

**North Carolina**  
**Part B Annual Performance Report (APR) for 2006-2007**  
**Submitted February 1, 2008**  
**Edited 4-14-08**

**Overview of the Annual Performance Report Development:**

The North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division gathered and analyzed data for the development of the Annual Performance Report (APR). Internal teams comprised of Exceptional Children Division staff were designated according to their expertise in specific monitoring priority areas. Teams within each monitoring priority area were further divided into sub-teams to respond to particular indicators. Each sub-team collected and analyzed data on the assigned indicator and presented the information to their monitoring priority team. Members of the monitoring priority teams provided comments to the sub-teams on their indicators. All monitoring priority teams reconvened and reported the information to the entire Exceptional Children staff and the stakeholder steering committee for review. The Council on Educational Services for Exceptional Children, the State Advisory Panel, serves as the Stakeholder Steering Committee.

IN March of 2008, the North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division will report to the public on the progress and/or slippage in meeting the measurable and rigorous targets. The Annual Performance Report will be posted on the NCDPI web page and distributed directly to the LEAs. In addition, it will be made available to the media. The Exceptional Children Division will report on the performance of each local educational agency on the targets in the State Performance Plan in May, 2008. The reports will be posted on the Department's website, will be sent to the LEAs and distributed to local and regional media.

The 2006-2007 APR contains information specific to measuring progress or slippage against State targets for Indicators 1, 2, 3, 4.A, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 and 20. States are not required to submit information on Indicators 4B and 6 in this year's APR.

The APR also contains some minor revisions to the State Performance Plan (SPP). These revisions were made to the activities and targets in the SPP. These changes will be recorded in the SPP.

NCDPI has developed its *2006-2007 Annual Performance Report* with input from the stakeholders' steering committee. Additional stakeholder involvement included input from Local Educational Agency Special Education Administrators, Training/Technical Assistance Centers, early childhood specialists, transition specialists and NCDPI staff.

Documents included with the submission of the 2006-2007 APR include the following:

- Table 6, *Report of the Participation and Performance of Students with Disabilities on State Assessments* (Indicator 3)
- Table 7, *Report of Dispute Resolution Under Part B of the Individuals with Disabilities Improvement Education Act* (Indicators 16-19)
- Indicator 11 Spreadsheet
- Indicator 12 Spreadsheet

**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority: FAPE in the LRE**

**Indicator 1: Percent of youth with individualized education programs (IEPs) in the state graduating from high school with a regular diploma.**

**Measurement:** 4-Year Cohort Graduation Rate is the ratio of youths with IEPs graduating with a regular diploma in 2006-07 to all youths with IEPs entering ninth grade in 2003-04 for the first time.

Youths with IEPs entering ninth grade in 2003-04 & graduating with a regular diploma in 2006-07 ÷ All youths with IEPs entering ninth grade in 2003-04 for the first time X 100 = Percent of youths with IEPs in the state graduating from high school with a regular diploma. The 4-Year Cohort Graduation Rate used for youths with IEPs is the same graduation rate used for all students in NC.

FFY	Measurable and Rigorous Target
<b>(2006-07)</b>	50.0% of youth with IEPs graduating from high school with a regular diploma

**Actual Target Data for 2005-06:** (Released by the Department February 28, 2007 & to be used for comparison purposes)

Percent of youths with IEPs entering ninth grade in 2002-03 and graduating with a regular high school diploma in 2005-06	Number of youths with IEPs entering 9 <sup>th</sup> grade in 2002-03 for the first time.	2002-03 entering youths with IEPs, who graduated with a regular diploma in 2006-07	% Change from 2004-05
<b>50.0 %</b>	<b>9,398</b>	<b>4698</b>	4-Year Cohort Graduation Rate is a new method of calculation and cannot be compared to the previous Event-type rate

**Actual Target Data for 2006-07:**

Percent of youths with IEPs entering ninth grade in 2003-04 and graduating with a regular high school diploma in 2006-07	Number of youths with IEPs entering 9 <sup>th</sup> grade in 2003-04 for the first time.	2003-04 entering youths with IEPs, who graduated with a regular diploma in 2006-07	% Change from 2005-06
<b>49.4 %</b>	<b>10,176</b>	<b>5023</b>	<b>- 0.6%</b>

Data sources for graduates for cohort graduation rate: SIMS/NCWISE 20<sup>th</sup> day membership files for 2006-07 & for 4 years in past; the collection of student names associated with Graduation Intention Surveys, and dropout files collected historically (NCDPI\Accountability\Reporting 9/14/06).

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The NCDPI completed the improvement activities and/or implementation steps to complete those activities in the SPP for 2006-07 as follows:

1. The transition from using an event type graduation rate to using a 4-year cohort graduation rate was completed, and on February 28, 2007, the Department released its first 4-Year Cohort Graduation Rate for all students entering ninth grade for the first time in 2002-03, including rates for each of the AYP subgroups.
2. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including graduation rates, improvement activities that LEAs had completed and that helped to make progress on this Indicator, and those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
3. Staff analyzed 2005-06 and 2006-07 LEA data/4-year cohort graduation rates and identified districts with the highest rates, those with increased rates, those with declining rates, those that met or were above the 50% state target and those that were below the state target in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/slippage and improvement activities.
4. The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development, during 2007-2010 as indicated in the SPP. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data.

The NCDPI completed the following activity that was not initially identified in this indicator:

Conducted Focused Monitoring Pilot Year in four (4) pilot LEAs in 2006-07 and began analyzing improvement activities that were successful for increasing graduation rates. The focused monitoring process includes an analyses/review of graduation rates, drop-out rates, IEP transition components and post-school outcomes. The pilot in each of the four LEAs included data analysis, an initial on-site visit and follow-up technical assistance visits, student record reviews, and interviews with LEA staff, parents and students. LEAs to be included in Focused Monitoring for 2007-08 were identified. This activity has been added to the SPP.

North Carolina did not meet its target of 50%. There was a 0.6 % decrease in the 4-year cohort graduation rate for youths with IEPs from 2005-06 (50.0%) to 2006-07 (49.4%). Although there was a slight decrease from 2005-06 in the percentage of youths with IEPs that graduated with an IEP, there was an increase of 778 youths with IEPs (8.3%), entering ninth grade in 2003-04 (10,716) and an increase of 325 youths with IEPs (6.9%), who graduated with a regular diploma in 2006-07 (5023). Although the 4-year cohort graduation rate is used as a target for AYP, North Carolina also calculated a 5-year cohort graduation rate, 53.5%, for youths with IEPs entering ninth grade for the first time in 2002-03. The 5-year cohort graduation rate is important because it includes additional youths with IEPs who graduated with a standard high school diploma, although not within the 4-year time span. There were 9398 youths with IEPs (denominator) entering ninth grade in 2002-03 and of those youths, 5026 (numerator) graduated with a high school diploma in 2005-06 or 2006-07 (5-year cohort graduation rate).

Of the 115 traditional LEAs: seventy (70) increased 4-year cohort graduation rates for youths with IEPs in 2006-07, three (3) maintained the previous year’s rates; and forty-two (42) had rates that decreased. Of the 115 traditional LEAs, sixty-one (61) had rates that met or were above the state target of 50% (1- 100%; 60 had rates ranging from 50% - 88%). Fifty-four (54) traditional LEAs had 4-year cohort graduation rates below the state target of 50% (53 had rates ranging from 22.7% - 49.6%; 1 - 0%). Fourteen (14) public charter schools had youths with IEPs entering ninth grade in 2003-04 for the first time. Of the 14 public charter schools, seven (7) had rates that met or were above the 50% state target rate (3 - 100%; 4 had rates ranging from 50% - 83.3%). Seven (7) public charter schools had rates that were below the 50% state target rate (1 - 16.7%, 1 - 40%, and 5 – 0%).

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005-06 and 2006-07.**

Proposed targets for 2005-06 through 2010-11 have been revised, as recommended by the State Advisory Panel which also serves as the SPP stakeholder committee. For determining AYP in 2005-06, North Carolina used an event type graduation rate. On February 28, 2007, the Department released its first 4-Year Cohort Graduation Rate for students entering ninth grade for the first time in 2002-03. For 2006-07 and beyond, the NCDPI reset the graduation target rate for AYP. It was necessary to reset the SPP targets to reflect the new method for calculating graduation rates, to compare the rates to determine progress or slippage from year to year, and to reflect changes in the AYP graduation target rate. The proposed targets are as follows:

FFY	Measurable and Rigorous Target
<b>2005 (2005-06)</b>	50% of youths with IEPs graduating from high school with regular diplomas.
<b>2006 (2006-07)</b>	50% of youths with IEPs graduating from high school with regular diplomas.
<b>2007 (2007-08)</b>	55% of youths with IEPs graduating from high school with regular diplomas.
<b>2008 (2008-09)</b>	60% of youths with IEPs graduating from high school with regular diplomas.
<b>2009 (2009-10)</b>	65% of youths with IEPs graduating from high school with regular diplomas.

<p><b>2010 (2010-11)</b></p>	<p>70% of youths with IEPs graduating from high school with regular diplomas.</p>
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The following improvement activity is new to this indicator:

<p><b>Improvement Activity</b></p>	<p><b>Timelines</b></p>	<p><b>Resources</b></p>
<p>Focused Monitoring of selected LEAs.</p>	<p>2007-2010</p>	<ul style="list-style-type: none"> <li>• PMA Consultants</li> <li>• Regional Consultants</li> <li>• Other EC Division staff</li> <li>• LEA staff</li> <li>• National and Regional Centers &amp; resources</li> <li>• Funding for travel for on-site reviews &amp; follow-up technical assistance visits</li> </ul>

Focused Monitoring, that includes a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes in selected LEAs, has become a part of the NCDPI’s General Supervision/Monitoring systems and needs to be included as an activity for this indicator.

**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority: FAPE in the LRE**

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

**Measurement:** Measurement for youth with IEPs is the same measurement as for all youth. # of youth with IEPs, in grades 9-12, that dropped out of school, divided by the # of youth with IEPs in grades 9 -12, times 100.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	Reduce the dropout rate for youth with IEPs in grades 9-12 to 7.00%

**Issue Identified in North Carolina’s Part B FFY 2005 SPP/APR Response Table June 15, 2007:**

The State provided updated data for FFY2004, as required, in its FFY 2005 APR, but did not report FFY 2005 data for this indicator. The State must provide data from FFY 2005 and FFY 2006 for this indicator in the FFY 2006 APR.

**Actual Target Data for 2006-07:**

Year	# of youths with IEPs, in grades 9-12, that dropped out of school	# of youths with IEPs in grades 9-12	Rate	Progress or slippage from previous year
FFY 2005 (2005-06)	4068	44, 185	9.21%	- 1.12%
FFY 2006 (2006-07)	4104	52,625*	7.79%	+ 1.42%

\*The State calculation for the denominator that is used for all youths that drop out was used in 2006-2007 for youths with IEPs that dropped out.

Rate = 100 \* Numerator ÷ (Denominator1 + Numerator)

Numerator: Number of Dropouts

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

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The NCDPI completed the improvement activities, and/or implementation steps to complete those activities in the SPP for 2006-2007 as follows:

1. During February and March 2007, staff from the Exceptional Children Division met with Local Education Agencies (LEAs) in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including dropout rates, improvement activities that LEAs had completed and that helped to make progress on this Indicator, those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
2. Staff analyzed 2005-2006 and 2006-07 LEA data/dropout rates and identified districts with the highest rates, those with increased rates, those with declining rates, those that met or were above the state target, and those that did not meet the state target in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.
3. The Exceptional Children Division regional teams identified and began meeting with one to two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development, during 2007-2010 as indicated in the SPP. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data.
4. During 2006-2007, continued collaboration with other NCDPI Divisions, the National Dropout Prevention Center, and the National Dropout Prevention Center for Students with Disabilities (e.g. conferences, regional conference calls, technical assistance, etc.).

The NCDPI completed the following activity that was not initially identified in this indicator:

Conducted Focused Monitoring Pilot Year in four (4) pilot LEAs in 2006-2007 and began analyzing improvement activities that were successful for decreasing dropout rates. The focused monitoring process includes an analyses/review of graduation rates, drop-out rates, IEP transition components, and post-school outcomes. The pilot in each of the four LEAs included data analyses, an initial on-site visit and follow-up technical assistance visits, student record reviews, and interviews with LEA staff, parents, and students. LEAs to be included in Focused Monitoring for 2007-2008 were identified and this activity has been added to the SPP.

*Explanation of progress or slippage:*

North Carolina did not meet the FFY 2006 target of reducing the dropout rate for youth with IEPs in grades 9-12 to 7.00%. The dropout rate for youth with IEPs did decrease by 1.42% to 7.79%. The decrease was due, at least partially, to the denominator (# of youths with IEPs in grades 9-12) used in 2006-2007. As noted in the actual target data table, the State calculation for the denominator that is used for all youths that drop out was used in 2006-2007 for youths with IEPs that dropped out. The NCDPI piloted its focused monitoring process which includes an analyses/review of graduation rates, dropout rates, IEP transition components, and post-school outcomes. Continued efforts in the focused monitoring process will be important for making progress on this indicator.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

The following improvement activity is new to this indicator:

Improvement Activity	Timelines	Resources
<p>Focused Monitoring of selected LEAs.</p>	<p>2007-2010</p>	<ul style="list-style-type: none"> <li>• PMA Consultants</li> <li>• Regional Consultants</li> <li>• Other EC Division staff</li> <li>• LEA staff</li> <li>• National and Regional Centers &amp; resources</li> <li>• Funding for travel for on-site reviews &amp; follow-up technical assistance visits</li> </ul>

Focused Monitoring, that includes a thorough examination of issues regarding graduation, dropouts, IEP transition components, and post school outcomes in selected LEAs, has become a part of the NCDPI’s General Supervision/Monitoring systems and needs to be included as an activity for this indicator.



