 SPP/APR Response Table, the State must, when reporting the correction of noncompliance for Indicator 15, report that it has verified that each LEA with findings of noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements, (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02, dated October 17, 2008.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):

Due Process: Two (2) findings of noncompliance were identified through the State's due process hearing system in FFY 2008.

The first finding (DE DP 09-10) involved an LEA's denial of FAPE to an eligible child. The LEA complied with the corrective action specified in the hearing decision in a timely manner, and within one year from the decision. The DDOE verified the child was provided with the specific remedy identified by the hearing decision.

The second finding (DE DP 09-12) involved an LEA's failure to evaluate a child for eligibility for special education services, and the denial of certain procedural safeguards to parent. The LEA complied with the corrective action specified in the hearing decision in a timely manner, and within one year from the decision. The DDOE verified the child was provided with the specific remedy identified by the hearing decision, including the provision of compensatory instruction, and reimbursement for an independent evaluation.

State Complaints: Noncompliance was identified through the State's complaint system in FFY 2008 as follows:

The first finding (Complaint 09-2) involved an LEA's failure to consider and determine a child's individual need for extended school year services under 34 C.F.R. § 300.106. The LEA misunderstood how the ESY provisions of the IDEA related to a specific state statute entitling some children to a 12 month program. The incidence occurred at one school within the LEA serving a small number of children with disabilities. To ensure the LEA's correct implementation of the specific regulatory requirements and the correction of noncompliance, the DDOE directed the LEA to promptly issue written guidance and in service training to all staff at the special school concerning ESY provisions and the state law. The DDOE also directed the LEA to conduct a self-review of all files at the special school to determine compliance with ESY requirements. The DDOE verified the written guidance was provided within the required timeline, and the LEA's self-audit reported 100% compliance. The LEA's noncompliance was corrected within one year from the date of identification.

The second finding (Complaint 09-5) involved an LEA's failure to include measurable annual goals and present levels of academic and functional performance in a child's IEP as required by 34 C.F.R. §§ 300.320(a)(2)(i) and (a)(1). The DDOE directed the LEA to revise the child's IEP to include measurable annual goals and present levels of performance, and to provide compensatory services to the child. To ensure the LEA's correct implementation of the specific regulatory requirements, the DDOE also directed the LEA to provide in service training to all special education staff, establish a procedure for evaluating the effectiveness of the training, and provide the DDOE with a report of its activities. The LEA corrected the child's IEP, complied with the corrective actions in a timely manner, and reported the incidence was isolated, and not systemic. The LEA's noncompliance was corrected within one year from the date of identification.

The third finding (Complaint 09-6) involved an LEA's: (a) failure to provide services to a child who was removed from his educational placement for disciplinary reasons for more than ten school days as required by 34 C.F.R. § 300.530(b)(2); (b) failure to provide parents with a copy of the evaluation report required by 34 C.F.R. § 300.311; and (c) failure to obtain written parental consent prior to conducting an evaluation as required by 34 C.F.R. § 300.300. The DDOE directed the LEA to provide compensatory services to child. To ensure the LEA's correct implementation of the specific regulatory requirements the DDOE also directed the LEA to provide in service training to all school staff. The LEA complied with the corrective action in a timely manner and reported the

incidence was isolated, and not systemic. The LEA's noncompliance was corrected within one year from the date of identification.

The fourth finding (Complaint 09-7) involved an LEA's violation of: (a) the requirement to provide services to a child who was removed from her educational placement for disciplinary reasons for more than ten (10) school days (34 C.F.R. § 300.530(b)(2)); (b) the requirement the child's placement be changed by the IEP team and not school officials unilaterally (34 C.F.R. 300.320); (c) and the requirement the child's IEP team determine the appropriate services upon a disciplinary removal resulting in a child's change of placement (34 C.F.R. 300.530(d)(5)). The DDOE directed the LEA to provide compensatory services to the child. To ensure the LEA's correct implementation of the specific regulatory requirements, the DDOE also directed the LEA to provide in service training to all school staff and provide the DDOE with a report of its activities. The LEA complied with the corrective action in a timely manner and reported the incidence was isolated, and not systemic. The LEA's noncompliance was corrected within one year from the date of identification.

