

North Dakota

FFY 2005 – 2010 State Performance Plan For Special Education



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Dr. Wayne G. Sanstead, State Superintendent
Department of Public Instruction
600 E Boulevard Ave, Dept. 201
Bismarck, ND 58505-0440

The North Dakota Part B State Performance Plan For Special Education FFY 2005 – 2010

Introduction

The Individuals with Disabilities Education Improvement Act (IDEA) of 2004 established a requirement that all states develop and submit to the U.S. Department of Education, Office of Special Education Programs (OSEP) a performance plan designed to improve the educational and functional outcomes for children with disabilities. The state plan must encompass baseline data (where available), projected targets, and activities to achieve those targets. The state is required to submit an Annual Performance Report (APR) in the years following the submission of the performance plan to inform OSEP and the public on the progress toward meeting those goals. This document is the first step of that process – the State Performance Plan for Special Education.

Table of Contents

Indicator 1: Graduation Rate	1
Indicator 2: Dropout Rate	8
Indicator 3: Participation and Performance on Assessments	11
Indicator 4: Rates of Suspension and Expulsion	19
Indicator 5: School Age LRE	24
Indicator 6: Preschool LRE.....	26
Indicator 7: Preschool Outcomes	30
Indicator 8: Parent Involvement.....	35
Indicator 9: Racial/Ethnic Disproportionality	39
Indicator 10: Racial/Ethnic Disproportionality by Disability	44
Indicator 11: Evaluation Timelines	50
Indicator 12: Preschool Transition.....	54
Indicator 13: Secondary Transition.....	58
Indicator 14: Secondary Outcomes	62
Indicator 15: Focused Monitoring Effective Corrective Action	65
Indicator 16: Complaint Investigation Timelines	73
Indicator 17: Due Process Hearing Timelines	78
Indicator 18: Resolution Session.....	83
Indicator 19: Mediation	85
Indicator 20: Reporting Accuracy and Timeliness	89

Appendices

Appendix A:.....	92
Appendix B:.....	100

Appendix C:.....	123
Appendix D:.....	126
Appendix E:.....	129
Appendix F:.....	136
Appendix G:	141

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

Throughout the implementation of the ND State Performance Plan (SPP), the SPP has become the focal point in local and statewide communication and is referenced by the ND Department of Public Instruction (NDDPI) special education staff to discuss the intent for higher outcomes for children with disabilities. The data collected through the SPP provide specificity for many critical issues in ND special education. The SPP is also used to make the connection for parents and educators to the increased expectations from the U. S. Department of Education contained in the No Child Left Behind Act. The NDDPI has also revised its strategic plan and the State Education Agency to reflect the 20 indicators of the SPP. Progress in each of these indicators are reported in the Annual Performance Report (APR).

The NDDPI has actively solicited broad stakeholder input on a statewide basis as State staff met periodically during the year to review and update the ND SPP indicators and data. Working meetings were held with various staff members of the Mountain Plains Regional Resource Center for the purpose of data collection development and implementation. Individual state staff members also solicited input from the appropriate statewide or regional standing committees and workgroups. Several new indicator specific workgroups were developed over the year to ensure stakeholder input was acquired. At the September, 2007 statewide Special Education Leadership Institute all new indicators were reviewed with local special education directors. The ND IDEA Advisory Committee has continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP.

The NDDPI sent via email a copy of the final ND SPP and APR to all LEA special education administrators, Pathfinders Family Center office, and IDEA Advisory Committee members. The ND SPP and APR are posted on the North Dakota Department of Public Instruction web site for public viewing.

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

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

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

Measurement:

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

Overview of Issue/Description of System or Process:

In North Dakota the Department of Public Instruction (NDDPI) and local school districts have the authority to set graduation standards, grading policies, and conditions for awarding diplomas as long as those policies do not violate the civil rights of students.

The completion of a course of study prescribed under state and local requirements should result in a formal recognition of the completion of that study. Diplomas for students who receive special education services are awarded in the same manner as diplomas are awarded to students without disabilities. North Dakota School Century Code 15.1-21-02.1 includes the following requirement: Before a school district, a non-public high school, or the ND Department of Independent Study, issues a diploma to a student, the student must have successfully completed at least 21 units of high school course work from the minimum curriculum offerings established by section 15.1-21-02.

The National Dropout Prevention Center and Network at Clemson University reports that nationwide, one of three students who begin ninth grade will not graduate from high school. Historically North Dakota has maintained one of the highest high school graduation rates in the nation (source: *Education Week*).

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

However, students with disabilities in North Dakota are not graduating at the same rate as their classmates without disabilities. When the ND State Transition Steering Council was queried about possible reasons for this graduation gap, the overwhelming response was inadequate transition planning for students with disabilities. This was also identified as a barrier to a smooth transition from secondary to post-secondary activities.

As the Special Education State Performance Plan was being developed through collaborative work across units within the ND Department of Public Instruction analysis revealed that the state's ability to track exiters from special education was more accurate than for students who had not received special education. On June 1, 2005 the NDDPI wrote to the United States Department of Education requesting consideration and approval for amendments to the North Dakota Consolidated State Application Accountability Workbook, dated July 27, 2004. One of the requested amendments related to "the one year extension of the current graduation formula for the 2004-05 school year and a resulting one-year delay of the previously approved graduation formula, beginning with the 2005-06 school year." The Department's rationale for this amendment included the following information:

During the 2004-05 school year, North Dakota initiated the administration of fall testing statewide at all grade levels, grades 3-8 and 11. The State adopted a fall testing schedule to ensure the timely scoring and reporting of student achievement data within the same year.

The State similarly seeks to use the fall testing schedule to push forward the determination of adequate yearly progress for schools, districts, and the State throughout July and August. The current determination cycle results in a truncated reporting schedule that performs a disservice to all patrons. Any determination that is conducted in the spring of the same school year will improve the reporting cycle and thereby better meet reporting requirements placed on schools, districts, and the State.