**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority:** FAPE in the LRE

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

- A. District data indicates that the LEA met the State AYP objectives (reading and math) for progress for disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs.

**Measurement:**

- A. District data indicates that the LEA met the State AYP objectives (reading and math) for progress for disability subgroup (children with IEPs).
- B. Participation rate =
  - a. # of children with IEPs assessed, in grade assessed, divided by # of children with IEPs in that grade, times 100.
- C. Proficiency rate =
  - a. # of children with IEPs, scoring level 3 or above, in grade assessed, divided by # of children with IEPs assessed in that grade, times 100.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	A. Percentage of Districts Meeting AYP: 25%

**2006  
(2006-07)**

**B. Overall Participation Rate:**

<b>Grade</b>	<b>Reading</b>	<b>Math</b>
3	99.6	99.6
4	99.6	99.6
5	99.6	99.6
6	99.5	99.3
7	99.3	99.1
8	99.1	99.1
10	95.5	95.5

**C. Overall Proficiency Rate:**

<b>Grade</b>	<b>Reading</b>	<b>Math</b>
3	61.0	61.3
4	58.9	70.3
5	67.3	62.9
6	53.4	58.9
7	58.8	49.3
8	63.4	48.3
10	20.0	51.6

Actual Target Data for 2006-07:

A. Percentage of Districts Meeting AYP:

# of LEAs that had a students with disabilities subgroup* for AYP determination	# of LEAs that met AYP targets for students with disabilities subgroup*	Rate	Difference from 2005-06
124	15	12.1%	- 1%

\*AYP subgroup ≥ 40 students

B. Participation Rates:

Grade	Reading			Math		
	Numerator/ Denominator	Rate	Difference from 2005-06	Numerator/ Denominator	Rate	Difference from 2005-06
3	15385/15407	99.9%	+ 1.0%	15384/15395	99.9%	+ 0.8%
4	14729/14745	99.9%	+ 1.0%	14726/14733	99.9%	+ 0.95%
5	14024/14042	99.9%	+ 1.1%	14021/14025	99.9%	+ 1.07%
6	13535/13589	99.6%	+1.2%	13523/13527	99.9%	+ 1.57%
7	13541/13618	99.4%	+1.1%%	13515/13519	99.9%	+ 1.97%
8	13238/13307	99.5%	+1.5%%	13225/13232	99.9%	+1.97%
10	620/620	100%	+ 8.0%*	2536/2536	100%	+ 5.0%*

\*The participation rates for grade 10 reading and math were 92% and 95% in 2005-06 rather than 87.9% and 89.3% as inadvertently included in the 2005-06 APR due to being typed incorrectly in the FFY 2005 APR. The correct rates were used to calculate the percentage increases in 2006-07.

## Proficiency Rates:

Grade	Reading			Math		
	Numerator/ Denominator	Rate	Difference from 2005-06	Numerator/ Denominator	Rate	Difference from 2005-06
3	8489/15385	<b>55.2%</b>	- 0.7%	7608/15384	<b>49.5%</b>	+ 2.6%
4	8569/14729	<b>58.2%</b>	+ 4.5%	6494/14726	<b>44.1%</b>	+ 4.7%
5	8818/14024	<b>62.9%</b>	+ 2.1%	5614/14021	<b>40.0%</b>	+ 4.9%
6	7008/13535	<b>51.8%</b>	+ 3.6%	5099/13523	<b>37.7%</b>	+ 6.1%
7	7684/13541	<b>56.7%</b>	+ 1.7%	4763/13515	<b>35.2%</b>	+ 4.2%
8	8041/13238	<b>60.7%</b>	+ 4.3%	4811/13225	<b>36.4%</b>	+ 6.4%
10	527/620	<b>85.0%*</b>	+ 68.5%*	697/2536	<b>27.5%</b>	+ 13.6%**

\*Assessments included in the denominator changed due to the piloting of a new alternate assessment in 2006-07. The scores of students assessed in the pilot were not included in the denominator, resulting in the reduction of students included in the calculation.

\*\* The proficiency rate for grade 10 math in 2005-06 was 13.9% instead of 45% that was inadvertently included in the 2005-06 APR due to being typed incorrectly in the FFY 2005 APR. The correct rate was used to calculate the percentage increase for 2006-07.

Data Sources: NCDPI's Accountability Services Division provides the data for this indicator. Data are the same as those used for Adequate Yearly Progress (AYP) Reports for 2006-07 and Reports of Disaggregated State, School System (LEA) and School Performance Data for 2006-07.

### Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:

The NCDPI completed the improvement activities, and/or implementation steps to complete those activities in the SPP for 2006-07 as follows:

1. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including AYP, participation and proficiency rates, improvement activities that LEAs had completed and that helped to make progress on this indicator, and those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
2. Staff analyzed 2005-06 and 2006-07 LEA data/AYP, participation and proficiency rates and identified districts with the highest rates, those with increased rates, those with declining rates, those that met or were above state targets and those that were below state targets in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/slippage and improvement activities.
3. In 2006-07, the Exceptional Children Division regional teams identified one - two districts in each of NC's six (6) regions and began/will continue to provide focused technical assistance over the next few years. Districts that were in greatest need of focused technical assistance were identified based on an integrated data analyses that included graduation rates, drop-out rates, participation and proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data.

4. The NCDPI Accountability Services Division continued to annually monitor procedures for mis-administrations in 2006-07.

Explanation of Progress or Slippage:

- A. Percentage of Districts meeting AYP: North Carolina did not meet the target of 25% of its districts meeting AYP for the students with disabilities subgroup. The target was missed by 12.9%. There was a 1% decrease from 2005-06 in the number of districts (15) that made AYP for students with disabilities. Overall, there were 2 fewer LEAs that made AYP for students with disabilities in 2006-07. There was an increase in the number of traditional LEAs and a decrease in the number of public charter schools that made AYP for students with disabilities. AYP target rates have increased and are more challenging to achieve.
- B. Participation Rates: North Carolina met the targets for participation rates for reading and math at each grade level 3 – 8 and 10. Participation rates increased for reading and math at every grade level. The rates of increase ranged from 0.8%, for grade 3 math participation to 8.0%, for grade 10 reading.
- C. Proficiency Rates: North Carolina did not meet the targets for proficiency rates for reading at grade levels 4, 5, 6, 7, and 8 or for math at grade levels 3, 4, 5, 6, 7, 8, and 10; however the State made progress by increasing proficiency rates at each of these grade levels. The rates of increase ranged from 1.7%, for grade 7 reading proficiency to 6.4 %, for grade 8 math proficiency. North Carolina also did not meet the target for proficiency for reading at grade 3 and had slippage of 0.7% for grade 3 reading. Grade 3 reading also decreased, by 1.1%, for all youth in North Carolina in 2006-07. North Carolina met the target for grade 10 reading, increasing its proficiency rate by 68.5%. It's important to note that the denominator for grade 10 reading changed in 2006-07. There was a 75.5% (1911) reduction in the number of students included in the denominator for grade 10 reading in 2006-07.

**Issues Identified in North Carolina's Part B FFY 2005 SPP/APR Response Table June 15, 2007:**

The State must provide in its FFY 2006 APR data demonstrating that the LEAs identified in the State's survey as being out of compliance with the requirements of 34 CFR 300.160(c) and (f) and 300.320(a)(6) have corrected that noncompliance within one year of identification.

In the spring of 2006, LEAs were surveyed on whether or not they administered district-wide assessments and, if so, if students with disabilities were included, both in participation and reporting. 105 LEAs indicated that they administered district-wide assessments. Of the 105 LEAs, forty-seven (47) LEAs administered alternate assessments to children with disabilities, the NCDPI determined 10 LEAs assessment criteria did not meet the State's definition of a district-wide assessment, and forty-eight (48) of the LEAs did not administer alternate assessments to students with disabilities as required. The NCDPI conducted a follow-up survey with the 48 districts that were noncompliant in January 2007. In addition to responding to the survey, each LEA was required to send a sample of the alternate assessment it had developed/was using for students with disabilities. 100 % of the LEAs (48) corrected the non-compliance for administering and reporting district-wide alternate assessments to students with disabilities within one year of identification.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:** N/A

**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority: FAPE in the LRE**

**Indicator 4:** Rates of suspension and expulsion

- A. Percent of districts 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.

**Measurement:** A. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year ÷ # of districts in the State X 100.  
 Significant discrepancy is defined as twice the State average rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

Data sources: 2006-07 Discipline data collected through NCDPI\Agency Operations\Safe Schools.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	. 9.1% of LEAs with significant discrepancy in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year .

**Actual Target Data for 2006-07:**

# of Districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year	# of Districts in the State	Rate	% of Progress or Slippage from 2005-06
11	211	5.2%	- 2.6%

All LEAs, including public charter schools were included in the calculations.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The NCDPI has completed the following improvement activities included in the SPP for 2006-07 and/or implementation steps for the activities:

1. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including suspension and expulsion rates, improvement activities that LEAs had completed and that helped to make progress on this Indicator, those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
2. Staff analyzed 2005-06 and 2006-07 LEA suspension and expulsion rates and identified districts with the highest rates, those with increased rates, those with declining rates, those that were above the state target and those that were below the state target in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/slippage and improvement activities and effective practices.
3. The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development, during 2007-2010 as indicated in the SPP. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, suspension and disciplinary data, and other program improvement implementation data.
4. During 2006-07, NC's State Improvement Project (SIP II) helped NCDPI to continue to provide support to approximately 548 school buildings where staff have been trained to provide school-wide positive behavior supports.

***Explanation of Progress or Slippage:***

North Carolina's rate of 5.2% of the LEAs met the target rate for having  $\leq 9.1\%$  of the LEAs with a significant discrepancy in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year. A significant discrepancy is defined as twice the State average rate or greater of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. North Carolina experienced slippage from 2005-06 of 2.6% on this indicator. Many LEAs have implemented effective practices resulting in reduced numbers of suspensions and expulsions greater than 10 days for students with disabilities. As this has occurred, the state average rate has declined resulting in a decline of the rate used for determining a significant discrepancy, which is two times the state average rate. It, therefore, has become more challenging for some districts, particularly smaller ones to remain below twice the state average rate.

**Issues Identified in North Carolina's Part B FFY 2005 SPP/APR Response Table June 15, 2007:**

The State must describe, in its FFY 2006 APR, the review, and if appropriate, revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with IDEA for the LEAs identified as having significant discrepancies in its FFY 2004, FFY 2005, and FFY 2006 APRs.

Year	# of Districts identified as having significant discrepancies
FFY 2004 (SPP)	13
FFY 2005 (APR)	3 (2 were identified 2004-05)
FFY 2006 (APR)	11 (3 were identified in 2004-05, but not in 2005-06)

1. The fourteen (14) districts identified in 2004-05 and 2005-06 were required to send a copy of any documents pertaining to the suspension and discipline of students with disabilities in the school system with a particular emphasis on those policies, procedures and practices which involved development and implementation of IEPs, the use of positive behavioral interventions and supports (for individual children) and procedural safeguards to ensure compliance with IDEA (manifestation determinations, information to parents, etc.) to the Exceptional Children Division by August 30, 2007.
2. During September and October 2007, Behavior Support staff and Monitors in the Exceptional Children Division reviewed the documents that were provided.
3. On December 10, 2007, a letter was sent to each of the 14 LEAs informing them of required revisions to be made as soon as possible, but no later than one year from the date of the letter. Information about the completed revisions or a plan for making the revisions must be included in the district's CIPP due March 15, 2008.
4. Additional requirements based on the Divisions review are as follows:
  - 14 of 14 LEAs - make revisions to district policy and procedure documents to reflect the federal regulations and new state policies approved by the NC State Board of Education on November 1, 2007.\*

\*This is the only required action for 3 of the LEAs

  - 3 LEAs must also ensure that procedural safeguards are in place in their districts
  - 7 LEAs must develop a plan for training school system staff on the disciplinary policies and procedures in order to be sure that positive behavior interventions and supports are being provided for students and procedural safeguards are being followed.
  - 3 LEAs did not submit all of the information requested and must submit the additional information with the CIPP due March 15, 2008.
5. The additional eight (8) LEAs identified in 2006-07 are required to submit copies of any documents pertaining to the suspension and discipline of students with disabilities in the school system with a particular emphasis on those policies, procedures and practices which involved development and implementation of IEPs, the use of positive behavioral interventions and supports (for individual children) and procedural safeguards to ensure compliance with IDEA (manifestation determinations, information to parents, etc.) to the Exceptional Children Division by February 20, 2007. Division staff will review the documents submitted and the NCDPI will notify each district of any revisions needed and/or other requirements the district must fulfill. Districts will then be required to submit a plan, as part of the CIPP due March 15, 2008, to address any revisions and/or other requirements of which they are notified.