Fall Monitoring Activities: During the State's fall 2008 monitoring cycle, DDOE staff reviewed a random sample of IEPs at each LEA throughout the State to determine: (a) whether IEPs contained measurable annual goals; (b) whether LEAs were complying with IEP team meeting requirements, and (c) whether LEAs were providing prior written notice as required. The DDOE found noncompliance during the fall 2008 on-site reviews in these regulatory areas, but did not issue citations to the LEAs, nor did the DDOE record the names of the student files reviewed. At the time, the DDOE did not understand the full scope of its responsibility to ensure the correction of all individual child noncompliance and subsequent verification activities. And, the DDOE's monitoring activities were primarily tied to the State's financial verification or special education "unit count" to verify funding provided to LEAs. Since OSEP's fall 2009 verification visit, the DDOE has revised its practices to ensure all individual child noncompliance is verified as corrected consistent with OSEP's 09-2 Memo. The DDOE has also separated its monitoring practices from the State's special education "unit count" to ensure compliance with federal regulations and OSEP's 09-02 Memo.

Secondary Transition: During FFY 2008, the DDOE reviewed student records at each LEA in the State to determine compliance with secondary transition requirements. The DDOE found noncompliance at 15 LEAs. All child level noncompliance was corrected. The DDOE verified the correction of each individual case of noncompliance by: (1) reviewing the corrected IEPs of specific students, and (2) confirming through the State's data system specific students were no longer within the jurisdiction of the LEA. The DDOE also provided on-site technical assistance in the area of secondary transition to each of the 15 LEAs found noncompliant. The DDOE did not take additional measures to verify correct implementation of the regulatory requirements. At the time, the DDOE did not understand the full scope of its responsibility to verify correction through subsequent monitoring or the review of updated data. At the time, OSEP's 09-02 Memo had been recently issued. As mentioned above, the DDOE has revised its monitoring practices following OSEP's fall 2009 verification visit, and the DDOE's current practices are now consistent with OSEP's 09-02 Memo.

Early Childhood Transition: During the DDOE's review of data, 3 findings of noncompliance were identified involving Early Childhood Transition, and the requirement children referred by Part C prior to age 3, who are found eligible for Part B, have an IEP developed and implemented by their 3rd birthdays. Three (3) LEAs had 1 child who did not have an IEP developed and implemented prior to age 3 in violation of 34 C.F.R. § 300.124. The DDOE issued written notice to each LEA identifying the noncompliance and citing the regulatory requirement. The DDOE directed each LEA to explain the specific reasons the development of each child's IEP was late. The DDOE also required the LEAs to ensure the IEP for each child was developed and implemented as soon as possible. The LEAs responded to the DDOE in a timely manner and provided written evidence the IEP of each child was developed and implemented. The DDOE then separately verified through its State data system (i.e., the Pupil Accounting System) the IEPs were developed and implemented for each child cited. To ensure the correct implementation of the regulatory requirements, the DDOE conducted additional verification activities. The DDOE reviewed additional files on-site at each LEA to verify compliance with Early Childhood Transition requirements. A random sample of child files were selected and reviewed by DDOE staff for compliance with the transition requirements of 34 C.F.R. § 300.124. The additional files were all compliant with Early Childhood Transition requirements. In addition, the sample size for verification was sufficient to provide the State with reasonable confidence each of the LEAs is properly implementing 34 C.F.R. § 300.124.

Timely Initial Evaluation: During the DDOE’s review of data, noncompliance was identified in 10 LEAs related to the State requirement that initial evaluations be completed within 45 school days, or 90 calendar days (whichever is shorter), of receiving parental consent. In each of the LEAs, the DDOE first verified correction of all child level noncompliance through the review of data in the State data system - each child received an evaluation, although late. The DDOE then reviewed subsequently collected data through its system to verify each of the 10 LEAs is correctly implementing the evaluation timeline requirement. The new data showed compliance with the evaluation timeline requirement.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable)

For FFY 2007 findings for which the State has not yet verified correction (these are findings of noncompliance reported in the FFY 2008 APR as uncorrected and that remain uncorrected), explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

If the State reported <100% for this indicator in its FFY 2008 APR and did not report that the remaining FFY 2007 findings were subsequently corrected, provide the information below:

9. Number of remaining FFY 2007 findings noted in OSEP’s June 2010 FFY 2008 APR response table for this indicator	1
10. Number of remaining FFY 2007 findings the State has verified as corrected	1
11. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	0

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable)

Provide information regarding correction using the same table format provided above for findings reported in the FFY 2007 APR.