The administration of fall testing allows for the determination of student achievement indicators for adequate yearly progress, perhaps as soon as March of the same school year; however, the determination of graduation and attendance indicators, which are based on pupil membership data collected no sooner than June 30 of the school year, will not allow for any earlier reporting. To accommodate the need for earlier reporting, the State must transition from current-year to previous-year pupil membership data.

Therefore, the Department of Public Instruction seeks permission to extend the previously approved secondary academic indicators formula for one additional year, to apply for the 2004-05 determinations, in order to transition into previous-year data determinations during the spring of the 2005-06 school year. Effective during the 2005-06 school year, the determination of graduation and attendance yearly progress indicators will be referenced to graduation and attendance rates of the preceding year. Graduation and attendance rates will be generated from pupil membership data collected from the June 30 pupil membership reports submitted by schools and districts. Adequate yearly progress determinations will be conducted during the spring of the school year.

Graduation Indicator

To determine adequate yearly progress graduation indicator for 2004-05, the State will calculate graduation rates according to the current definition, which has been applicable for determinations for 2002-04, within Section 7.1 of the State Accountability Plan. The State will delay the implementation of the anticipated graduation rate formula, originally set for implementation for 2004-05, until the 2005-06 school year. At that point determinations will be referenced on graduation data collected on June 30 of the previous year and will allow for the disaggregated reporting of subgroups as stipulated in the State Accountability Plan (*NDDPI letter to Dr. Raymond Simon, Deputy Secretary, Office of Elementary and Secondary Education, U.S. Department of Education, 6-1-05*).

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The State of North Dakota stipulates that it has established the graduation rate of each high school as a component for determining adequate yearly progress, as provided within ESEA section 1111.

The graduation rate defined within ESEA section 1111 requires the State to report graduates, retentions, and dropouts, within cohorts, in the aggregate and disaggregated by subgroups. The State has initiated measures to collect and report this information to the specification of the Act; however, the State's full capacity to do so will not become effective until 2005. In the interim, until State data to perform the required calculations becomes available, the State will define and use an alternative measure, based on schools' reported dropout and graduation data within cohorts where graduation occurs in a standard number of years. The interim measure, effective for the graduating classes of 2003 and 2004, will be defined by the following equation:

$$\frac{\text{Number of Graduates}}{\text{(divided by)}} \\ \text{Number of Graduates + Dropouts Yr1 + Dropouts Yr2 + Dropouts Yr3 + Dropouts Yr4}$$

The State stipulates that, as required under final Title I regulations, this definition will avoid counting a dropout as a transfer and will not include students who receive a non-standard diploma (e.g., attendance certificate, GED). Students that transfer in or out of the school after the State Assessment administration will not be included in the denominator or numerator.

The State has established the target graduation rate based on the same 20 percent ranking rule used for determining achievement targets. Any district with a graduation rate lower than this target point will be identified for not making Adequate Yearly Progress. This target point will remain as the State reference for graduation throughout the duration of the 2001-2005 school years. Based on this interim definition, the State has established a graduation target point of 89.9 percent based on North Dakota 2001-02 graduation baseline impact data. This 89.9 percent target rate will be applied for the first time to 2002-03 graduation rates.

In 2005 when the State transfers from its current definition of graduation to that used within NCLBA, the State will recalculate the target graduation rate using the 20 percent ranking rule for graduation rates. This target point will remain as the State definition for graduation throughout the duration of the 2005-2014 school years. Therefore, it is anticipated that the State's interim graduation target point of 89.9 percent will be revised with the scheduled 2005 recalculation.

The State will begin reporting graduation rates using the No Child Left Behind Act (NCLBA) definition in 2005, using collected cohort State data from 2001 - 2005. The rate will be calculated based on the following equation:

$$\frac{\text{\# Graduates (with regular diploma) who completed high school in four years}}{\text{(divided by)}} \\ \text{[\# Graduates (same as above) + \# of 9}^{\text{th}} \text{ grade dropouts/retentions + \# 10}^{\text{th}} \text{ grade dropouts/retentions} \\ \text{+ \# 11}^{\text{th}} \text{ grade dropouts/retentions + \# 12}^{\text{th}} \text{ grade dropouts/retentions + \# students who complete 12}^{\text{th}} \\ \text{grade without a regular diploma]}$$

The data for each class will be tracked forward from 9th grade. Dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school. Students who are retained in grade, and thus leave their original class, will not count toward the number of graduates, but will be included in the denominator as members of the original class.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The State stipulates that any school or district that has met the requirements of safe harbor for any specified subgroup must also demonstrate that it has met the requirements for graduation rate for that same specified subgroup as required under 34 CFR 200.19(d)(2)(i). The State anticipates having a student data warehouse in place by 2005 to accommodate the monitoring and reporting of disaggregated graduation rates. Prior to its full implementation, the State will require schools or districts that have met safe harbor within a specified subgroup to also evidence the achievement of the graduation rate for that specified subgroup. The State will independently review all school and district information to validate the authenticity of these data. Following 2005, the State anticipates an ability to automate this activity with the statewide student data warehouse.

The restricted extension of a graduation cohort beyond four years, as defined within an individualized education program, for students served within provisions of the Individuals with Disabilities Education Act or as provided within a LEP service program for specified LEP students (this has now been approved by the U.S. Department of Education).

The graduation rate defined within the Elementary and Secondary Education Act (ESEA) section 1111 requires the State to report graduates, retentions, and dropouts, within cohorts, in the aggregate and disaggregated by subgroups. The Department reaffirms its commitment to proceed with the determination of adequate yearly progress based on these elements.