**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

The NCDPI added an improvement activity with timelines and resources as follows:

Improvement Activity	Timelines	Resources
Study the impact of the State’s definition of significant discrepancy and revise the definition if appropriate (e.g. by making adjustments such as more than an “n” size of 1 % of its EC population; more than an “n” size of 10, among other considerations)	2007-08	<ul style="list-style-type: none"> <li>• EC Division Staff</li> <li>• Stakeholders</li> <li>• Time, location and funding for work sessions</li> </ul>

This revision is needed to address small “n” counts. Many LEAs have implemented effective practices resulting in reduced numbers of suspensions and expulsions greater than 10 days for students with disabilities. As this has occurred, the state average rate has declined resulting in a decline of the rate used for determining a significant discrepancy, which is two times the state average rate. It, therefore, has become more challenging for some districts, particularly smaller ones and those with small “n” counts to remain below twice the state average rate even with effective practices in place.

**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority: FAPE in the LRE**

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

- A. Removed from regular class less than 21% of the day.
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

**Measurement:**

- A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs removed from the regular class greater than 60% 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 public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
(2006-07)	Measurement A: 61.59% Measurement B: 16.87% Measurement C: 2.18%

**Actual Target Data for 2006-07:**

	Number of Students	Rate	% Change from 2005-06/ Met Target
A. Removed from regular class less than 21% of day	108, 871	63.18%	+ 1.62% / Yes

B. Removed from regular class greater than 60% of day	27,919	16.20%	- 0.62% / Yes
C. Served in public or private separate schools, homebound or hospital placements	4,025	2.34%	+ .06% / No

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

**Discussion of Improvement Activities Completed in 2006-07:**

1. The Exceptional Children Division provided two statewide training sessions in November 2006 and July 2007 to receive input regarding the revision of forms, including the LRE components of the IEP, in accordance with revised federal and state laws and regulations.
2. The draft revision of forms was completed during 2006-07, including the LRE components of the IEP. Once the final forms are completed, statewide training and training in each of the six (6) regions of the state will be conducted, including the LRE components of the IEP used for documenting LRE decisions.
3. NC’s IEP development/implementation training modules/materials include an LRE decision-making component. Part of the decision-making component includes information about identifying and making decisions about necessary supplemental aids and services for individual students. Once the final forms are completed, in 2007-08 the IEP training modules/materials will be updated and include additional information about supplemental aids and supports to successfully support students in less restrictive environments, particularly those students with mental retardation, multiple disabilities and autism.
4. In February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including LRE/placement rates, progress/slippage, and improvement activities that were completed and helped promote progress on this indicator and improvement activities that were not completed and/or did not support progress on this indicator.
5. Staff analyzed 2005-06 and 2006-07 LEA data by settings and disability categories and those LEAs that met or were above the state targets and those that were below the state targets in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.
6. Through the State Improvement Project (SIP II), NC continued to provide training in 2006-07 regarding research to professional practice in reading/writing, math and positive behavior supports. SIP II continued to help support: six (6) reading/writing regional demonstration centers; forty-five (45) research-based sites that focus on reading and writing instruction; three (3) regional early literacy demonstration centers; four (4) regional mathematics instruction demonstration centers; sixteen (16) research-based mathematics sites; and approximately 548 school buildings where staff have been trained to provide school-wide positive behavior supports.
7. In 2006-07, throughout the state, the Exceptional Children Division provided nine (9) eight-day training sessions regarding the implementation of response to intervention. Sixty-eight (68) LEAs had teams trained.
8. In past years, the Exceptional Children Division contracted with an out-of-state university to provide training and technical assistance to LEAs implementing Instructional Consultation Teams.

During 2006-07, the Exceptional Children Division explored options for contracting with an in-state university for better access to follow-up technical assistance and began implementing such a contract in 2007-08. In the interim, Exceptional Children Division staff continued to provide support and technical assistance by telephone and email to implementing LEAs.

9. NC's PTI, the Exceptional Children's Assistance Center (ECAC) continued to provide parent training in 2006-07, that included information about LRE, and distribute brochures, "Questions to Ask at an IEP Meeting", to parents and others throughout the state.

#### **Explanation of Progress or Slippage that occurred for 2006-07:**

- A. North Carolina met its target for 2006 and made progress by increasing the placement rate. The number of children with IEPs, ages 6 – 21, removed from the regular class less than 21 % of the day increased from the previous year by 2,821 or 1.62%. LEAs increases ranged from 1 – 957 children with IEPs, ages 6 – 21. Sixty-eight (68) of 115 traditional LEAs (59.1%) met the target of 61.59%. Forty-seven (47) traditional LEAs (40.9%) did not meet the target. The range of traditional LEA rates was 27.24% - 86.75%. Eighty-eight (88) of 91 public charter schools (96.7%) met the target. Three (3) of 91 public charter schools (3.3%) did not meet the target. Public charter schools' rates ranged from 45.68% - 100%. None of the three (3) state-operated programs met the target. The range of state-operated programs, the majority of which are residential settings, was 1.01% - 31.55%.
- B. North Carolina met its target for 2006 and made progress by decreasing the placement rate. The number of children with IEPs, ages 6 – 21, removed from the regular class greater than 60% of the day decreased from the previous year by 1066 children or .62%. LEAs decreases ranged from 1 – 215 children with IEPs, ages 6 – 21. Sixty-six (66) of 115 traditional LEAs (57.4%) met the target of 16.20%. Forty-nine (49) traditional LEAs (42.6%) did not meet the target. The range of traditional LEA rates was 1.68% - 37.96%. Eighty (86) of 91 public charter schools (94.5%) met the target. Five (5) of 91 public charter schools (5.5%) did not meet the target. Public charter schools' rates ranged from 0% - 33.33%. All of the three (3) state-operated programs, the majority of which are residential settings, met the target. The range of state-operated programs was 0% - 9.41%. Additionally when the LRE data was disaggregated by disability, the data indicate that more than 50% of students identified in each of the disability categories of mental retardation, multiple disabilities and autism continued to be removed from the regular class greater than 60% of the day.
- C. North Carolina did not meet its target for 2006 and had slippage due to an increase in the placement rate. The number of children with IEPs, ages 6 – 21, increased from the previous year by 103 children or .06%. LEAs increases ranged from 1 – 45 children with IEPs, ages 6 – 21. Ninety-three (93) of 115 traditional LEAs (80.9%) met the target of 2.18%. Twenty-two (22) traditional LEAs (19.1%) did not meet the target. The range of traditional LEA rates was 0% - 9.81%. Nine (9) of 115 traditional LEAs had rates that were more than twice the state rate of 2.38%. Four (4) traditional LEAs contributed to 90.3% of the increase in children with IEPs (93 of 103) served in the placement options that make-up C. Eighty-six (86) of 91 public charter schools (94.5%) met the target. Five (5) of 91 public charter schools (5.5%) did not meet the target. Public charter schools' rates ranged from 0% - 4.17%. None of the three (3) state-operated programs, the majority of which are residential settings, met the target. The range of state-operated programs was 23.27% - 98.74%.

In addition to the improvement activities completed, other factors affecting the progress made in A and B above were individual districts' sustained efforts, focus, training and implementation of effective inclusive practices, including co-teaching models.

With regard to slippage in C, in addition to an increase of children with significant mental health and medical challenges, districts that had increased placements in public separate schools and homebound placements contributed to the slippage.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

The following improvement activity has been added to this indicator:

Activity	Timelines	Resources
Provide targeted technical assistance, regarding LRE decision-making, to identified LEAs that have continued to fail to make progress towards the State targets.	2007-08 – 2010-11, annually	<ul style="list-style-type: none"> <li>• Comprehensive Exceptional Children Accountability System (CECAS)</li> <li>• Child Count Data</li> <li>• The Exceptional Children Division’s regional teams and other program specialist staff</li> </ul>

Information from the 2006-07 data analyses, including a comparison to 2005-06 data, supports the need for this revision.

**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority:** Disproportionate Representation-Child with a Disability

**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.

**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 # of districts in the State times 100.  
Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g. monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	0% of the LEAs will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

**Issues Identified in North Carolina’s Part B FFY 2005 SPP/APR Response Table June 15, 2007:**

The State must provide in its FFY 2006 APR:

- Baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in special education and related services that was a result of inappropriate identification, and describe how the State made the determination.
- Data on the percent of districts identified in FFY 2006 with disproportionate representation of racial and ethnic groups in special education and related services that was a result of inappropriate identification, and describe how the State made the determination, even if the determination occurs in the fall of 2007.
- If LEAs are determined to have disproportionate representation that was the result of inappropriate identification in FFY 2005, the State must include data and information to demonstrate the identified LEAs are in compliance with child find, evaluation and eligibility requirements.

**Actual Target Data for 2006-07:**

North Carolina met the 2006-07 target of 0% of its districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Year	# of Districts with Disproportionate Representation that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2005-06 (Baseline Data)	0	217*	0%
2006-07	0	211*	0%

\*2005-05 - 115 traditional LEAs, 99 public charter schools, 3 state-operated programs

\*2006-07 - 115 traditional LEAs, 93 public charter schools, 3 state-operated programs

Sources: 2006-07 First Month Race and Gender Enrollment Data Report, December 1, 2006 Periodic Child Count (618 State-reported data), and Fall 2007 LEA Self-Assessment for Disproportionate Representation data.

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

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat’s Disproportionality Excel Spreadsheet Application;
2. Surveys districts with disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors such as risk ratio trend data, and age/and grade levels of students in the program to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Using these steps to examine the data, no district had disproportionate representation in 2005-06 or 2006-07 by over-representation which is determined by a risk ratio of  $\geq 3$ . Also upon review of the data no district had initial findings of under-representation. Because North Carolina was not aware of a requirement to address the issue of under-representation, the NCDPI will move forward judiciously and with any guidance OSEP provides to states about the issue. Since there were no districts identified with disproportionate representation, the NCDPI did not have to complete steps 2 and 3 for this indicator.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The NCDPI completed the following new and existing improvement activities and/or implementation steps in 2006-07:

1. As done annually, in spring 2007 Division staff examined local education agency (LEA) data, using Westat’s Disproportionality Excel Spreadsheet Application, to determine whether or not any LEA had disproportionate representation of racial and ethnic groups in special education and related services.
2. During summer and early fall 2007 Division staff developed and revised the LEA Self-Assessment for Disproportionate Representation. The revisions were based on feedback

received from local special education administrators, stakeholders, and others during early Fall 2007. This is a new improvement activity.

3. In the fall of 2007, the LEA Self-Assessment for Disproportionate Representation would have been used, if needed, to survey any LEA that had disproportionate representation of racial and ethnic groups in special education and related services. This is a new improvement activity.
4. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in special education and related services that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator.
5. Staff analyzed 2005-06 and 2006-07 LEA data regarding disproportionate representation in racial and ethnic groups in special education and related services that was the result of inappropriate identification and to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.
6. The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development, during 2007-2010 as indicated in the SPP. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups in special education that is a result of inappropriate identification.

*Explanation of Progress or Slippage:*

North Carolina met the target of 0%, since no districts were identified as having disproportionate representation of racial and ethnic groups in special education and related services that was a result of inappropriate identification. North Carolina made progress on this indicator by maintaining the rate of 0% from 2005-06.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

The State Performance Plan (SPP) has been revised for Indicator 9. North Carolina received technical assistance from the National Center for Culturally Responsive Educational Systems (NCCRESt) regarding the use of levels of significance for disproportionality and inadvertently confused/interchanged significant disproportionality with disproportionate representation that is a result of inappropriate identification SPP. Revisions to the SPP discussion and improvement activities are needed to correct this issue. Requirements regarding significant disproportionality, including determinations based solely on data, are addressed through a separate process and are no longer included in the SPP/APR.



**Part B State Annual Performance Report (APR) for 2006-07**

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

**Monitoring Priority: Disproportionate Representation – Eligibility Category**

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

**Measurement:**

Percent = # of districts with disproportionate representation of racial and ethnic groups, in specific disability categories, that is the result of inappropriate identification ÷ # of all districts in the State X 100.

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618 (d), etc.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	0% of the LEAs will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

**Issues Identified in North Carolina’s Part B FFY 2005 SPP/APR Response Table June 15, 2007:**

The State must provide in its FFY 2006 APR:

- Its definition of disproportionate representation
- Baseline data from FFY 2005 on the percent of districts identified in specific disability categories (mental retardation, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism) that was the result of inappropriate identification and describe how the State made that determination (e.g. monitoring data, review of policies, practices, and procedures, etc.)
- Data on the percent of districts identified in specific disability categories that was the result of inappropriate identification and describe how the state made that determination, even if the determination occurs in the fall of 2007
- While not required to, the State reported 68 LEAs with significant disproportionality and therefore must provide documentation the State:
  - provided for the review and if appropriate revision of policies, procedures and practices used in the identification or placement to ensure they comply with the requirements of IDEA;
  - required the LEAs to reserve the maximum amount of funds under section 613(f) of the IDEA to provide comprehensive coordinated early intervening services to serve children in the LEAs , particularly, but not exclusively, children in those groups that were significantly over-identified; and

- required LEAs to publicly report on the revision of policies, procedures, and practices.