N/A

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

Statement from the Response Table	State’s Response
<p>The State must demonstrate, in the FFY 2009 APR, the remaining one finding of noncompliance identified in FFY 2007 that was not reported as corrected in the FFY 2008 was corrected.</p>	<p>In its FFY 2008 APR, the State reported one finding of noncompliance identified in FFY 2007 as not corrected within one year. The finding involved an LEA’s failure to provide speech and language services to students because the LEA had no available speech and language therapists. Through its investigation, the DDOE determined the LEA exercised due diligence in its efforts to locate and hire qualified speech and language therapists. The LEA was faced with market conditions out of its control, and a general shortage of speech and language therapists exists in the State. The LEA developed and implemented a plan to provide the missed services to three students who filed the State complaints. The LEA reported all students requiring speech and language services are now receiving services and the LEA employs and/or contracts with an adequate number of speech and language therapists. The DDOE then verified correction of noncompliance by reviewing a subsequent sample of student IEPs to ensure students were receiving speech and language services as required by their IEPs. This finding of noncompliance identified in FFY 2007 was not corrected within one year, but has been subsequently corrected.</p>
<p>OSEP’s “Delaware Part B 2009 Verification Visit Letter” requires the State to report data in its FFY 2009 APR that demonstrates it has a methodology to correct all instances of noncompliance in a timely manner consistent with OSEP Memo 09-02.</p>	<p>Since OSEP’s fall 2009 verification visit, the DDOE has revised and improved its monitoring practices, system, and forms to align with federal regulations and OSEP’s 09-02 Memo. DDOE’s revised monitoring practices are described earlier in this Indicator and align with OSEP requirements.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):

No revisions recommended.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
(2009-2010)	100% of signed written complaints with reports issued will be resolved within a 60 day timeline or a timeline extended for exceptional circumstances.

Actual Target Data for (2009-2010):

School Year	Complaints w/Reports Issued	Reports within Timelines	Reports within Extended Timelines	Measurement (Percent Resolved within Timelines)
2002-2003	20	20	0	100%
2003-2004	15	13	2	100%
2004-2005	10	9	1	100%
2005-2006	15	1	2	33%
2006-2007	12	10	2	100%
2007-2008	8	4	4	100%
2008-2009	8	6	1	87.5%
2009-2010	10	7	2	90%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

In 2009-2010, the DDOE had a total of ten (10) state complaints with reports issued. Seven (7) reports were issued within timelines, and two (2) were issued within extended timelines.

The DDOE posts each state complaint decision on the DDOE’s website for the public to access. Each state complaint decision issued by the DDOE notes the date the complaint was received by the DDOE and the date the report was issued by the DDOE. The DDOE also uses a database to track complaint timelines and extensions granted. The database records the date each complaint is received by the DDOE, the date each report must be issued by the DDOE, and the determination of any timeline extensions. The database also assists the DDOE with the accuracy of data collection and compliance with timelines, including the monitoring of any corrective action ordered against LEAs, and any follow-up activities. The DDOE continues to employ one attorney staff member primarily responsible for state complaints, follow-up, and monitoring. The DDOE also contracts with another complaint investigator to assist with complaint investigations, as needed.

The DDOE has a 90% compliance rate for the timeliness of its state complaint decisions in FFY 2009, slightly below its 100% compliance target. Similar to prior years, Delaware has a small number of state complaints filed each year. As a result, the State’s overall compliance rate is noticeably reduced if one (1) complaint is resolved outside of the timeline. The slippage that occurred in FFY 2009 was the result of one (1) complaint resolved outside of timelines. The complaint alleged multiple violations of the IDEA against a charter school involving three (3) students. At the time, the school’s charter was revoked by the State, and the charter school was transitioning toward a prompt closure. As a result, the DDOE had difficulty retrieving information from the school in a timely and complete manner for each of the three (3) students. The DDOE issued the report for two (2) of the students within an extended timeline. But, the report for the third (3rd) student was issued outside of an extended timeline due to the difficulty in retrieving information from the charter school. The report was late by six (6) days.