The NDDPI is also mindful of its responsibility to administer the provisions of the IDEA 04. Inherent throughout the Act is the paramount importance of schools to provide appropriate instruction to each student with a disability according to the design of that student's unique individualized education program. By definition, a student's individualized education program sets the course of study for that student, including curriculum, instructional strategy, assessment, service supports, and educational schedule, including anticipated graduation. Within North Dakota law, services to students with disabilities may extend beyond the traditional twelve years up to the age of 21 inclusive. In such circumstances, a student with a disability may properly graduate, according to the dictates of the student's individualized education program, at age 21, several years beyond a traditional graduation that, for a typical student, may be completed within four years of entering high school.

To ensure that schools properly exercise their instructional duties according to a student's individualized education program (IEP), the NDDPI monitors school's compliance with the provisions of the IDEA 04, including the proper development and administration of a student's individualized education program. The Department monitors graduation rates of all students with disabilities, including those students whose graduation rates extend to age 21. The State provides oversight on all services provided to students with disabilities, including the proper conclusion of their services and the bestowal of graduation at a time prescribed within the student's individualized education program. Given the high educational standards and service schedules set forth within a student's individualized education program and the civil rights granted to students with disabilities to receive the full benefit of these standards and service schedules, it is incumbent on the State to offer every support to schools to provide the full benefit of instruction to all students with disabilities, regardless of the duration of their education. It is likewise incumbent on the State to eliminate any barriers that might impede or otherwise deter schools from properly administering their duties to all students, regardless of disability status. This concern includes the bestowal of a standard graduation on students with disabilities, whose individualized education programs require a high school instruction period that extends beyond the traditional four years. Any policy that places pressures on schools to divert their full attention on the needs of students with disabilities must be reviewed and amended accordingly (ND Accountability Application Workbook, Proposed June 1, 2005 Amendment).

In order to ensure consistent measurement of the high school graduation rate in our state the NDDPI Office of Special Education must fully collaborate with general education to ensure that measurement for youth with IEPs will be the same measurement as for all youth. The state goal for the general education graduation rate is 89.9 percent (See Table 1.1). This goal helped shape the special education graduation rate targets in the state performance plan.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

Table 1.1. Baseline Data for FFY 2004-2005

North Dakota Graduation Data for 2004-05

All Students

These are the students that counted in the graduation rate

	Number	Percentage
No exit code	1137	11.60%
Graduated	7931	80.89%
Dropped out	586	5.98%
Transferred within District	151	1.54%
	<u>9805</u>	

These are the students who were excluded from the graduation rate

Deceased	14	0.66%
Transferred out of District	1594	75.08%
Extended IEP/LEP	42	1.98%
Excluded for other reason (e.g., homeschool, duplicate record)	473	22.28%
	<u>2123</u>	

612 of these were assigned somewhere else

Special Education

These are the students that counted in the graduation rate

	Number	Percentage
No exit code	79	8.30%
Graduated	801	84.14%
Dropped out	59	6.20%
Transferred within District	13	1.37%
	<u>952</u>	

These are the students who were excluded from the graduation rate

	Number	Percentage
Deceased	2	1.02%
Transferred out of District	97	49.24%
Extended IEP/LEP	40	20.30%
Excluded for other reason (e.g., homeschool, duplicate record)	58	29.44%
	<u>197</u>	

63 of these were assigned somewhere else

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Discussion of Baseline Data:

In the Annual Performance Report for 2003-2004 prepared by the NDDPI, the percentage of students with disabilities who exited school through graduation was computed by dividing the number of exiters with exit reasons of “graduation with diploma” by the total number of exiters who exited through graduation, received a certificate, reached maximum age, or dropped out. The percent of graduates for all students was computed by dividing the number graduating by the number in the 12th grade at the beginning of the school year. For purposes of reporting graduates at the statewide level, and in order to be considered a graduate, the student must meet the minimum graduation requirements of the local school district.

The data collected in December, 2005 indicate the number of students were included in various categories (graduates, dropouts, transfers, etc.). The NDDPI maintains a spreadsheet that shows the graduation rate for each school. This spreadsheet also presents the percentage of the total number of students not included in the graduation rate calculation for such reasons as transferring out of district, deceased, home education, etc. It is significant to note that the summary of the data shows the final graduation rate for all students equals 80.89 percent and the final graduation rate for youth with IEPs equals 84.14 percent. This reflects the positive benefits of special education in helping students with disabilities complete high school.

Table 1.2 Revised Measurable and Rigorous Targets for Indicator 1.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The percentage of youth with IEPs graduating from high school will increase to 85.10 percent
2006 (2006-2007)	The percentage of youth with IEPs graduating from high school will increase to 70.00 percent
2007 (2007-2008)	The percentage of youth with IEPs graduating from high school will increase to 71.00 percent
2008 (2008-2009)	The percentage of youth with IEPs graduating from high school will increase to 72.00 percent
2009 (2009-2010)	The percentage of youth with IEPs graduating from high school will increase to 73.00 percent
2010 (2010-2011)	The percentage of youth with IEPs graduating from high school will increase to 73.09 percent

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 1.3. Improvement Activities/Timelines/Resources for Indicator 1

Activities	Timelines	Resources
Provide technical assistance to LEAs in collecting quality data and in designing research based interventions.	Summer/Fall 2006	National Dropout Prevention Center
Support the provision of distance education through technology to ensure that students with disabilities have additional options for graduating from high school.	Ongoing	ND Division of Independent Study, ND State University
Statewide dissemination of instructional materials regarding prevention of school bullying.	Spring 2006	Pacer Center, Minneapolis, MN, NDDPI Safe and Drug-Free Schools
Implement a statewide process designed to improve the overall planning of Transition services for high school youth with disabilities.	2006-08	Mountain Plains Regional Resource Center "Transition Outcomes Project" (TOPS)
Collaborate in sharing data and improvement strategies to promote evidence-based practices to increase high school graduation opportunities for adjudicated youth with disabilities	2007-08	ND Division of Juvenile Services, ND Youth Correctional Center
Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.	Ongoing through 2010 as needed, 4 to 6 days of training per year	PBS State Leadership Team; University of Oregon; MPRRC
Improve data collection and reporting in collaboration with general education partners with the NDDPI and with LEAs.	Ongoing	NDDPI Management Information Systems, NDDPI Standards and Achievement, STARS
Complete "Guidelines: Identifying and Serving Children and Youth with Emotional Disturbance". Conduct regional training on these guidelines.	2006	Task Force on Guidelines (Emotional Disturbance); ND Department of Human Services, MPRRC
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