**Actual Target Data for 2006-07:**

Year	# of Districts with Disproportionate Representation in specific disability groups that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2005-06 (Baseline Data)	68	217*	31.3%
2006-07	24	211*	11.4%

\*2005-05 - 115 traditional LEAs, 99 public charter schools, 3 state-operated programs

\*2006-07 - 115 traditional LEAs, 93 public charter schools, 3 state-operated programs

Sources: 2006-07 First Month Race and Gender Enrollment Data Report, December 1, 2006 Periodic Child Count (618 State-reported data), and Fall 2007 LEA Self-Assessment for Disproportionate Representation data.

*Definition of Disproportionate Representation:*

North Carolina’s definition of disproportionate representation examines over and under-representation of racial and ethnic groups in special education and related services and in specific disability categories. For over-representation to occur, there must be a  $\geq 3$  risk ratio\* of a racial or ethnic group in special education and related services or in one of six specific disability categories. For under-representation to occur, data is examined when there is a risk ratio of  $\leq .03$  and then a determination is made.

\* Risk ratios are computed for districts with a minimum of 20 students of the particular race/ethnicity enrolled in the district and at least 10 students of the particular race/ethnicity identified in the disability category. Data is reviewed separately for districts with less than the minimum enrollments specified.

North Carolina, like other states, was not aware of a requirement to address the issue of under-representation. The NCDPI will move forward judiciously and with any guidance OSEP provides to states about the issue.

*Determination of Disproportionate Representation that is a Result of Inappropriate Identification:*

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

1. Identifies districts with disproportionate representation of racial and ethnic groups in mental retardation (educable mentally disabled), specific learning disabilities, emotional disturbance (behavior and emotionally disabled), speech or language impairments, other health impairments, and autism, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat’s Disproportionality Excel Spreadsheet Application.
2. Surveys districts with identified disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors such as risk ratio trend data, and age/and grade levels of students in the program to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Using these steps to examine the data, sixty-eight (68) districts in 2005-06 and twenty-four (24) districts in 2006-07 had disproportionate representation, in racial and ethnic groups in specific disability categories, that was a result of inappropriate identification.

*Significant Disproportionality:*

North Carolina received technical assistance from the National Center for Culturally Responsive Educational Systems (NCCRESt) regarding the use of levels of significance for disproportionality and inadvertently confused/interchanged significant disproportionality with disproportionate representation that is a result of inappropriate identification in the SPP. Revisions to the SPP discussion, baseline data, and improvement activities have been made to correct this issue. Requirements regarding significant disproportionality, identified in North Carolina's Part B FFY 2005 SPP/APR Response Table June 15, 2007, including determinations based solely on data, are addressed by the NCDPI through a separate process and are no longer included in the SPP/APR.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The NCDPI completed the following new and existing improvement activities and/or implementation steps in 2006-07:

4. As done annually, in the spring of 2007 Division staff examined local education agency (LEA) data, using Westat's Disproportionality Excel Spreadsheet Application, to determine whether or not any LEA had disproportionate representation of racial and ethnic groups in special education and related services.
5. During the summer and early fall of 2007, Division staff developed and revised the LEA Self-Assessment for Disproportionate Representation. The revisions were based on feedback received from local special education administrators, stakeholders, and others during in early Fall 2007. This is a new improvement activity.
6. In the fall of 2007, the LEA Self-Assessment for Disproportionate Representation was used to survey LEAs that had disproportionate representation of racial and ethnic groups in specific disability categories. This is a new improvement activity.
7. In the late fall of 2007, Division staff examined the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors such as risk ratio trend data, and age/and grade levels of students in the program and made determinations about whether or not each LEAs disproportionate representation of racial and ethnic groups in specific disability categories was a result of inappropriate identification. This is a new improvement activity.
8. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to make progress on this Indicator, those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
9. Staff analyzed 2005-06 and 2006-07 LEA data regarding disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification and identified districts that met the state target and those that did not meet the state target in preparation for February and March 2008 regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.
10. The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development, during 2007-2010 as indicated in the SPP. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math

assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups, in specific disability categories, that is the result of inappropriate identification.

*Explanation of progress or slippage:*

North Carolina did not meet the 2006-07 target of 0% of the LEAs having disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The State did make progress in 2006-07 by reducing its rate 19.9% to 11.4%. The implementation of additional improvement activities has assisted with addressing progress on this indicator.

**Correction of Non-Compliance**

There were sixty-eight (68) districts that had disproportionate representation, of racial and ethnic groups in specific disability categories, that was a result of inappropriate identification. Forty-four (44) of the districts corrected the non-compliance, and twenty-four (24) of the districts did not correct the non-compliance.

As a state, North Carolina did not provide clear guidance to the school districts about how the disproportionate representation is related to inappropriate identification. Increasing effective educational programs for all students in all classes will reduce the number of inappropriate evaluations and placements that contribute to the non-compliance. The results of the Self-Assessment for Disproportionate Representation have been reported to the school districts and the NCDPI has taken the following enforcement actions with twenty-four (24) districts that did not correct the non-compliance:

- Use the results in determining efficient action steps that can be taken in order to address disproportionate representation, of racial and ethnic groups in specific disability categories, that is a result of inappropriate identification.
- Revise policies, practices and/or procedures to address the inappropriate identification which led to disproportionate representation as soon as possible, but no later than one year from the date of the letter.
- Include information about how the LEA will do so in the school system's CIPP report due March 15, 2008

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

The State Performance Plan (SPP) has been revised for Indicator 10. North Carolina received technical assistance from the National Center for Culturally Responsive Educational Systems (NCCREST) regarding the use of levels of significance for disproportionality and inadvertently confused/interchanged significant disproportionality with disproportionate representation that is a result of inappropriate identification in the SPP. Revisions to the SPP discussion, baseline data, and improvement activities are needed to correct this issue. Requirements regarding significant disproportionality, including determinations based solely on data, are addressed through a separate process and are no longer included in the SPP/APR. Also, as a state, North Carolina did not provide clear guidance to the school districts about how disproportionate representation is related to inappropriate identification. Increasing effective educational programs for all students in all classes will reduce the number of inappropriate evaluations and placements that contribute to the non-compliance. As a result, revisions are needed to the SPP.

**Part B State Annual Performance Report (APR) for 2006 - 07**

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

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

**Indicator 11:** Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).

**Note:** North Carolina has an established timeline (90 days) from receipt of the referral to the placement determination, as indicated in the measurement.

**Measurement:**

- a. # of children for whom referral for evaluation was received.
- b. # determined not eligible whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (State established timeline).
- c. # determined eligible whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (State established timeline).

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

Percent = b + c divided by a times 100.

FFY	Measurable and Rigorous Target
<b>2006 (2006-07)</b>	The level of performance is 100%.

**Actual Target Data for 2006-07:**

# of Referrals received July 1, 2006 – June 30, 2007	# of students determined not eligible whose placement determination was made within 90 days	# of students determined eligible whose placement determination was made within 90 days –	Rate (B + C divided by A times 100)	# of students for whom placement determinations exceeded the 90-day timeline
<b>30381*</b>	<b>7388</b>	<b>18571</b>	<b>85.44%</b>	<b>4422</b>

\*Removed from this number - children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral (474); children who transferred into the LEA after the 90 day timeline expired (77); and children whose parent(s) repeatedly failed or refused to produce them for the evaluation (347).

Range of days beyond 90 days –

1 to 5 days –	<b>783</b>
6 – 15 days –	<b>782</b>
16 – 25 days –	<b>482</b>
26 – 35 days –	<b>376</b>
36 – 45 days –	<b>287</b>
46 days or more –	<b>1712</b>

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

Referral paperwork not processed in a timely manner –	<b>1823</b>
Excessive student absences –	<b>102</b>
Weather delays –	<b>31</b>
Delay in getting parent consent for evaluation –	<b>356</b>
Other –	<b>2110</b>

The 2006-07 data were collected through a survey using a web-based EXCEL spreadsheet to all local education agencies. The survey used was revised from the previous year to include the following allowable exceptions: removed from the number of referrals received, children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral; children who transferred into the LEA after the 90 day timeline expired; and children whose parent(s) repeatedly failed or refused to produce them for the evaluation.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-07:**

The following SPP improvement activities and/or implementation steps for the improvement activities were completed according to the 2006-07 timeline.

1. The survey, using a web-based EXCEL spreadsheet, was revised from 2005-06 and used to collect the data from all LEAs in the state in 2006-07.
2. During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including rates, findings of non-compliance, improvement activities that LEAs had completed to correct non-compliance and those improvement activities that LEAs had not completed and/or did not help with correcting non-compliance on this Indicator, and whether or not regional interventions/improvement strategies were needed.
3. Exceptional Children Division staff reviewed 2005-06 and 2006-07 LEA data and identified districts that did not correct non-compliance within one year of identification. This information was used to determine enforcement actions taken and will be discussed during February and March 2008 regional meetings held to review/discuss CIPPs, including progress/ slippage, corrective and enforcement actions, and improvement activities.
4. The NCDPI provided follow-up with public charter schools that reported having no referrals for evaluation to ensure child find policies were/are implemented. An additional thirty-three (33)

public charter schools reported referrals for evaluation from June 30, 2006 – July 1, 2007. The remaining 23 charter schools that reported no initial referrals for evaluation were mostly high schools in which initial referrals for evaluations had not occurred. The SEA will continue to follow-up annually with LEAs that report having no referrals for evaluation to ensure child find policies have/are being implemented.

North Carolina failed to meet the 100% target by 14.56%. NC's rate of 85.44% represents a 0.82% increase from 2005-06. Of 115 traditional LEAs, twenty-seven (27) had rates of 100%, thirty-one (31) had rates greater than 95%, an additional twenty-two (22) LEAs had rates higher than the state average rate of 85.44%, thirty (30) had rates ranging from 50% - 85%, and five (5) LEAs had rates below 50%.

Seventy-six (76) public charter schools in NC received referrals for evaluations from July 1, 2006 – June 30, 2007. Sixty-four (64) of the charter schools had rates of 100%, five (5) had rates above the state average of 85.44% and seven (7) charter schools had rates ranging from 61% - 85%.

From July 1, 2006 – June 30, 2007, two of three state-operated programs (SOPs) received referrals for evaluation. One (1) SOP had a rate of 100%, and the other SOP had a rate of 92.65%.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:** N/A

**Corrective Action from 2005-06:**

Ninety-nine (99) traditional LEAs, eleven (11) public charter schools, and one (1) state-operated program (SOP) were not compliant with this indicator in 2005-06. Ninety-four (94) traditional LEAs, ten (10) charter schools, and one (1) SOP corrected the non-compliance for 2005-06 within one year as required. Five (5) traditional LEAs and one (1) charter school did not correct the non-compliance within one year of identification of the non-compliance.

North Carolina has taken the following enforcement actions with regard to the six (6) LEAs that did not correct non-compliance, as required, within one year:

- LEAs are required to review their data by school and barriers to compliance and submit, for approval by the SEA, the review along with targeted improvement activities in the March 15, 2008 submission of the LEA's CIPP; and
- LEAs are also required to submit data on a quarterly basis for review and verification by the SEA.

**Data Collection Spreadsheet for Indicator 11**

*Percent of children for whom a written referral was received and placement determination made within 90 days (from receipt of the DEC 1 or written referral to DEC 5).*

<b>90-day timeline performance</b>	
<b>A.</b> Total number of children for whom a referral for evaluation was received during July 1, 2006 - June 30, 2007.	3128
<b>A1.</b> Number of children included in "A" who transfer in or out of the LEA, dropped out, or died <i>within 90 days of receipt of the referral.</i>	474
<b>A2.</b> Number of children included in "A" who transferred <i>into your LEA after the 90 day timeline had expired.</i>	77
<b>A3.</b> Number of children included in "A" whose <i>parent/s repeatedly failed or refused to produce them for the evaluation.</i>	347
<b>a:</b> Number of children for whom referral for evaluation was received [ A - (A1 + A2 +A3) ].	30382
<b>b:</b> Number determined <b>not eligible</b> whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (state established timeline).	7388
<b>c:</b> Number determined <b>eligible</b> whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (state established timeline).	18572
<b>Rate = (b+c) / a</b>	<b>85.45%</b>



Enter the number of placement determinations made beyond 90 days for each range of days. These students are included in "a" but not in "b" or "c"	
1 to 5	783
6 to 15	782
16 to 25	482
26 to 35	376
36 to 45	287

Enter the number of placement determinations made beyond 90 days for each reason below. These students are included in "a" but not in "b" or "c"	
a. Excessive student absences	102
b. Referral paperwork not processed in a timely manner	1823
c. Weather related delays	31
d. Delay in getting parent consent	356
e. Other	2110

total            **4422**

**Part B State Annual Performance Report (APR) for 2006-2007**

**Overview of the Annual Performance Report Development:**

**Monitoring Priority: Early Childhood Transitions**

**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.**

**Measurement:**  
 a. # of children who have been served in Part C and referred to Part B for eligibility determination.  
 b. # of those referred determined to be not eligible by their 3<sup>rd</sup> birthdays.  
 c. # of those found eligible who received services / IEP developed by their 3<sup>rd</sup> birthdays.  
 d. # of children for who parent refusal to provide consent caused delays in evaluation or initial services.

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

FFY	Measurable and Rigorous Target
2006-2007	100% of children referred by Part C prior to age 3 and who are found eligible for part B will have an IEP developed and implemented by their third birthdays.