Status of Improvement Activities:

Improvement Activities	Timelines	Resources
16.1: Identify ways to make a routine distribution of complaint reports to stakeholder groups and electronic web postings	March 2006 Completed June 2007	DDOE staff, local Special Education Leadership, GACEC
Status: Complaint findings are routinely posted on the State’s website. The DDOE’s reports are organized in a manner to allow the public and stakeholder groups to identify the regulatory areas and issues raised in each complaint, and the specific findings determined by the State.		
16.2: Identify and prepare additional standard forms for use in the investigative process (letters, requests for documents, etc.)	June 2006 Completed May 2009	DDOE staff, CADRE
Status: Complete. The DDOE has developed and is using standard forms for use in the complaint investigative process. The DDOE also developed a document titled “Special Education State Complaint Procedures” for use by the public and LEAs, and it is posted on the DDOE’s website, and includes a complaint form.		

<p>16.3: Identify possible refinements to Procedural Safeguards system to improve data collection, particularly around issues raised in complaints</p>	<p>August 2006 and annually thereafter</p>	<p>DDOE staff</p>
<p>Status: The DDOE uses its current database to analyze data related to findings of noncompliance around specific regulations throughout the State and for each LEA. The DDOE uses the data to develop technical assistance activities based on findings of noncompliance linked to specific regulations.</p>		
<p>16.4: Maintain staff training for complaint investigation</p>	<p>Ongoing</p>	<p>DDOE staff</p>
<p>Status: The DDOE’s primary complaint investigator is an attorney staff member with experience in special education and state and federal regulations. The DDOE provides its primary complaint investigator with training opportunities and ongoing access to current materials on special education law and complaint investigation procedures.</p>		
<p>16.5: Determine and implement realignment of work assignments, either through internal personnel adjustments or through contractual arrangement to reprioritize complaint investigations.</p>	<p>August 2007</p>	<p>DDOE staff, contractual providers</p>
<p>Status: Completed. As mentioned, the Department employs an attorney staff member primarily responsible for complaints. The DDOE also contracts with another complaint investigator to assist with complaint investigations, as needed, throughout each year.</p>		
<p>16.6: Develop standard form to document extensions of time for investigations related to mediations and update database to systematically collect data about extensions</p>	<p>August 2007</p>	<p>DDOE staff</p>
<p>Status: Completed</p>		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

No revisions recommended.

Additional Information Required by the OSEP:

OSEP Statement	State’s Response
<p>OSEP’s “Delaware Part B 2009 Verification Visit Letter” requires for every State Complaint that is extended beyond the 60-day timeline between February 1, 2010 and December 31, 2010, the DDOE must provide documentation to OSEP that includes the exceptional circumstances that existed with respect to the complaint to justify the extension.</p>	<p>The State had one complaint filed between February 1 and December 31, 2010 for which an extension of time was granted. The complaint alleged multiple violations of the IDEA against a charter school involving three (3) students. The school was transitioning toward closure due to revocation of the charter by the State. DDOE had difficulty retrieving information from the school and granted an extension of time to allow additional time to retrieve records and conduct interviews with the students, parents, and school staff. The DDOE sent a March 30, 2010 letter to the complainant advising of the specific extension and the reasons for the extension. A copy of the March 30, 2010 letter is attached to the DDOE’s 2009 APR submission.</p>

The complaint alleged multiple violations of the IDEA against a charter school involving three (3) students. At the time, the school’s charter was revoked by the State, and the charter school was transitioning toward a prompt closure. As a result, the DDOE had difficulty retrieving information from the school in a timely and complete manner for each of the three (3) students. The DDOE issued the report for two (2) of the students within an extended timeline. But, the report for the third (3rd) student was issued outside of an extended timeline due to the difficulty in retrieving information from the charter school. The report was late by six (6) days.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
(2009-2010)	100% of due process hearing requests will be fully adjudicated 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 (2009-2010):

School Year	Hearing Requests Fully Adjudicated	Hearing Requests Adjudicated within Timelines	Hearing Requests Adjudicated within Extended Timelines	Measurement (Percent Adjudicated within Timelines)
2004-2005	6	2	2	66%
2005-2006	3	0	1	33%
2006-2007	4	0	4	100%
2007-2008	2	0	2	100%
2008-2009	2	0	0	0%
2009-2010	4	3	0	75%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for *FFY 2009*:

In FFY 2009, Delaware had four (4) due process hearings that were fully adjudicated. Three (3) of the four (4) cases were fully adjudicated and decisions were issued within the 45 day

timeline. The DDOE attributes the progress in FFY 2009 to its improvement activities and the focused training provided to its hearing officers as discussed below.