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

Measurement:

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

Overview of Issue/Description of System or Process:

Analysis of the high school graduation rate for students with disabilities (Indicator 1) and the drop out rate for youth with IEPs (Indicator 2) seems best done in synchronization. The NDDPI's rationale for this is that research-based interventions designed to prevent students from dropping out of high school will lead to improved rates of high school completion. Therefore, the NDDPI will simultaneously widely disseminate high school graduation and drop out rate data for students with disabilities with local school districts, local special education administrative units, parent organizations and parents of students with disabilities. The NDDPI proposes to employ the same improvement activities to address both indicators 1 and 2. North Dakota will determine drop-out rates for special education in alignment with the method in the State's Accountability Application Workbook as previously referenced in Indicator 1. A detailed description of the process for collecting and reporting both graduation and dropout rates is included under Indicator 1.

Baseline Data for FFY 2004 (2004-2005):

The baseline data for 2004-2005 for the percent of youth with IEPs dropping out of high school compared to all youth in the State dropping out of high school are reported under Indicator 1.

Discussion of Baseline Data:

The data collected in December, 2005 indicate the number of students were included in various categories (graduates, dropouts, transfers, etc.). The NDDPI maintains a spreadsheet that displays the dropout rate for each school. This spreadsheet also shows what percentage of the total number of students were not included in the dropout rate calculation for such reasons as transferring out of district, deceased, home-education, etc. The dropout rate for all students was 19.11 percent. The dropout rate for youth with IEPs was 15.86 percent, or 3.25 percent better than for all youth in the state. As previously noted in the analysis of North Dakota's high school graduation rate for youth with IEPs, the comparatively lower dropout rate also reflects the benefits of special education services for helping students with disabilities complete their high school education.

All students dropout rate = 19.11 percent

Special Education students dropout rate = 15.86 percent

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 2.1. Measurable and Rigorous Targets for Indicator 2.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 14.89 percent.
2006 (2006-2007)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 13.92 percent.
2007 (2007-2008)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 12.95 percent.
2008 (2008-2009)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 11.98 percent.
2009 (2009-2010)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 11.01 percent.
2010 (2010-2011)	The percentage of youth with IEPs dropping out of high school will decrease by .97 percent to 10.04 percent.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 2.2 Improvement Activities/Timelines/Resources for Indicator 2.

Activities	Timelines	Resources
Provide technical assistance to LEAs in collecting quality data and in designing research based interventions.	Summer/Fall 2006	National Dropout Prevention Center
Support the provision of distance education through technology to ensure that students with disabilities have additional options for graduating from high school.	Ongoing	ND Division of Independent Study, ND State University
Statewide dissemination of instructional materials regarding prevention of school bullying.	Spring 2006	Pacer Center, Minneapolis, MN
Implement a statewide process designed to improve the overall planning of Transition services for high school youth with disabilities.	2006-08	Mountain Plains Regional Resource Center "Transition Outcomes Project" (TOPS)
Collaborate in sharing data and improvement strategies to promote evidence-based practices to increase high school graduation opportunities for adjudicated youth with disabilities	2007-08	ND Division of Juvenile Services, ND Youth Correctional Center
Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.	Ongoing through 2010 as needed, 4 to 6 days of training per year	PBS State Leadership Team; University of Oregon; MPRRC
Improve data collection and reporting in collaboration with general education partners with the NDDPI and with LEAs.	Ongoing	NDDPI Management Information Systems, NDDPI Standards and Achievement, STARS
Complete "Guidelines: Identifying and Serving Children and Youth with Emotional Disturbance". Conduct regional training on these guidelines.	2006	Task Force on Guidelines (Emotional Disturbance); ND Department of Human Services, MPRRC
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty
New data collection and data amendment deadlines	Ongoing	NDDPI Staff
Review potential of monetary sanctions of due to late data submission	Ongoing	NDDPI Staff
Clearly defining the definition of drop out and graduation	Ongoing	NDDPI Staff

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: FAPE in the LRE

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

- A. Percent of districts meeting the State's AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

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

Measurement:

A. Percent = # of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the State times 100.

B. Participation rate =

- a. # of children with IEPs in grades assessed;
- b. # of children with IEPs in regular assessment with no accommodations (percent = b divided by a times 100);
- c. # of children with IEPs in regular assessment with accommodations (percent = c divided by a times 100);
- d. # of children with IEPs in alternate assessment against grade level standards (percent = d divided by a times 100); and
- e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = e divided by a times 100).

Account for any children included in a but not included in b, c, d, or e above

Overall Percent = b + c + d + e divided by a.

C. Proficiency rate =

- a. # of children with IEPs in grades assessed;
- b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations (percent = b divided by a times 100);
- c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations (percent = c divided by a times 100);
- d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards (percent = d divided by a times 100); and
- e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards (percent = e divided by a times 100).

Overall Percent = b + c + d + e divided by a.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of Issue/Description of System or Process:

The North Dakota State Assessment (NDSA) was initially administered in 2001-02. Its key features include:

- Criterion referenced
- Aligned to state content standards
- Utilizes selected response and constructed response items
- Assesses reading/language arts and mathematics
- Assesses in grades 4, 8, and 12 (2001-02 through 2003-04), and grades 3-8 and 11 (beginning 2004-05)
- Administered in the fall to all grades, beginning 2004-05
- Required of all public schools; allows non-public and BIA schools to participate
- Collects student demographic and special codes data
- Reports achievement by content area, standard, and benchmark
- Validated data from ND State Assessment, along with graduation and attendance data, are used to generate reports on adequate yearly progress (AYP) for schools. Achievement scores for students using the ND Alternate Assessment are included in the AYP data base.
- Data on achievement and demographics/special codes are entered into TetraData warehouse for use in school improvement and research efforts.
- North Dakota teachers play a key role in developing content and achievement standards, aligning test items to standards, and setting cut scores for the ND State Assessment.