**Actual Target Data for 2006-2007:**

<b>Timely Transitions</b>	
<b>a:</b> Number of children who have been served in Part C and referred to Part B for eligibility determination.	3353
<b>b:</b> Number of those referred determined to be not eligible by their third birthday.	397
<b>c:</b> Number of those found eligible who received services/IEP developed by their third birthday.	1991
<b>d:</b> Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	198
<b>Rate</b> (c divided by (a-b-d) times 100):	<b>72.27%</b>

The state data collection system defined category D as “Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services “. This definition failed to include the approved exception of 300.301(d)(2). Therefore, instances in which delays were attributed to a family moving between LEAs during the transition process were not eliminated from the total state rate.

<b>Number of transitions delayed due to the following reasons:</b>	
<b>a. Family Circumstance:</b> Parents did not show up for the evaluation.	94
<b>b. Child Circumstance:</b> Child was sick and evaluation did not get completed when scheduled.	18
<b>c. Part B Circumstance:</b> Evaluations did not get completed by the evaluative agency (or the LEA) in a timely manner.	73
<b>d. Part C Circumstance:</b> Part C did not invite Part B to the transition meeting even though the child might have been eligible for Part B services.	34
<b>e. Part C Circumstance:</b> Part C did not refer the child in time to determine eligibility and write the IEP by third birthday, even though child had been in the Part C system.	182
<b>f. Part B Circumstance:</b> LEA did not hold IEP meeting by third birthday even though all information was submitted on time.	62
<b>g. Late Referral:</b> Child did not show up in the Part C system until very close to the child's third birthday; therefore, there was not time to have everything completed by third birthday.	80
<b>h. Other</b>	221
<b>Total</b>	<b>764</b>
<b>Number of transitions delayed beyond 3rd birthday the following number of days:</b>	
1 to 5	75
6 to 15	104
16 to 25	98
26 to 35	72
36 to 45	61
46 days or more	354
<b>Total</b>	<b>764</b>

*Data Utilized for Analysis and Verification and Assurance of Data Accuracy in 2006-2007*

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

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006:**

*Explanation of Progress or Slippage*

North Carolina did not meet the target of 100%. The Department's actual data of 72.27% indicated significant progress, or 23.77% increase, made from 2005-06.

Changes were made to the SPP, Indicator 12, regarding transition by age 3 for children who transitioned from the state's Part C Program to the Part B Program. These changes are found in the revised SPP, Indicator 12. For the FFY 2006 APR, the Department incorporated the new data element identified in the APR measurement requirement to include the removal of "the number of children for whom a parent's refusal to provide consent caused delays in the child's evaluation or initial services" in the calculation.

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

In 2005-2006 there were 1,351 children who did not receive a timely transition into the Part B program. This number was reduced to 764 children (43% reduction) in 2006-2007. The reason for the largest number of reported delays (219) fell in the "other" category. This would indicate that the reasons developed for this spreadsheet were not inclusive enough to capture all of the reasons for delay.

Late Referrals. In 2005-2006 the reason most commonly reported for late transition from Part C to Part B was late referrals to the Part B system (474). This was the second highest reason in 2006-2007 (182) representing a significant decrease. This trend would also suggest that communication between the two programs is experiencing overall improvement. However, a problem was identified with the definition in this category/reason which resulted in including those children who were also Late Referrals to the Part C system. For example, **item E** on the spreadsheet explained the reason as: "Part C did not refer the child in time to determine eligibility and write the IEP by the third birthday even though the child had been in the Part C system". The length of time the child had been in the Part C system was not defined. Similarly, **item G** on the spreadsheet noted "Child did not show up in the Part C system until very close to the child's third birthday; therefore, there was not time to have everything completed by the third birthday." Late referrals to the Part C system were also counted within this category. Improvement activities need to include clarification of "Late Referrals" in both the guidance documents and the data collection system. If categories **E** and **G** were combined they would represent 272 of the reasons for late transitions from Part C to Part B. When this number is factored out of the original calculations, the total is the following:

$$[(1,991/2,486) \times 100 = 80.00\%]$$

LEA Circumstances. Since 2004 LEAs have faced a significant challenge in building capacity and training staff to conduct necessary assessments and IEP meetings on time. In 2005-2006 the number of reasons based on issues around completing evaluations occurred in 212 instances. This number dropped to 71 cases in 2006-2007. However, a related area was in **item F** where the LEAs could not hold IEP meetings in time (62). In many instances, LEAs are completing assessments through the use of diagnosticians who are working in isolation, conducting evaluations which are independent of one another which is both inefficient and slow. While improvement has been noted, LEAs continue to seek training for existing staff.

Other Circumstances. The largest number of reasons for the delay in timely transitions was attributed to the "Other" category. Follow-up interviews with the LEAs reporting the majority of this data identified administrative issues which were addressed through individual technical assistance and corrective action plans.

In terms of the time span beyond the third birthday in which transitions are held, the time increment in which the largest number of delayed IEP meetings occurred (364) was 46 days or more. There were 45 LEA reported delays in this category. Three of the largest LEAs reported the majority (62%) of these delays.

#### *Statewide Progress on Improvement Activities for 2006-2007*

- Data Collection System – During the 2006-2007 year, data collection was conducted using an Excel spreadsheet which was developed by the state and disseminated to the LEAs. This will be incorporated into the Comprehensive Exceptional Children Accountability System (CECAS). The

categories of “Reasons for Delay” will be revised and more accurately defined in an effort to improve the accuracy of the data.

- Staff Development – Four Transition Training Workshops were piloted during the 2006-2007 school year with good results. This impacted 30 of the 115 (26%) LEAs, which reported an average increase of 25.23 percent in Indicator 12 for the FFY 2006 APR.
- Program Development/Adjust FTE- The department released \$5,000,000 in one time awards for the purpose of assisting LEAs develop capacity for conducting preschool assessments. This was the third consecutive year in which these funds were released.

#### **Corrective Action:**

#### **Issues Identified in the North Carolina Part B FFY 2005 SPP/APR Response Table of June, 2007**

OSEP noted that the state must ensure that the previous noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2008, that demonstrate compliance with this requirement. While the state average remains noncompliant at this time, significant progress has been made and several activities have been conducted in an effort to address this noncompliance.

- During February and March 2007, staff from the Exceptional Children Division met with LEAs in regional meetings and reviewed/discussed Continuous Improvement Performance Plans (CIPPs), including Indicator 12 rates, improvement activities that LEAs had completed and that helped to make progress on this indicator, and those improvement activities that LEAs had not completed and/or did not help with making progress on this indicator.
- Staff also analyzed 2005-06 LEA data, ranking the LEAs with regard to their performance on this indicator.
- In the fall of 2007, the Department issued a letter to all LEAs from the Director of the Exceptional Children Division requiring the following: 1) complete and submit an LEA Transition Planning Document; 2) revise their CIPP, Indicator 12 and include comparison of data from 2005-2006 and 2006-2007; 3) send LEA representatives to one of 12 Transition Training Workshops conducted statewide in which both Part C and B staff from each Early Childhood Region would be in attendance to develop a local transition plan; and 4) send a representative to one of 6 regional EC Preschool Coordinators meetings in which “Transition from Part C to B” was the topic.

#### **Corrective Action from 2004-05:**

Fourteen (14) LEAs were not compliant with this indicator in 2004-05. Eleven (11) LEAs corrected the non-compliance for 2004-05 within one year, as required. Three (3) LEAs did not correct the non-compliance for 2004-05 within one year of identification, as required.

The NCDPI has taken the following enforcement actions with regard to the three (3) LEAs that did not correct the non-compliance for 2004-05, as required, within one year:

- 1) Submission of individual district technical assistance plans. Each plan had to include a revision and submission of the 2005-2006 CIPP with revised improvement activities.
- 2) Submission of quarterly transition data to the NCDPI for monitoring and verification.
- 3) An on-site technical visit by the NCDPI to review policies, practices, and procedures to identify specific issues.

**Corrective Action from 2005-06:**

Ninety-eight (98) LEAs were not compliant with this indicator in 2005-06. Ninety-two (92) LEAs corrected the non-compliance for 2005-06 within one year, as required. Six (6) LEAs did not correct the non-compliance for 2005-06 within one year of identification, as required.

The NCDPI has taken the following enforcement actions with regard to the six (6) LEAs that did not correct the non-compliance for 2005-06, as required, within one year:

- 1) Submission of individual district technical assistance plans. Each plan will include, but not be limited to the following:
  - Revision and submission of the 2006-2007 CIPP with data comparison and revised improvement activities by March 15, 2008.
  - Submission of completed Transition Plan with steps, timelines, and roles/responsibilities by May 15, 2008.
- 2) Submission of quarterly transition data to the NCDPI for monitoring and verification.
- 3) An on-site technical visit by the NCDPI to review policies, practices, and procedures to identify specific issues.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-07:**

Revisions were made to the SPP regarding transition by age 3 for children who transitioned from the state's Part C Program to the Part B Program and can be found in the revised SPP, Indicator 12. The changes made are to improvement activities, timelines and resources. The revisions were needed to focus assistance and resources for helping LEAs improve and maintain consistent performance on this indicator.

**Data Collection Spreadsheet for Indicator 12**

*Percent of children referred by Part C prior to age 3 and who are found eligible for Part B who receive special education and related services by their third birthday.*

<b>Timely Transition</b>	
<b>a:</b> Number of children who have been served in Part C and referred to Part B for eligibility determination.	3353
<b>b:</b> Number of those referred determined to be not eligible by their third birthday.	400
<b>c:</b> Number of those found eligible who received services/IEP developed by their third birthday.	1991
<b>d:</b> Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	198

**Rate** (c divided by (a-b-d) times 100): **72.27%**

<b>Number of students delayed beyond 3rd birthday the following number of days</b>	
1 to 5	75
6 to 15	104
16 to 25	98
26 to 35	72
36 to 45	61
46 days or more	354
total	764

<b>Number of students delayed due to the following reasons</b>	
<b>a.</b> Parents did not show up for the evaluation.	94
<b>b.</b> Child was sick and evaluation did not get completed when scheduled.	18
<b>c.</b> Evaluations did not get completed by the evaluative agency (or the LEA) in a timely manner.	73
<b>d.</b> Part C did not invite Part B to the transition meeting eventhough the child might have been eligible for Part B services.	34
<b>e.</b> Part C did not refer the child in time to determine eligibility and write the IEP by third birthday even-though child had been in the Part C system.	182
<b>f.</b> LEA did not hold IEP meeting by third birthday even though all information was submitted on time.	62

<p><b>g.</b> Child did not show up in the Part C system until very close to the child's third birthday; therefore, there was not time to have everything completed by third birthday.</p>	<p>80</p>
<p><b>h.</b> Other.</p>	<p>221</p>
<p>total</p>	<p>764</p>



**Part B State Annual Performance Report (APR) for 2006-2007**

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

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

**Indicator 13:** Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

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

**Measurement:** Percent = [(# of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
<b>2006 (2006-2007)</b>	100% of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

**Actual Target Data for 2006-2007: 72.54% (1725/2378 X 100 = 72.54%)**

Of the records reviewed, **72.54%** had an IEP that included coordinated, measurable, annual IEP goals and transition services that would reasonably enable the students to meet the post-secondary goals.

Each LEA, charter school and SOP in the state that had students with disabilities aged 16 and older were required to submit data on 5% of that population or at least five records. Data submitted will also be used for the development of the annual report of the Continuous Improvement Performance Plan (CIPP), which is the local performance plan.

Progress has been made towards meeting the target of 100%. Baseline data for FFY 2005 reported a compliance rate of 60% and data for FFY 2006 were 72.54%. This demonstrates a compliance increase of 12.54%. Table 1 provides an item by item summary of state compliance rates on each checklist question. North Carolina has chosen to monitor all six questions on the checklist.

Four LEAs were monitored through the Focused Monitoring process. Records reviewed were of students that had exited school during the 2005-2006 school year by either graduating, dropping out, or aging out. The Indicator 13 Checklist was used to determine the compliance with transition requirements and to determine, if possible, if the transition services being provided had an impact on the outcomes. The compliance rate in these four LEAs ranged from 0% to 14%. All have submitted addendums (corrective actions) to the CIPP with activities to bring current records monitored into 100% compliance within a year.