The DDOE is reporting one (1) due process complaint as adjudicated outside of the 45-day timeline because the record is not clear whether an extension was granted based on reasons to justify good cause for an extension. The particular case involved numerous alleged violations of the IDEA, including a request for private placement for a child with multiple disabilities.

Since OSEP's fall 2009 verification visit, the DDOE took steps to address the completion of its due process hearings within the 45-day timeline or within a properly extended timeline made at the request of either party. In March 2010, the DDOE provided targeted training to its hearing officers on specific strategies to manage the due process hearing timeline. The training was provided in a small group setting to facilitate discussion and questions, and included a detailed review of state and federal regulations related to hearing timeline requirements and the criteria for granting extensions. The hearing officers were provided with hypothetical fact patterns to facilitate discussion and identification of common challenges that arise in implementing the hearing timeline with a focus on how to address the challenges. The DDOE also drafted and distributed a technical assistance document (currently in draft form) for hearing officers outlining guidance and practice tips on how to manage the due process hearing timeline aggressively and within the regulatory requirements. Since OSEP's fall 2009 verification visit, the DDOE has directed its hearing officers to hold a scheduling teleconference within five (5) to seven (7) business days of the hearing officer's appointment, and to establish the hearing dates early to ensure compliance with the 45-day timeline or a properly extended timeline. During the training, DDOE staff emphasized the requirement that hearing extensions can only be granted upon request of a party, and documentation must exist to show the length of the extension or the new due date by which the decision must be reached, and mailed to the parties. This training is on-going.

In addition to the technical assistance described above, the DDOE adopted a practice to monitor and maintain better communication with hearing officers while the hearing is pending to ensure completion within the 45-day timeline. Once the due process complaint is filed and hearing officers are appointed, DDOE staff calculates the official due date for completion of the hearing, and notifies the hearing officer of the timeline and due date for the decision. DDOE staff then regularly contacts the hearing officers while the complaint is pending to monitor the status of the hearing dates, the status of the complaint, and the specific reasons for any extensions granted or denied. The DDOE continues to require its hearing officers to document any extensions of the 45-day timeline to include the party requesting the extension, the specific facts that justify good cause to grant the extension, the specific extension of time granted, and the new due date for a final decision, as applicable. Since OSEP's fall 2009 verification visit, DDOE staff review each file to determine if hearing officers are meeting and documenting these requirements, and if they are not, DDOE staff contact the hearing officers directly for follow-up and additional technical assistance.

Status of Improvement Activities:

Improvement Activities	Timelines	Resources
17.1: Issue written guidance to hearing officers on the 45-day timeline and the need to document specific extensions	Ongoing	DDOE staff
Status: The DDOE contacts its hearing officers upon their appointment and provides the due date for the hearing decision. The DDOE continues to instruct hearing officers during DDOE provided training sessions on the hearing timeline requirements. The DDOE recently distributed a technical assistance document to hearing officers specifically addressing tips on managing the hearing timeline aggressively and within regulatory requirements.		
17.2: Revise, publish and adopt due process hearing rules and forms to implement federal statutory revisions	Ongoing	DDOE staff
Status: The DDOE recently developed a manual of due process hearing procedures that includes a description of the hearing timeline requirements. The development of forms to implement the due process hearing rules is ongoing.		
17.3: Identify necessary components of a hearing officer evaluation system and develop timeline for development and implementation of evaluation system	January 2007	DDOE staff, vendors, hearing officers
Status: This improvement activity has been revised.		
17.4: Analyze impact of resolution sessions on mediation and due process systems and identify possible modifications to all three systems	January 2008	DDOE staff, Center for Dispute Resolution, local Special Education leadership
Status: This improvement activity has been revised.		
17.5: Hearing officer training	Ongoing	DDOE staff, vendors
Status: The DDOE’s hearing officers were provided with seven (7) hours of training by Perry A. Zirkel, University Professor of Education, Lehigh University, in January 2011. The DDOE’s hearing officers were also provided with specific training on strategies to meet hearing timeline requirements in March 2010.		