The ND Alternate Assessment (NDALT) was initially administered in the fall of 2000. Each year the NDALT has been reviewed and revised to improve the quality of the assessment.

The NDALT was developed to:

1) align the NDALT at the current grade level in which the student is enrolled, as well as, 2) cover the breadth and depth of the state content standards to the extent that the general assessment covers them. The population of students with severe cognitive disabilities is assessed against alternate achievement standards which are linked to the state content standards. Students with “persistent learning problems” served under IDEA 04, will be assessed against modified achievement standards, through the NDALT, which are aligned to state content standards. In an effort to meet the requirements set forth by No Child Left Behind, the North Dakota Department of Public Instruction (NDDPI) brought together educators from across North Dakota in July and August of 2005, to write activities (based on the “essence” of grade level state content standards and benchmarks), that are (in their professional judgment) aligned at either a high level, a mid level, or linked to grade level content standard and benchmarks. The NDDPI followed the recommendations made by the National Alternate Assessment Center, at The University of Kentucky, regarding linkage, alignment, and coverage of the standards and cognitive demand (per Bloom’s Taxonomy). The 2005-2006 North Dakota Alternate Assessment reflects those changes. The North Dakota Alternate Assessment (NDALT) is a performance-based assessment, which assesses how students perform against the North Dakota State Content Standards and thus, the general curriculum. The Content Standards consist of a description of what all students should know and be able to do within a particular core subject area. The Benchmarks are a translation of a standard into what all students should understand and be able to do at developmentally appropriate grade levels. The NDALT includes activities based on the “essence” of the benchmark (i.e. what the benchmark is asking for), at three different alignment levels. High and middle alignment activities are for those students, served under IDEA 04, who have “persistent learning problems” that preclude them from taking the NDSA, even with accommodations (a.k.a. the 2% population). The third level of alignment is where the activity is “linked” to the grade- level benchmark, and is intended for those students who have significant cognitive disabilities (a.k.a. the 1% population).

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

Table 3.1. Indicator 3 Summary

	2001-02	2002-03	2003-04	2004-05
A. Percent of Districts Meeting AYP Objective for IEP subgroup				
Reading	63.6%	76.5%	93.5%	92.4%
Math	75.0%	80.4%	84.1%	95.4%
B. Participation Rate of IEP students				
Reading	95.1%	98.6%	98.0%	98.6%
Math	95.2%	98.3%	97.8%	98.5%
C. Proficiency Rate of IEP students				
Reading	26.0%	24.9%	39.7%	48.1%
Math	14.1%	12.5%	21.6%	43.0%

Note 1: The denominator for Indicator A includes only those districts where an IEP proficiency rate could be calculated.

Note 2: For Indicator A, AYP data for 2002, 2003, and 2004 are based on the results of students in grades 4, 8, and 12; 2005 AYP data are based on the results of students in grades 4, 8, and 11.

Note: 3 For Indicators B and C, participation and proficiency data for 2002, 2003, and 2004 are based on the results of students in grades 4, 8, and 12; 2005 data are based on the results of students in grades 3-8 and 11.

Data Summary

- The percentage of districts meeting the AYP objective for the IEP subgroup has greatly increased over time.
 - For reading, this percentage has increased by almost 30 percentage points (from 63.6% to 92.4%).
 - For math, this percentage has increased by 20 percentage points (from 75.0% to 95.4%).
- The participation rate of IEP students has increased from about 95 percent to over 98 percent.
- The proficiency rate of IEP students has dramatically increased over time.
 - For reading, the proficiency rate has increased by over 20 percentage points (from 26.0% to 48.1%).
 - For math, the proficiency rate has increased by almost 30 percentage points (from 14.1% to 43.0%).

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 3.2. Participation Rate Details

Reading	Number	Percent of 7,161	Number in group who received a valid score	Percent of group who received a valid score
a. Total IEP Students	7161	100.0%	7061	98.6%
b. Took regular assessment with no accommodations	1845	25.8%	1775	96.2%
c. Took regular assessment with accommodations	4560	63.7%	4537	99.5%
e. Took alternate assessment against alternate achievement standards	756	10.6%	749	99.1%

Math	Number	Percent of 7,161	Number in group who received a valid score	Percent of group who received a valid score
a. Total IEP Students	7161	100.0%	7054	98.5%
b. Took regular assessment with no accommodations	1989	27.8%	1916	96.3%
c. Took regular assessment with accommodations	4381	61.2%	4357	99.5%
e. Took alternate assessment against alternate achievement standards	791	11.0%	781	98.7%

Data Summary

- The percentage of IEP students who received a valid score is very high – above 98 percent.
- About 1/4 of IEP students took the regular assessment with no accommodations.
- Almost 2/3 of IEP students took the regular assessment with accommodations.
- About 10 percent took the Alternate Assessment that is measured against alternate achievement standards (in 2004-05, an alternate assessment that was measured against grade level standards did not exist).
- IEP students who took the regular assessment without accommodations were slightly less likely to receive a valid score than IEP students who took the test with accommodations or who took the alternate assessment.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 3.3. Proficiency Rate Details

Reading	Number in group who received a valid score	Number in group who received a proficient score	Percent of group who received a proficient score
a. Total IEP students	7061	3397	48.1%
b. Took regular assessment with no accommodations	1775	913	51.4%
c. Took regular assessment with accommodations	4537	2032	44.8%
e. Took alternate assessment against alternate achievement standards	749	452	60.3%