**Table 1**

Indicator 13 Checklist Questions	Yes	No	Not Applicable
1. Measurable Postsecondary Goal(s)	1970	408	-----
2. Supporting Annual IEP Goals	2119	259	-----
3. Transition Services	2096	282	-----
4. Agency Involvement	899	173	1306
5. Transition Assessment	2082	296	-----
6. Course of Study	2289	89	-----

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:**

The following SPP improvement activities and/or implementation steps for improvement activities were completed according to the 2006-07 timeline:

- At the April 2007 Council for Exceptional Children -Division on Career Development and Transition Conference a focus group was held to identify needs for training related to transition services.
- During FFY 2006 training was held on how to write a compliant transition component of the IEP.
- Comprehensive Transition Training modules on the following topics were developed: (1) Introduction to Transition, (2) Parent and Student Involvement, (3) Interagency Collaboration (4) Adult Services, (5) Transition Assessment, (6) Developing Post-School Goals, and (7) Transition Activities. The modules were developed with input from local school practitioners and adult service agency providers. Modules consist of power point presentations, support documents, case studies, activities and print and web resource documents.
- Twenty-eight transition coordinators and exceptional children staff representing each region of the state were trained to become regional and LEA trainers on transition. Each of the trainers received three days of training on how to present the training modules.
- Two (two-day) Transition Special Study Institutes were held for teachers and administrators and three regional transition staff development trainings were conducted by Dr. Ed O’Leary focusing on the provision of comprehensive transition services for students with disabilities.
- NCDPI collaborated with the North Carolina Division of Career Development and Transition (DCDT) in the planning and conducting of the annual Spring Transition Conference that had over 400 school and adult service agency participants. The conference was a three-day event that focused solely on providing comprehensive transition services to students with disabilities.
- All LEAs, charter schools, and state operated programs(SOPs) reviewed 5% or a minimum of five records of students with disabilities, age 16 or older, to monitor for compliance using the Indicator 13 Checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC).
- NCDPI conducted Focused Monitoring on-site visits in four pilot sites. The National Center for Special Education Accountability Monitoring (NCSEAM) assisted with the development of the focused monitoring process and tools used. The areas of focus were graduation, dropout and transition services. These areas were selected based on data evaluated by a group of stakeholders from across the state. Each LEA monitored has submitted an addendum to the CIPP with additional activities for improving the graduation rate, lowering the dropout rate, improving transition services, and correcting all identified noncompliance within one year. Through the development of the addendum, technical assistance is provided by the NCDPI Regional Teams, the Exceptional Children Division transition consultant and monitoring consultants. The technical assistance has focused on analyzing the data, implementing Positive Behavior Support, improving literacy programs, increasing graduation rates and improving the comprehensive transition services provided to students with disabilities. Professional staff development is provided by the

SEA based on individual needs of the LEA. Each LEA that was a part of the pilot group was asked to have one staff member become an LEA trainer on transition.

- LEAs, Institutions of Higher Education (IHE), and parents have been informed of the requirements for this indicator.
- The Public report has been developed and posted on the NCDPI website. Data for Indicator 13 will be included in this year's report.
- NCDPI developed a Statewide Transition Leadership Planning Team. The team consists of SEA, DCDT, IHE, LEA, and VR and parent representatives. The entire team attended the NSTTAC capacity building conference in May of 2007 and three members of the team participated in the follow-up meeting in October 2007. The team continues to work with NSTTAC to develop capacity throughout the state.
- A statewide Community of Practice on Secondary Transition has been developed in collaboration with the North Carolina Division on Career Development and Transition (DCDT).

#### **Progress or Slippage that occurred in 2006-2007:**

The data for 2006-2007 document that the SEA made progress with a 12.54% increase in the compliance rate (60% to 72.54%) with the requirements of Indicator 13. There were 62 LEAs, charter schools, and SOPs that had a compliance rate of 100%, 50 with a rate of 50% - 95%, 15 with a rate of 25% - 49% and 10 with a rate of 0% -24% with this indicator. Transition components are being developed as a part of students' IEPs; however, a majority of the noncompliance calls are resulting from not having written postsecondary goals in clearly measurable terms, not having annual IEP goals that clearly support the students' postsecondary goals and not addressing transition services in a comprehensive manner. Information developed by NSTTAC on the requirements for using the Indicator 13 checklist have been disseminated to all programs that serve students with disabilities 16 years and older throughout the state. Each LEA, charter school and SOP must report data for Indicator 13 each year. This requires agencies to continue to focus on the transition requirements.

#### **Enforcement Action for LEAs that did not correct all noncompliance previously identified:**

There were ten LEAs that did not correct all IEPs from the previous submission. These LEAs have been put on notice that the remaining forty-six (46) records are to be corrected and documentation of the correction submitted with the CIPP on March 15, 2008. They are required to meet with SEA personnel to review all of the activities described in the CIPP and revise as necessary. Mandatory staff development, coordinated with NCDPI, will be required of all staff serving students with IEPs 14 and above.

Verification visits will be conducted to document the correction of noncompliance.

#### **Corrective action requirements of LEAs, charter schools and SOPs that did not have 100% compliance in the 2006-07 submission:**

Each LEA, charter school and SOP that was not at 100% compliance with the requirements of Indicator 13 of the 2006-07 data submission, must submit a comprehensive training plan as a required activity of the Continuous Improvement Performance Plan that is due March 15, 2008.

Each LEA, charter school and SOP are required to correct all noncompliant IEPs and submit to NCDPI documentation that the correction has occurred by June 30, 2008.

The 25 LEAs and charter schools with compliance rate of 49% or below are required to submit quarterly reports on the compliance rates of all IEPs of students age 16 and above. LEAs are required to analyze their data by school and barriers to compliance and submit, for approval by the SEA, the analyses along with targeted improvement activities in the March 15, 2008 submission of the LEAs CIPP.

**Response to address issues cited in the OSEP's June 15, 2007 letter to North Carolina under the area of OSEP/Analysis Next Steps:**

There were 10 out of 88 LEAs, SOPs, and charter schools that did not correct the requirements for noncompliance identified in FFY 2005. There were 947 IEPs that needed to be corrected and 901 IEPs were corrected for a correction rate of 95%. Enforcement actions were previously described.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-2007**

N/A

**Revision of Activities – Additional Activities:**

Target professional development to focus on the three areas that had the highest rate of non compliance identified through the use of the Indicator 13 Checklist in each LEA. They are transition services, measurable postschool outcome goals, and annual IEP goals. SEA staff and the transition trainers will conduct training during 2007-2008 and ongoing through 1010-11.

Through the Focused Monitoring process, verify compliance rates and the correction of noncompliance with requirements of Indicator 13. Four LEAs will be monitored in 2007-2008 and each year through 2010-11.

Meet with Institutes of Higher Education (IHE) and share data to inform them about the areas of transition programming that still require continued emphasis. By May 2008, SEA staff will meet with IHE that have special education programs and provide them with copies of the revised forms that may be used in their teacher education programs.

Part B State Annual Performance Report (APR) for 2006-2007

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

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

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

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

**Measurement:**  
 Percent of noncompliance corrected within one year of identification:

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

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

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target
<b>(2006-07)</b>	100% identification and correction of noncompliance as soon as possible but not later than one year from identification

**Response to address issues cited in OSEP’s June 15, 2007 letter to North Carolina under the area of OSEP/Analysis Next Steps.**

NCDPI is required to submit data that are consistent with the required measurement for FFY 2005 (the number of findings of noncompliance made in FFY 2004 (July 1, 2004 – June 30, 2005) and the number and percent of those findings corrected in a timely manner (within one year of identification) in FFY 2005 (July 1, 2005 – June 30, 2006)). The data recorded on **Table 1** are the findings of noncompliance by topical areas as they were reported through the monitoring requirements and the correction of the noncompliance within one year. **Table 2** identifies the noncompliant findings to the monitoring priorities and indicators and the related requirements.

**Actual Target Data 2005- 2006**

**290 out of 365 noncompliant findings identified in 2004-2005 were corrected within one year for a compliance rate of 79.45%.**

**Table 1 Noncompliance Findings by Compliance Area and Findings Corrected for FFY 2004 (2004-2005)**

Compliance Area	# of Findings In 2004-05	# of Findings Corrected Within 1 Year	% Corrected within 1 Year
ESY (2.02)	16	14	87.50%
Referrals (3.01)	14	11	78.57%
Screenings and Evaluations (4.01)	27	23	85.18%
Reevaluations (4.02)	24	16	66.66%
Eligibility/Placement (5.00)	20	14	70.00%
Required Participants (6.01)	24	20	83.33%
Components of IEP (6.02)	18	15	83.33%
Confidentiality (6.03)	13	10	76.92%
IEP in Effect (6.04a)	34	25	73.52%
IEP Annual Review (6.04b)	21	18	85.71%
Initial IEP (6.04c/d)	12	11	91.66%
Continuum of Services (7.01,7.03)	9	7	77.77%
LRE (7.02,7.04)	13	9	69.23%
Prior Written Notice (9.01a)	15	13	86.66%
Permission to Evaluate (9.01b(1,3))	10	9	90.00%
Permission to Place (9.01b)	10	9	90.00%
Prior Notice (9.02)	15	13	86.66%
Discipline (9.03)	12	8	66.66%
Failure to Provide FAPE	11	6	54.54%
Participation in Statewide Assessment	2	2	100.00%
Personnel	5	4	80.00%
Follow Settlement agreement	2	1	50.00%
IEP Implementation	23	20	86.95%
Parent Participation	2	2	100.00%
Indicator 3A	0	0	-
Indicator 4A	13	10	76.92%
Indicator 9	0	-	-
Indicator 10	0	-	-
Indicator 11	0	-	-
Indicator 12	0	-	-
Indicator 13	0	-	-
<b>Total</b>	<b>365</b>	<b>290</b>	<b>79.45%</b>

**Table 2 Noncompliant findings to the monitoring priorities and indicators and the related requirements.  
FFY 2004 (2004-2005)**

**INDICATOR B-15 WORKSHEET FFY 2005**

<b>Indicators</b>	<b>General Supervision System Components</b>	<b># of Programs Monitored</b>	<b>(a) # of Findings of noncompliance identified in FFY 2004 (7/1/04)-6/30/05)</b>	<b>(b) # of Findings from (a) for which correction was verified no later than one year from identification</b>
1. Percent of youth with IEPs graduating from high school with a regular diploma.  2. Percent of youth with IEPs dropping out of high school.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	91	78
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Dispute Resolution	36	70	52
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	<b>Other:</b> Specify			
3 .Participation and performance of children with disabilities on statewide assessments.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.			
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Dispute Resolution	36	7	6

4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	7	4
	Dispute Resolution	36	5	4
	NCDPI Data	13	13	10
5. Percent of children with IEPs aged 6 through 21 - educational placements.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	17	13
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution		5	3
	<b>Other:</b> Specify			
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	47	40
	Dispute Resolution	36	18	16
	<b>Other:</b> Specify			
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	39	26
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution	36	5	4
	<b>Other:</b> Specify			



11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	20	17
	Dispute Resolution	36	7	6
	<b>Other:</b> Specify			
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	37	14	11
	Dispute Resolution			
	<b>Other:</b> Specify			
The worksheet automatically sums Column a and b			365	290

Percent of noncompliance corrected within one year of identification =	79.45%
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**Monitoring of LEAs, SOPs, and Charter Schools**

Compliance data were collected from each Local Education Agency (LEA) and charter schools that submitted a Self-Assessment in February 2005. All State Operated Programs (SOPs) had previously completed the Self-Assessment phase. Each LEA was required to submit documentation that all findings of noncompliance cited in the Internal Record Review were corrected within one year.

Of the thirty-seven (37) LEAs and charter schools that submitted a Self-Assessment, 29 (80.42%) corrected all noncompliance within one year. All charter schools corrected the noncompliance that was identified. Of the eight LEAs with noncompliance issues, six (6) had four (4) or fewer findings to correct. One (1) LEA had seven (7) findings not corrected and one (1) LEA had seventeen (17) findings not corrected. In both cases, the two (2) LEAs with the largest number of findings to correct had a new Exceptional Children Director begin during that school year. Technical assistance was offered to the new directors and strategies were put in place to correct the noncompliance. Each LEA with noncompliance reviewed and revised activities in the Continuous Improvement Performance Plan (CIPP) to correct the noncompliance. Of the 75 remaining findings of noncompliance from 2004 – 2005, 65 of the 75 findings have been corrected.

**Dispute Resolution**

One hundred nine (109) formal written complaints were filed during 2004-2005. Sixty-six (66) complaints were investigated and forty-nine (49) of those investigated had findings of noncompliance. The forty-nine (49) cases with findings of noncompliance were generated from thirty-six (36) different LEAs, including charter schools. Consultants monitored the corrective action for each case and forty-one (41) cases were closed within one year; seven (7) cases were closed that exceeded one year; and one (1) case remains open. The number corrected within one year was forty-one (41), for a correction rate of 84%.

**Indicators**

NCDPI was required to identify and address the noncompliance identified in Indicators 3A, 4A, 9, 10, 11, 12, and 13. There were no noncompliant findings for Indicator 9. The noncompliant findings for the other Indicators are recorded on Table 3 for FFY 2006. An explanation of the data and the corrective actions taken is reported under those indicators.

**Actual Target Data for 2006-2007:**

**570 out of 646 noncompliant findings identified in 2005-2006 were corrected within one year for a compliance rate of 88.24%.**

During the 2006-2007 school year, NCDPI required each Local Education Agency (LEA), State Operated Program (SOP), and charter school that submitted a self-assessment in February 2006 to submit data on the correction of noncompliance that was identified through the Internal Record Review. Data gathered through the Dispute Resolution system were reviewed for documentation of correction of noncompliance that was corrected within one year of identification. The findings identified through self-assessments, the Dispute Resolution system, and each compliance indicator are recorded on **Table 3**.