17.6: Maintain capacity of due process system through recruitment and initial training	Ongoing	DDOE staff, CCR staff
Status: The current pool of hearing officers is stable.		
17.7: Establish a committee of stakeholders to explore systemic changes to Delaware’s due process system	Establish committee in July of 2007 with report recommendations by March 2008	DDOE staff, stakeholders
Status: This improvement activity has been revised.		
17.8: Review by the DDOE staff of systemic changes to Delaware’s due process system and practices, including the use of a single hearing officer rather than a three member panel system	Ongoing	DDOE staff, stakeholders
Status: DDOE staff is gathering historical data related to the implementation of its due process hearing system for a thorough review and analysis to lead proposals for effective changes to the system, including the potential use of a single hearing officer rather than a three member panel system.		

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

No revisions recommended.

Additional Information Required by the OSEP:

OSEP Statement	State’s Response
OSEP’s “Delaware Part B 2009 Verification Visit Letter” requires the State to report data in its FFY 2009 APR that demonstrates it has a methodology to ensure that timelines for due process hearing decisions are being extended at the request of either party.	Since OSEP’s fall 2009 verification visit, the DDOE reviewed its practices, and revised procedures to ensure the completion of its due process hearings within the 45-day timeline or within a properly extended timeline made at the request of either party. DDOE’s revised practices are described above, and align with OSEP requirements, to include the specific on-going technical assistance given to hearing officers and monitoring by DDOE staff.

<p>OSEP’s “Delaware Part B 2009 Verification Visit Letter” requires the State to ensure with its FFY 2009 APR, in reporting data for Indicator 17, the State counts a due process hearing decision as being reached within an extended timeline only if there is documentation that the hearing officer granted a specific extension of the 45 day timeline at the request of a party, and that either the length of the extension, or the new date by which the decision must be reached and mailed to the parties, is specified.</p>	<p>For its FFY 2009 APR and Indicator 17, Delaware reported and “counted” its data in the manner required by OSEP. Delaware had three (3) cases that were fully adjudicated within the 45-day timeline, and no cases through properly extended timelines.</p>
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Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
2005-2006	No targets were set as there was only one (1) resolution session during 2005-2006. Targets will be set once the number of resolution sessions reach 10 or more.
2006-2007	There were no resolution sessions during 2006-2007. As a result, no target has been identified.
2008-2009	There were no resolution sessions during 2008-2009. As a result, no target has been identified.
2009-2010	No targets were set as there were only three (3) resolution sessions during 2009-2010. Targets will be set once the number of resolution sessions reach 10 or more.

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

Delaware had only three (3) resolution sessions held during FFY 2009, and one (1) due process complaint was resolved through a resolution session. The DDOE collected and reviewed data to monitor the parties' use of resolution sessions and mediation to resolve due process complaints prior to hearing. The data shows the parties either waived the resolution session, or agreed to participate in mediation. Because Delaware had only three (3) resolution sessions in FFY 2009, no improvement activities have been identified.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009: None.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
2009-2010	Mediation agreements will result from 88% of mediations held.

Actual Target Data for (FFY 2009):

No mediation agreements resulted from the six (6) mediations held in FFY 2009.

Mediation That Resulted in Mediation Agreements	
2.1(a)(i) Mediation Agreements Related To Due Process	0
2.1(b)(i) Mediation Agreements Not Related To Due Process	0
Total Mediation Agreements	0
Total Mediations Held	6
Percent Mediations That Resulted in Agreements	0%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (FFY 2009):

The DDOE did not meet its target for Indicator 19 in FFY 2008. Consistent with prior years, Delaware has a small number of mediations each year. The absence of one or a few mediation agreements among the small number of mediations actually held can noticeably reduce Delaware’s compliance rating. Delaware’s mediation system remains stable and staffed with reputable mediators trained in dispute resolution and special education.

Improvement Activities	Timelines	Resources
Identify additional ways to inform parents and local staff of the availability and benefits of mediation	Ongoing	DDOE staff, Special Education Leadership, CCR staff, CADRE
Status: DDOE continues to work with the PTI and advocacy groups to provide information regarding the benefits of mediation		
Identify possible barriers to participation in mediation, and improvement strategies and timelines to lower those barriers	Ongoing	DDOE staff, Special Education Leadership, CCR staff, CADRE
Status: DDOE staff continue to work with the PTI, the state mediators and advocacy groups to identify possible barriers		
Identify possible barriers to reaching agreements at mediation, and improvement strategies and timelines to lower those barriers	Ongoing	DDOE staff, PCCD, Special Education Leadership, CCR staff, CADRE
Status the small number of requests for mediation make it difficult to assess any systemic barriers		
Maintain capacity of mediation system, including annual surveys and training	Ongoing	DDOE staff, CCR staff
Status: The DDOE provided due process hearing training to hearing officers in January 2010. The mediators attended and actively participated in the training. The DDOE’s mediation system remains stable and staffed with reputable mediators trained in dispute resolution and special education.		