Math	Number in group who received a valid score	Number in group who received a proficient score	Percent of group who received a proficient score
a. Total IEP Students	7054	3032	43.0%
b. Took regular assessment with no accommodations	1916	990	51.7%
c. Took regular assessment with accommodations	4357	1544	35.4%
e. Took alternate assessment against alternate achievement standards	781	498	63.8%

Data Summary

- Over 40 percent of IEP students received a proficient score. In fact, almost half of IEP students received a proficient score in reading.
- IEP students who took the alternate assessment have the highest proficiency rate; IEP students who took the regular assessment with accommodations have the lowest proficiency rate.
 - About 1/2 of IEP students who took the regular assessment with no accommodations received a proficient score.
 - Between 35-45 percent of students who took the regular assessment with accommodations received a proficient score.
 - Almost 2/3 of IEP students who took the Alternate Assessment received a proficient score.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

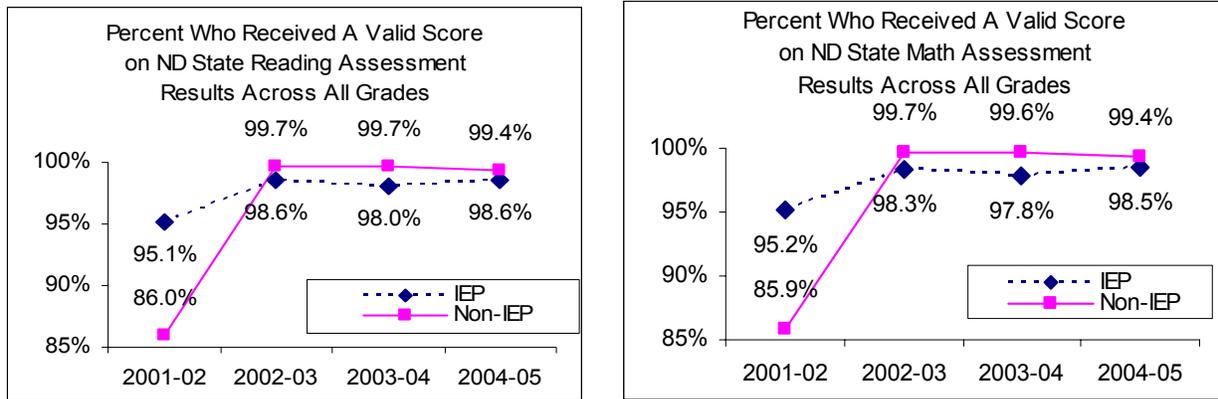


Figure 3.1. Comparison of IEP Students' to Non-IEP Students' Participation Rates

Data Summary

- Since 2002-03, the participation rate of IEP students has been very similar to that for non-IEP students.
- The IEP participation rate is less than one percentage point lower than the non-IEP participation rate.

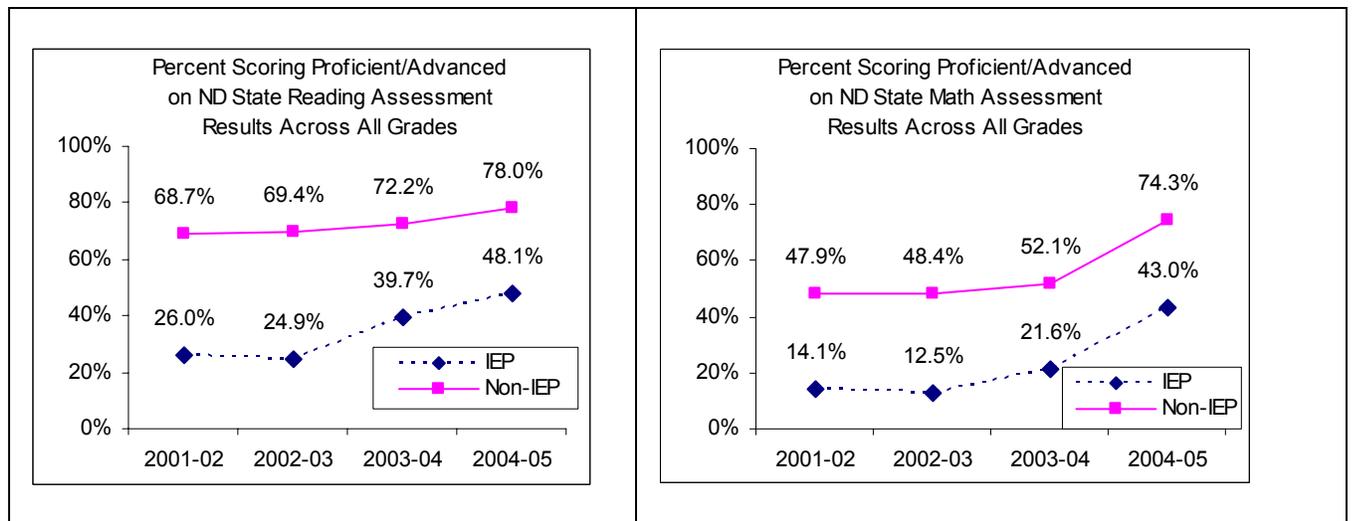


Figure 3.2. Comparison of IEP Students' to Non-IEP Students' Proficiency Rates

Data Summary

- IEP students have a lower proficiency rate than non-IEP students. However, the gap between the two groups is decreasing.
 - In 2001-02, the gap between the two groups for reading was over 42 percentage points. In 2004-05, the gap is 30 percentage points.
 - In 2001-02, the gap between the two groups for math was almost 34 percentage points. In 2004-05, the gap is 31 percentage points.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Discussion of Baseline Data:

Highlights

- The percentage of districts meeting the AYP objective for the IEP subgroup has greatly increased over time. Over 90 percent of districts met the AYP objective for the IEP subgroup in 2005.
- The percentage of IEP students who receive a valid score is very high – above 98 percent.
- Over 40 percent of IEP students received a proficient score. In fact, almost half of IEP students received a proficient score in reading.
- The participation and proficiency rates of IEP students have increased over time – from around 95 percent to over 98 percent.
- The proficiency rate of IEP students has increased by 20 percentage points for reading (to a high of 48.1%) and by 30 percentage points for math (to a high of 43.0%) since 2001-02.
- The participation rate of IEP students is very similar to that for non-IEP students.
- The proficiency rate of IEP students is lower than that of non-IEP students; however the gap between the two groups has decreased from about 40 percentage points to about 30 percentage points since 2001-02.