**Table 3 Noncompliance Findings by Compliance Area and Findings Corrected for FFY 2005 (2005-2006)**

Compliance Area	# of Findings In 2005-06	# of Findings Corrected within 1 Year	% Corrected within 1 Year
ESY (2.02)	7	7	100%
Referrals (3.01)	5	5	100%
Screenings and Evaluations (4.01)	19	16	84.21%
Reevaluations (4.02)	21	19	90.47%
Eligibility/Placement (5.00)	10	9	90%
Required Participants (6.01)	22	21	95.45%
Components of IEP (6.02)	14	14	100%
Confidentiality (6.03)	10	9	90%
IEP in Effect (6.04a)	19	17	89.47%
IEP Annual Review (6.04b)	15	13	86.66%
Initial IEP (6.04c/d)	4	4	100%
Continuum of Services (7.01,7.03)	8	6	75%
LRE (7.02,7.04)	8	6	75%
Prior Written Notice (9.01a)	11	11	100%
Permission to Evaluate (9.01b(1,3))	5	5	100%
Permission to Place (9.01b)	5	3	60%
Prior Notice (9.02)	7	5	71.42%
Discipline (9.03)	11	8	72.72%
Failure to Provide FAPE	3	3	100%
Participation in Statewide Assessments	1	1	100%
Personnel	1	0	0%
IEP Implementation	17	12	70.58%
Parent Participation	7	5	71.42%
Child Find	1	0	0%
3A District-wide assessments	48	48	100%
4A	3	3	100%
9	0	-	-
10	68	44	64.70%
11	111	106	95.49%
12	97	91	93.81%
13	88	79	89.77%
<b>Total</b>	<b>646</b>	<b>570</b>	<b>88.24%</b>

**Table 4 Noncompliant findings to the monitoring priorities and indicators and the related requirements.  
FFY 2005 (2005-2006)**

Indicator	General Supervision System Components	# of Programs Monitored	(a) # of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	(b) # of Findings from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.  2. Percent of youth with IEPs dropping out of high school.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	169	147	138
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Dispute Resolution	25	42	32
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	<b>Other:</b> Specify			
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.			
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Dispute Resolution	25	2	1
	<b>District wide Assessment</b>		48	48

4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	29	3	3
	Dispute Resolution	25	8	5
	<b>Other:NCDPI Data</b>	3	3	3
5. Percent of children with IEPs aged 6 through 21 - educational placements.  6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	29	13	11
	Dispute Resolution	25	3	1
	<b>Other: Specify</b>			
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	29	27	25
	Dispute Resolution	25	18	13
	<b>Other: Specify</b>			
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	97	94	68
	Dispute Resolution	25	6	4
	<b>Other: Specify</b>			

11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	222	129	121
	Dispute Resolution	25	1	1
	<b>Other:</b> Specify			
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	144	102	96
	Dispute Resolution			
	<b>Other:</b> Specify			
The worksheet automatically sums Column a and b			646	570

Percent of noncompliance corrected within one year of identification =	88.24%
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**Monitoring of LEAs, SOPs, and Charter Schools FFY 2006**

Compliance data were gathered from twenty-nine (29) LEAs and charter schools that submitted a Self-Assessment in February 2006. All SOPs had completed this phase of the monitoring process before this year. A total of 151 noncompliant findings were identified. The number corrected within one year of identification was 143, for a correction rate of 94.7%.

There were four (4) LEAs that did not correct all noncompliance within one year. Of the seven (7) findings not corrected, six (6) findings were based on individual student records and one (1) finding was based on two (2) individual student records. To address the noncompliant findings that were not corrected within one year of identification, NCDPI met with the exceptional children directors to explain the requirements for this indicator. Technical assistance was provided through cluster group meetings, regional meetings, and targeted staff development. LEAs were required to submit to NCDPI additional data identifying compliance/noncompliance and the correction of the noncompliant findings.

**Dispute Resolution**

Sixty-three (63) formal written complaints were filed during 2005-06. Forty-five (45) complaints were investigated and thirty-five (35) of those investigated had findings of noncompliance. The 35 cases with findings of noncompliance were generated from twenty-five (25) different LEAs, including charter schools. Consultants monitored the corrective action for each case and twenty-seven (27) cases were closed within one year; four (4) cases were closed that exceeded one year; and four (4) cases remain open. The number corrected within one year was twenty-seven (27), for a correction rate of 77.14%. There was one (1) finding that was identified in a due process hearing and it was corrected within one year. Training has been held at all regional meetings, in collaboration with Exceptional Children Assistance Center (ECAC), and at conferences explaining the dispute resolution system. If an LEA has a complaint requiring corrective action, regional consultants discuss with the exceptional children director the requirements of the corrective action. The regional consultants monitor the completion of the corrective action.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006- 2007****Explanation of Progress or Slippage**

Progress is being made for correction of noncompliance and bringing the overall compliance rate to 100%. For Indicator 15 the correction of noncompliance in one year improved from 79.45% in 2005-06 to 88.24% in 2006-2007. This is an 8.79 % increase.

**Corrective action requirements of LEAs that did not have 100% compliance in the 2006 – 2007 submission:**

Each LEA that did not correct all findings of noncompliance will be required to meet with NCDPI personnel to review all activities described in its CIPP and revise as appropriate by March 14, 2008.

Each LEA must submit a comprehensive training plan as a required activity of its Continuous Improvement Performance Plan (CIPP) that is due March 14, 2008.

On-site verification visits will be conducted to verify correction of records.

The following SPP improvement activities and/or implementation steps for the improvement activities were as follows:

- Revised training modules to align with IDEA 2004;
- Developed and implemented training for Exceptional Children Directors, Principals, and school staff related to complaint findings;
- Developed a “Guiding Practices” document for LEAs on how to operationally implement the requirements with IDEA 2004;
- Developed a Focused Monitoring System with the assistance of the National Center for Special Education Accountability Monitoring (NCSEAM);
- Technical assistance was provided to each LEA, SOP, and charter school on how to correct any area of noncompliance;
- Revised North Carolina policies and had them approved by the North Carolina State School Board.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006-07)**

**Revised /Additional Improvement Activities – February 1, 2008**

The improvement activities are being revised and additional activities are being added to continue to bring NCDPI into compliance with this indicator.

Regional teams made up of NCDPI Monitoring Consultants, Regional Consultants, PBS Consultants, Literacy Consultants, and CECAS Support will analyze the performance and compliance data in each region they are assigned to determine the LEAs that need ongoing support and focused training.

By August 2008, NCDPI personnel will provide Institutions of Higher Education (IHE) with revised state exceptional children forms, for use in their classes.

By March 2008, NCDPI personnel and stakeholders from LEAs across the state will revise the monitoring checklist and write new guidelines to adjust for changes in IDEA 2004 and the revision of state policies.

By May 2008, NCDPI personnel, stakeholders, and Mid South will review and revise the general supervision system in North Carolina to ensure all noncompliant findings are corrected within one year.



**Part B State Annual Performance Report (APR) FFY 2006 North Carolina**

**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.(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
2006 (2006-2007)	100% 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.

**Actual Target Data for 2006-2007 (from Table 7):**

Special Education Written Complaints	Number	Percentage
Complaints with reports issued	48	
-Reports completed within timeline	42	87.50%
-Reports completed within extended timeline	2	4.17%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):**

Year	Target	Actual Data	Progress/Slippage
FFY 2005	100%	86.67%	
FFY 2006	100%	91.67%	+5.00%

During FFY 2006, the SEA received 70 complaints and investigated 48. This is an increase from FFY 2005 when the SEA received 63 complaints and investigated 45. The data from FFY 2006 indicate an improvement from 86.67% (FFY 2005) compliance rate to 91.67% (FFY 2006). This is a 5% increase from FFY 2005. Forty-two reports were issued within the 60-day timeline and two (2) were issued within an extended timeline. This equates to 87.50% and 4.17% respectively, resulting in 91.67% (92%) of the reports issued within the 60-day timeline. The SEA is continuing in an upward trend toward the target of 100% compliance.

The SEA attributes the progress to accomplishing the following activities:

- Revising the internal procedures to streamline the intake process, requiring only the Director to sign the letters to the LEAs and complainants;
- Revising the internal procedures to require the completion of the draft investigation reports two weeks prior to the 60-day timeline;
- Contracting with a third Consultant for Dispute Resolution to investigate complaints and manage the Facilitated IEP Program;
- Improving the data collection system;
- Continuing to assist LEAs and parents through training activities and improvements to the website; and
- Providing opportunities for LEAs and parents to resolve disputes through the Facilitated IEP and Mediation Programs.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006):**

In order to continue the upward trend and hopefully to achieve the 100% target, the SEA has made the following revisions to the improvement activities.

Activity	Timeline	Resources
Analyze and evaluate the complaint system’s implementation process to include: <ul style="list-style-type: none"> <li>• Managing incoming telephone calls/emails, and responses by exploring other means of doing so, e.g. by employing a parent ombudsman and/or relieving each consultant from this responsibility one or more days per week.</li> </ul>	July 2008 and Annually	<ul style="list-style-type: none"> <li>• PMA Section Chief</li> <li>• Consultants for Dispute Resolution</li> </ul>
Utilize technology, e.g. web-based modules, distance learning, etc. to make training on the IDEA Federal Regulations, State Policies, and Dispute Resolution more readily available to stakeholders across the state.	July 2008 and Annually	<ul style="list-style-type: none"> <li>• Consultants for Dispute Resolution</li> <li>• Regional Consultants</li> </ul>

**Part B State Annual Performance Report (APR) for 2006-2007**

**Overview of the Annual Performance Report Development:**

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

**Indicator 17:** Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

(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
<b>2006-2007</b>	100% of fully adjudicated due process hearing requests will be completed 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 2006-2007:**

100% of the fully adjudicated due process hearing requests were adjudicated within a timeline that was properly extended.

2 hearing requests were fully adjudicated with decisions.

2 decisions were issued with a properly extended timeline. (100%)

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:**

The actual target data for 2006-2007 (100%) reflected a 33.33% increase over the actual target data for FFY 2005-2006. The progress is attributed to increased training for the Administrative Law Judges, improved communication between the EC Division and the Office of Administrative Hearings, and monitoring of the timelines by both agencies.

**Improvement Activities Completed**

- July 2006 - The Governor signed the General Statutes for special education which were rewritten to be aligned with the IDEA. The statutes required the Office of Administrative Hearings (OAH) and the Division to develop a Memorandum of Understanding (MOU), which addressed due process hearings and would ensure that timelines were met.

- September 2006 -The EC Division reviewed with the new Administrative Law Judges (ALJs) at the OAH the necessary procedures to ensure that extensions of timelines are granted with the required language.
- November 2006 - The EC Division and OAH jointly developed and signed a MOU regarding the roles and responsibilities of the two agencies in conducting due process hearings. The MOU requires the hearing officer issue an order specifying the party requesting the extension, the date when the hearing will reconvene, the date by which the written decision will be issued, and fax a copy of the order to the EC Division.
- January - March 2007 - The EC Division developed and disseminated forms and guides related to due process, resolution meetings, and mediation to all EC program directors at their annual meeting.
- July 2006 – June 2007 - The EC Division’s dispute resolution staff monitored the special education hearing database for dates that resolution agreements and decisions are due, and maintained weekly communication about the status of open cases through e-mails, telephone calls, and personal meetings to ensure compliance with the timelines.
- September 2006 and May 2007 - Hearing officers were provided continuing legal education training through attendance at the LRP Legal Issues in Special Education Conference and at the special training for new hearing officers conducted by Seattle University.
- November 2006 - The EC Division provided specialized training for the Administrative Law Judges (ALJs) in the new IDEA statute and regulations, particularly the requirements related to due process hearings with two full days of training by a national trainer on IDEA and due process hearings, specifically for the ALJs. All the ALJs attended both days of training.
- July 2006- The North Carolina General Assembly approved a new ALJ position to assist the Office of Administrative Hearings (OAH) in meeting the timeline requirements.
- November 2006 - Three new ALJs were hired, filling all vacant positions.

**Revisions, with Justification, to Proposed Targets / Improvement Activities /Timelines /Resources for 2006-2007**

There are no revisions to the Proposed Targets/Improvement Activities/Timelines in the State Performance Plan for Indicator 17.

**Part B State Annual Performance Report (APR) for 2006-2007**

**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
<b>2006-2007</b>	86% of the hearing requests that go to resolution sessions will result in settlement agreements.

**Actual Target Data for 2006-2007:**

75% of the hearing requests that went to resolution sessions were resolved with settlement agreements.

**28 resolution meetings were conducted.**

21 settlement agreements were signed. (75%)

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:**

Personal communication increased the number of LEAs and parents who were willing to meet in resolution meetings. The North Carolina Department of Public Instruction cannot control the outcomes of the resolution meetings. Through training to LEAs and parents, the Dispute Resolution staff has pointed out the financial and emotional cost of due process hearings and encouraged early resolution through resolution meetings.

**Improvement Activities Completed**

- July - November 2006 - Forms for scheduling, documenting, and reporting the results of resolution meetings were developed and disseminated to each Exceptional Children (EC) Program Director.
- November 2006 – June 2007 - Training was provided to EC Program Directors at regional meetings, with special emphasis on early resolution in due process hearings.
- August 2006 – June 2007 - Upon the SEA’s receipt of a request for a hearing, the Dispute Resolution staff sent electronically resolution meeting forms and the IDEA regulations regarding due process hearings to each EC program director. LEAs were directed to report the results of

the resolution meeting by sending the forms electronically to the SEA and the Office of Administrative Hearings immediately after the resolution meeting.

- August 2006 – June 2007 - The Dispute Resolution staff contacted each EC Program Director who had received a request for a hearing by e-mail or by telephone to encourage the use of a resolution meeting. A Dispute Resolution consultant called parents who had requested hearings without legal representation to explain the resolution process and answer any other questions regarding due process hearings.