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009: None

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

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
<i>FFY 2009</i>	100% of state reported 618 data and annual performance reports will be submitted with accurate data on or before the due dates.

Actual Target Data for *FFY 2009*:

Using the calculation provided in the Indicator 20 rubric Delaware scored 92.86% with data issues on three EDEN submitted reports.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (*FFY 2009*):

Data for the Child Count and Discipline reports had issues with the coding of zeros versus negative nines for areas that Delaware does not measure (such as students over the age of 21) as well as areas that were intentionally reported as zeros but came up in the report as blanks. We believe those issues are resolved going forward. The Personnel report had issues with a section that should have been manually reported but was instead reported via EDEN and the numbers were significantly larger than they should have been. We have worked to improve

APR Template – Part B (4)

Delaware
State

the lag time between EDEN submission and actual due dates to give more time for verification prior to actual due dates.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
Data collections processes for the Early Childhood indicators are being developed and will be collected for each student through E-School Plus Status: Completed	By July 1, 2006 with refinement of data collection between July1, 2006 through June 30, 2007	GSEG, DOE Data Technology Group, ECEC Data Manager
Trainings for E-School Plus Special Education screens are now available to all LEAs upon request. Status: As needed	On-going	ECEC Data Manager
The Exceptional Children and Early Childhood Data Manager will continue to attend meetings of the Internal Data Users Group Status: Continued	On-going	ECEC Data Manager
Meetings with Part C on ways to share student level data for children that received services in both part C and part B will continue Status: Quarterly meetings occur. Form for collection of data created. Continue discussions regarding inclusion in e school	On-going	EC Education Associate, ECEC Data Manger, Technology Group and Part C at Division of Public Health using GSEG funding
Continue to work with Career & Technical Education & School Climate Work Group to improve accuracy and timeliness of discipline data Status: Data are disseminated in a timely manner	On-going	ECEC work group and Career & Technical Education & School Climate work group
Update and distribute Reporting Guidelines Status: Completed annually	Annually	ECEC Data Manager
Create web-page that included all reporting guidelines, letters and other reporting documents Status: incomplete. May be eliminated because of data collection through IEPplus	By January 2006	ECEC Data Manager
Create check list of due dates to be posted on line to enable LEAs to view their check list to see what is due and whether it has been completed Status: Completed	Create by January 2006 and update on a continuous basis	ECEC Data Manager

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for
FFY 2009**

None

Part B Indicator 20 Data Rubric

Part B Indicator 20 - SPP/APR Data			
APR Indicator	Valid and reliable	Correct calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40
APR Score Calculation	Timely Submission Points - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total – (Sum of the subtotal and Timely Submission Points) =		45.00

Part B Indicator 20 - 618 Data					
Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/10	1	0	1	1	3
Table 2 – Personnel Due Date: 11/1/10	1	0	1	N/A	2
Table 3 – Ed. Environments Due Date: 2/1/10	1	1	1	1	4
Table 4 – Exiting Due Date: 11/1/10	1	1	1	N/A	3
Table 5 – Discipline Due Date: 11/1/10	1	0	1	N/A	2
Table 6 – State Assessment Due Date: 2/1/11	1	NA	NA	N/A	1
Table 7 – Dispute Resolution Due Date: 11/1/10	1	1	1	N/A	3
				Subtotal	18
618 Score Calculation			Grand Total (Subtotal X 2.143)=		38.574

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	38.574
C. APR Grand Total (A) + 618 Grand Total (B) =	83.574
	Total N/A in APR
	0
	Total N/A in 618
	0
	Base
	90.00
D. Subtotal (C divided by Base*) =	0.9286
E. Indicator Score (Subtotal D x 100) =	92.86

* Note any cell marked as N/A will decrease the denominator by 1 for APR and 2.143 for 618