Table 3.4. Measurable and Rigorous Targets for Indicator 3.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 95.5 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.2 percent. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent. c) The percentage of IEP students that will meet proficiency for reading will be 55 percent. The percentage of IEP students that will meet proficiency for math will be 50 percent.
2006 (2006-2007)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 96.0 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.3 percent. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent. c) The percentage of IEP students that will meet proficiency for reading will be 57.8 percent. The percentage of IEP students that will meet proficiency for math will be 52.5 percent.
2007 (2007-2008)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 96.5 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.5 percent. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent. c) The percentage of IEP students that will meet proficiency for reading will be 60 percent. The percentage of IEP students that will meet proficiency for math will be 55 percent.
2008 (2008-2009)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 97.0 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.6 percent. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent. c) The percentage of IEP students that will meet proficiency for reading will be 62.5 percent. The percentage of IEP students that will meet proficiency for math will be 59 percent.
2009 (2009-2010)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 98.0%. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 98%. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0% and in math will be 95.0%. c) The percentage of IEP students that will meet proficiency for reading will be 72.5%. The percentage of IEP students that will meet proficiency for math will be 72.5%.

Target A – Note: One of the reasons that a high percentage of districts are currently meeting the AYP

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

target is that several districts met the safe harbor provision of Title I.

Target B – Note: More than 95 percent of IEP students have participated in the state assessment in each of the past four years.

Target C - Note: One possible explanation for the large increase in proficiency rates from 2004-2005 is the rescaling of cut scores. NDDPI anticipates that subsequent years will not necessarily yield comparable increases in proficiency. The increase in proficiency rates increases in smaller increments at the beginning, and larger increments at the end.

Table 3.5. Improvement Activities/Timelines/Resources for Indicator 3.

Activities	Timelines	Resources
Provide statewide annual training on NDALT including annual technical quality improvements of the assessment.	Yearly each fall	IDEA-B Consultant MPRRC and NAAC
Survey of teachers regarding training needs for instructional strategies linked to the NDALT.	2006 & 2008	State Dept Part B funds
Statewide training as follow-up to needs identified in response surveys.	2007 & 2009	Part B funds State Personnel Consultants
Develop resources and implement trainings to LEA staff on assistive technology and universal design.	Fall 2007	NDDPI staff
ND teachers will gather to create science portions of the NDALT for the fall 2006.	Summer 2006	NDALT Work Committee Consultant MPRRC ND Teachers State Dept
Scoring and evaluation of the validity, reliability, and quality of the NDALT for necessary revisions and electronic updates each year performed by ongoing NDALT committee.	Yearly	NDALT Work Committee Consultant MPRRC ND Teachers State Dept
Prepare and disseminate resources to LEA staff to increase proficiency in assistive technology and universal design use during school-wide assessments.	Ongoing	NDDPI staff
Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.	Ongoing through 2010 as needed, 4 to 6 days of training per year	PBS State Leadership Team; University of Oregon; MPRRC
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RtI model and process.	2005 – 06, statewide summits; ongoing	Iowa state staff; Part B Disc. Funds; MPRRC
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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; and
- B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

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

Measurement:

- A. Percent = $[(\# \text{ of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year}) \div (\# \text{ of districts in the State})] \times 100$.
- B. Percent = $[(\# \text{ of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity}) \div (\# \text{ of districts in the State})] \times 100$.

Include State's definition of "significant discrepancy."

Significant Discrepancy Definition:

The NDDPI uses the following measurement to determine rates of suspensions and expulsions: Percent of school districts = number of school districts identified by the NDDPI as having significant discrepancies in the rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year times 100 divided by the number of school districts in North Dakota times 100. The NDDPI has defined significant discrepancy as: if (a) the number of special education suspensions/expulsions is greater than one and (b) the number of general education suspensions/expulsions is greater than 0, then, if (a) / (b) is greater than 1, then that school district is identified by the NDDPI as having a significant discrepancy in its rates of suspensions and expulsions of children with disabilities.

Overview of Issue/Description of System or Process:

Previously, the NDDPI collected all suspension and expulsion data through the department's Coordinated School Health Unit. The data were gathered through a process of sending an Excel spreadsheet to each school plant in North Dakota. The Coordinated School Health Unit collected the data and populated a suspension/expulsion Access file with the Excel data. However, the NDDPI now utilizes the Online Reporting System (ORS) to collect Child Count data on December 1 of each year for reporting to the Department of Education. The ORS system is the statewide online system used to collect information on all students in PK – 12 schools. Data are submitted via the internet through individual student data records, with each record holding a unique student identifier number. The unique student identifier ensures collection of data without duplication errors in reporting. The NDDPI Office of Special Education considers these data to be reasonably accurate.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

The baseline for this indicator is the number of special education students suspended or expelled for ten or more days during the 2004-2005 school year. Table 4.1 illustrates the number of students in general and special education suspended or expelled for greater than 10 days over the school years 2005-2006, 2004-2005, 2003-2004, and 2002-2003. The 2005 - 2006 student data indicate a decrease from 33.33 percent of special education students suspended or expelled for ten or more days to 17.27 percent as compared to the 2004-2005 baseline data.