### **Slippage and Explanation**

The actual target data for 2006-2007 (75%) reflected an 11% decrease from the measurable and rigorous target.

- Attorneys discouraged their clients from participating in resolution meetings and encouraged their participation in mediation.
- After failing to resolve differences through mediation or a facilitated IEP meeting, one parent requested a due process hearing. Both the school and parent had tried and exhausted their efforts to resolve the disputes and were ready for an Administrative Law Judge to hear the case and issue a final decision
- Scheduling resolution meetings within 15 days after a petition was filed was challenging for LEAs and parents because of attorneys' and LEA schedules and long holidays.
- The actual target data did not reflect the two (2) resolution meetings that were conducted beyond the 15<sup>th</sup> day of filing and concluded with settlement agreements and one (1) resolution meeting conducted after 6/30/2007 and an agreement signed.
- There is no rationale for the slippage. The following information reflects the seven resolution sessions that did not result in signed agreements:
  - 2 hearings were conducted with decisions issued;
  - 2 requests were withdrawn because the cases were not IDEA issues;
  - 2 partial agreements were reached, and the parents withdrew the requests before hearings were conducted; and
  - 1 case was resolved with an agreement through mediation, which was conducted after the resolution meeting.

The SEA provided training and information to the parents and LEAs and encouraged them to utilize resolution meetings. The SEA provided trained IEP Team facilitators, mediators, and Dispute Resolution consultants to assist parents and LEAs in resolving disputes without a hearing. In cases in which the parties did not resolve disputes at resolution meetings, they continued to work together to settle the disputes within the resolution period and resolved 96% of the cases without a hearing. The Exceptional Children Division considers the 96% resolution rate of all cases filed to be a measure of success that outweighs the decrease from the measurable and rigorous target.

### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007- 2008**

Based upon the current data, the SPP target of 86%, with 87% in 2010 is unrealistically optimistic and completely outside the national average of a successful special education resolution program.

The proposed SPP targets for 2007-08 through 2010-11 will be revised to reflect a range of 75% to 85%. This range is a more accurate reflection of national averages of successful resolution results, as well as the natural fluctuations in success rates in unassisted resolution processes.

The following State data supports the target being measured within this range rather than a static number:

2005-2006	86% of the resolution sessions ended with settlement agreements,
2006-2007	75% of the resolution sessions ended with settlement agreements.

**Part B State Annual Performance Report (APR) for 2006 (FFY)**

**Overview of the Annual Performance Report Development:**

See the APR Introductory overview.

**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
2006 (2006-07)	Mediation resulting in agreements: 84%

**Actual Target Data for (2006-07):**

83% of total mediations held reached agreement. This same data is reflected on Table 7 of 618 Report and reflects all mediations held in North Carolina.

Total mediation requests – 110

[11 requests related to a due process hearing; 99 requests not related to a due process hearing]

Total mediations held - 59

Mediations related to a due process hearing – 7 held

Agreement reached	4	(57%)
No agreement reached	3	

Mediation declined: 1

Request withdrawn (parties settled themselves): 3

Mediations not related to a due process hearing – 52 held

Agreement reached	45	(87%)
No agreement reached	7	

Mediation declined: 14

Request withdrawn (parties settled themselves): 33

83% of total mediations held reached agreement.



**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006-07):**

There was a 12% increase in the number of mediations resulting in signed agreements from 2005-06 (71%) to 2006-07 (83%).

There is no rationale for the improvement from the 2005-06 results (71%) or slippage from the 84% target. The mediators are the same qualified, knowledgeable cadre of professional neutrals. The unknown variables each year are the parties and their willingness or skill levels for negotiating resolutions of the issues before them. The State's role is to encourage the use of mediation and ensure the quality and skill of the neutral mediators. Beyond that the State has no control or influence over whether or not the parties reach agreement.

**Activities completed in 2006-07:**

- The mediators attended the annual 15 hours of mandatory continuing education trainings which included special education law and mediation process training. The special education law trainings included a day with Art Cernosia covering the federal regulations, and DPI staff conducting a day-long training on the new State Policies Governing Services for Children with Disabilities.
- The Department of Public Instruction engages in extensive outreach to parents, school representatives, and advocacy groups about the benefits of using mediation to resolve disputes. This is done through on-going training for parents (parent advocates, parent attorneys, etc.) and school personnel, print materials, daily phone calls from parents and school personnel, and the State website.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006-07):**

The proposed SPP targets for 2007-08 through 2010-11 will be revised to reflect a range of 75% to 85%. This range is a more accurate reflection of national averages of successful mediation results, as well as the natural fluctuations in success rates for highly effective mediation programs.

The following State data supports the target being measured within this range rather than a static number:

2004-05 - 84% success rate  
2005-06 - 71% success rate  
2006-07- 83% success rate

OFFICE OF SPECIAL EDUCATION  
AND REHABILITATIVE SERVICES  
OFFICE OF SPECIAL EDUCATION  
PROGRAMS

REPORT OF DISPUTE RESOLUTION UNDER PART B, OF THE  
INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
2006-07

OMB NO.: 1820-0677  
FORM EXPIRES: 8/31/2009

STATE: North Carolina

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	70
(1.1) Complaints with reports issued	48
(a) Reports with findings	33
(b) Reports within timeline	42
(c) Reports within extended timelines	2
(1.2) Complaints withdrawn or dismissed	22
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	110
(2.1) Mediations	
(a) Mediations related to due process	7
(i) Mediation agreements	4
(b) Mediations not related to due process	52
(i) Mediation agreements	45
(2.2) Mediations not held (including pending)	51

SECTION C: Hearing requests	
(3) Hearing requests total	48
(3.1) Resolution sessions	28
(a) Settlement agreements	21
(3.2) Hearings (fully adjudicated)	2
(a) Decisions within timeline	0

(b) Decisions within extended timeline	2
(3.3) Resolved without a hearing	40

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	3
(4.1) Resolution sessions	3
(a) Settlement agreements	2
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

**Part B State Annual Performance Report (APR) for 2006- 2007**

**Overview of the Annual Performance Report Development: See APR overview.**

**Monitoring Priority: Effective 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: Measurement:**

State reported data, including 618 data 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 February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

FFY	Measurable and Rigorous Target
2006-2007	100 percent of State reported data (618 and Annual Performance Report) were timely and accurate. <i>(Insert Measurable and Rigorous Target.)</i>

**Actual Target Data for 2006-2007:**

100% of State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

100% of the spreadsheets (7 out of 7) were submitted in a timely manner. See attached 618 data worksheet.

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

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

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

Report of the Participation and Performance of Students with Disabilities on State Assessments – All Assessment data were collected by the Accountability Services Division. The aggregated Part B 618 State Assessment Report was obtained from the Reporting Section in the Accountability Services Division-Data Stewards of all NCDPI Assessment data. The North Carolina State Board of Education Policies and Legislative Requirements for the NC Testing Program can be found at <http://www.ncpublicschools.org/accountability/policies/general>. The Accountability Division had its own mechanisms in place to ensure that the assessment data were valid and reliable. The documents that outline the accuracy and reliability of assessment data can be found at <http://www.ncpublicschools.org/accountability/policies/shared/testsecurity>.

Discipline – Although disaggregated discipline data were collected, an aggregated Part B 618 discipline data report was obtained from the Agency Operations and Management Division—Data Stewards of all NCDPI Discipline data. Mechanisms were in place to ensure that the discipline data were valid and reliable. The document that outlines the accuracy and reliability of discipline data can be found at <http://www.ncpublicschools.org/schoolimprovement/alternative/reports/>

Personnel – Disaggregated personnel data were collected from school systems via a Personnel Survey excel spreadsheet submitted through the CECAS system. Personnel data were aggregated at NCDPI. Mechanisms were in place to ensure that the personnel data were valid and reliable.

State Performance Plan (SPP) - North Carolina will submit revised sections of the SPP and the indicators that have baseline data along with the APR on February 1, 2008.

Annual Performance Report (APR) – North Carolina will submit the APR on or before February 1, 2008.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007):**

During 2007, North Carolina had a total of 7 spreadsheets that were due to EDEN and OSEP, including: (1) IDEA (Child Count), (2) Environment, (3) Assessment, (4) Exiting, (5) Personnel, and (6) Discipline (7) Dispute Resolution. 100% percent (7 out of 7 spreadsheets) were reported in a timely and accurate manner. This is a 17% increase over last year's percentage of 83%.

Child Count and Exiting Data

The December 1 Child Count was submitted to the Education Data Exchange Network (EDEN) on or before February 1, 2007. A copy was also mailed to the Office of Special Education Programs (OSEP). The Exiting Report was submitted to EDEN on or before November 1, 2007. A copy was also mailed to OSEP. The Exiting data were also submitted through EDEN on November 1, 2007. The December 1, 2007 Child Count was submitted through the EDEN database on February 1, 2007. Finally, the Research and Evaluation Consultant will conduct on-site Child Count Audits in the 2007-08 school year to ensure LEAs are reporting accurate data. LEAs with the most significant changes in their child count data will be targeted first for an on-site Child Count Audit.

Report of the Participation and Performance of Students with Disabilities on State Assessments

The State Assessment data is collected from the Accountability Division in a timely manner. North Carolina submitted the Report of the Participation and Performance of Students with Disabilities on State Assessments to EDEN and OSEP on or before February 1, 2006. The Accountability

Division's Reporting Section prepared the data and the EC Division submitted accurate assessment data to EDEN on April 27, 2006. A copy of the Report of the Participation and Performance of Students with Disabilities on State Assessments was also mailed to OSEP.

#### Discipline Data

There were no problems obtaining the Discipline data from the Agency Operations and Management Division. Since this Division is responsible for the EDEN submissions, they became familiar with the IDEA Part B Discipline requirements. Therefore, data were prepared and the EC Division submitted Discipline data in a timely manner to EDEN on or before November 1, 2007. Copies of the Discipline data were emailed to OSEP.

#### Personnel Survey

LEAs submitted Personnel Survey data through an excel spreadsheet. Some LEAs had difficulty submitting the data and technical assistance was provided. Following the technical assistance, all LEAs were able to submit accurate Personnel data in a timely manner.

#### State Performance Plan (SPP)

Since North Carolina submitted 2003-04 data on several SPP Indicators, North Carolina will submit a revised SPP along with the APR. The revised SPP will contain baseline data from the 2006-07 school year. Baseline data on the new Indicators will also be reported in the SPP. The SPP will be submitted on February 1, 2008.

#### Annual Performance Report (APR)

The APR will be submitted on February 1, 2007. Indicators that were not new will display data from the 2005-06 school year with a discussion of progress or slippage on the proposed targets.

#### Discussion of Activities

All activities listed for Indicator 20 in the SPP were implemented during the 2006-2007 school year. These activities will be continued through 2007-2008. NCDPI will continue to work with LEAs, Charters, and SOPs to ensure submission of timely and accurate data.

NCDPI has begun using the Education Data Exchange Network (EDEN) in the collection and reporting of required data.

CECAS Trainers and Regional CECAS Trainers have conducted training for the Child Count and Exiting process in various regions throughout the state. CECAS trainers will continue to provide training on updates to the CECAS system.

NCDPI will refine and streamline the personnel data collection system to make it less cumbersome for LEAs to use.

On-Site Child Count Audits will be scheduled to ensure LEAs are reporting accurate data.

SPP/APR Data - Indicator 20				
APR Indicator	Valid and Reliable	Correct Calculation	Followed Instructions	Total
1	1		1	2
2	1		1	2
3A	1	1	1	3
3B	1	1	1	3
3C	1	1	1	3
4A	1	1	1	3
5	1	1	1	3
7	1	1	1	3
8	1	1	1	3
9	1	1	1	3
10	1	1	1	3
11	1	1	1	3
12	1	1	1	3
13	1	1	1	3
14	1	1	1	3
15	1	1	1	3
16	1	1	1	3
17	1	1	1	3
18	1	1	1	3
19	1	1	1	3
			<b>Subtotal</b>	58
<b>APR Score Calculation</b>		<b>Timely Submission Points</b> - If the FFY2006 APR was submitted on-time, place the number 5 in the cell on the right.		5
		<b>Grand Total</b> - (Sum of subtotal and Timely Submission Points) =		63

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/07	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/07	1	1	1	1	4
Table 3 - Ed. Environments Due Date: 2/1/07	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/07	1	1	1	1	4
Table 5 - Discipline Due Date: 11/1/07	1	1	1	1	4
Table 6 - State Assessment Due Date: 2/1/07	1	1	1	1	4
Table 7 - Dispute Resolution Due Date: 11/1/07	1	1	1	1	4
				<b>Subtotal</b>	28
<b>618 Score Calculation</b>			<b>Grand Total (Subtotal X 2) =</b>		56

Indicator #20 Calculation	
A. APR Grand Total	63
B. 618 Grand Total	56
C. APR Grand Total (A) + 618 Grand Total (B) =	119
Total N/A in APR	0
Total N/A in 618	0
<b>Base</b>	<b>119</b>
D. Subtotal (C divided by Base*) =	1.00
E. Indicator Score (Subtotal D x 100) =	100.0

\*Note any cell marked as N/A will decrease the denominator by 1 for APR and 2 for 618