Table 4.1. Students with Suspension/Expulsion >10 total days

2005-2006	2004-2005	2003-2004	2002-2003	Students with Suspension / Expulsion >10 total days
110	69	34	33	Total Students
91	46	28	23	General Education students
19	23	6	10	Students with disabilities
17.27%	33.33%	17.65%	30.30%	Percent of children with disabilities

Figure 4.1 illustrates the suspension rate of children with disabilities as compared to general education students that were at a rate greater than one-to-one ratio as compared to 2004 -2005 data. Two school districts (0.97 %) were identified as having rates of expulsions of special education greater than regular education students in 2004-2005. However, 2005-2006 data indicates that 100 percent of the school districts had equal or less than a one-to-one ratio of children with disabilities who were suspended for ten days or greater as compared to the general education population.

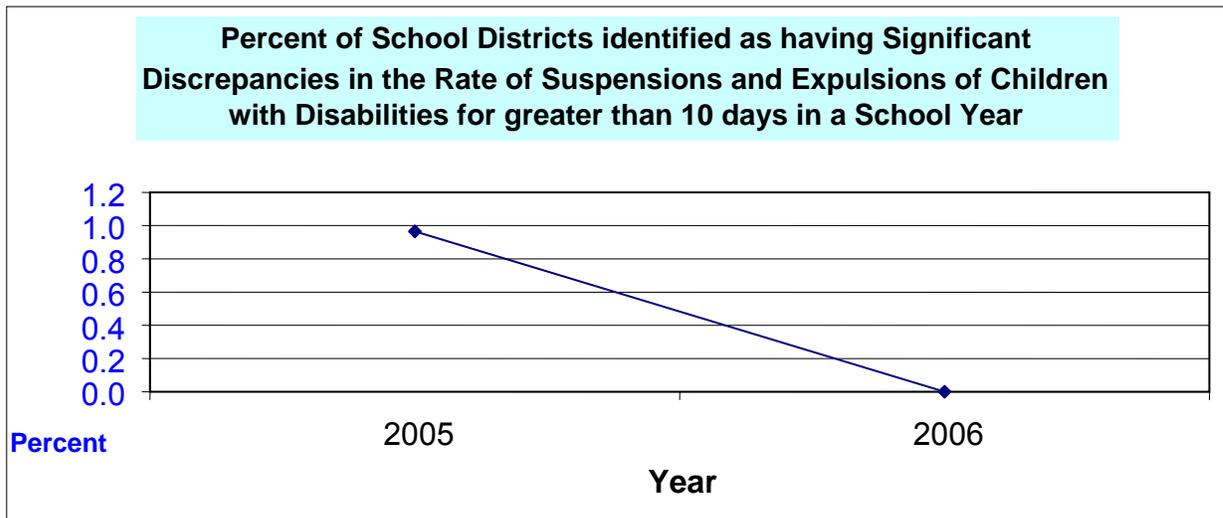


Figure 4.1. Percent of School Districts Identified as Having Significant Discrepancies

Using the same formula, the NDDPI evaluated the number of school districts with a greater than one-to-one ratio of special education students suspended or expelled for ten days or more relative to general education students by race and ethnicity. Table 4.2 illustrates findings by school district. This table is discussed further in the *Discussion of Baseline Data* section.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 4.2. School Districts Identified by Suspension/Expulsion Data Based on Race and Ethnicity.

School District	Race/Ethnicity	Special Education Student	General Education Student
A	White	1	0
B	White	1	0
C	White	1	0

Discussion of Baseline Data:

The data collected in the 2005-2006 school year were the baseline for this indicator. The 2005-2006 data indicate that there were three school districts in North Dakota identified as having more special education students suspended or expelled as compared to general education students by race and ethnicity. Table 4.2 identifies the number of students who were suspended or expelled from local school districts by a ratio greater than one-to-one, special education student to general education student by race and ethnicity. The NDDPI proposes to ignore situations where the comparison population had cell sizes of zero for the general education comparison group and cell sizes of one for the special education population. Each of the three school districts in Table 4.2 had cell sizes of zero. Therefore, the baseline for 2005 - 2006 would be 0.00% school districts identified.

In cases where school districts are found to have a higher ratio than one-to-one of children with disabilities suspended or expelled as compared to general education students, a review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards in identified school districts will be conducted, in collaboration with the special education unit. and if appropriate revision covered policies, procedures, and practices relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

The 2004-2005 data identified two school districts. These two school districts worked collaboratively with their special education units in reviewing policies and procedures. Changes were implemented and trainings were conducted. As indicated by the 2005-2006 data, these two school districts are no longer identified.

Table 4.3. Measurable and Rigorous Targets for Indicator 4b.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.
2006 (2006-2007)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent
2007 (2007-2008)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.
2008 (2008-2009)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

2009 (2009-2010)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.
2010 (2010-2011)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.

Table 4.4. Improvement Activities/Timelines/Resources for Indicator 4b.

Activities	Timelines	Resources
Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating school districts. Data collection and analysis will be used for school improvement planning. This activity is also designed to address issues identified in Indicators 1 and 2.	Ongoing through 2010 as needed, 4 to 6 days of training per year	PBS State Leadership Team; University of Oregon; MPRRC
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include Rtl model and process. This activity is also designed to address issues identified in Indicators 9 and 10.	ongoing	Part B Disc. Funds; MPRRC
Provide training on statewide guidelines for identification and services for students with emotional disturbance as needed. This activity is also designed to address issues identified in Indicators 9 and 10.	Spring 2007	ED Work Group, MPRRC
Co-host Title I Summer Reading and Math institutes.	Ongoing	Part B Disc. Funds
Provide training and implementation of the Special Education Integrated Monitoring System for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide in 2007 - 08	Part B admin. funds;
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 9 and 10.	Ongoing	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University; University of Mary
Review school district policies and procedures for suspensions and expulsions of all schools identified as having suspension and expulsions rates greater than those identified in the state's target matrix. Provide technical assistance where necessary in revising LEA policies and procedures.	Ongoing	SEA Staff
Statewide dissemination of instructional materials regarding prevention of school bullying. This activity is also designed to address issues identified in Indicators 1 and 2.	Spring 2006	Pacer Center, Minneapolis, MN

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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.

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

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 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.

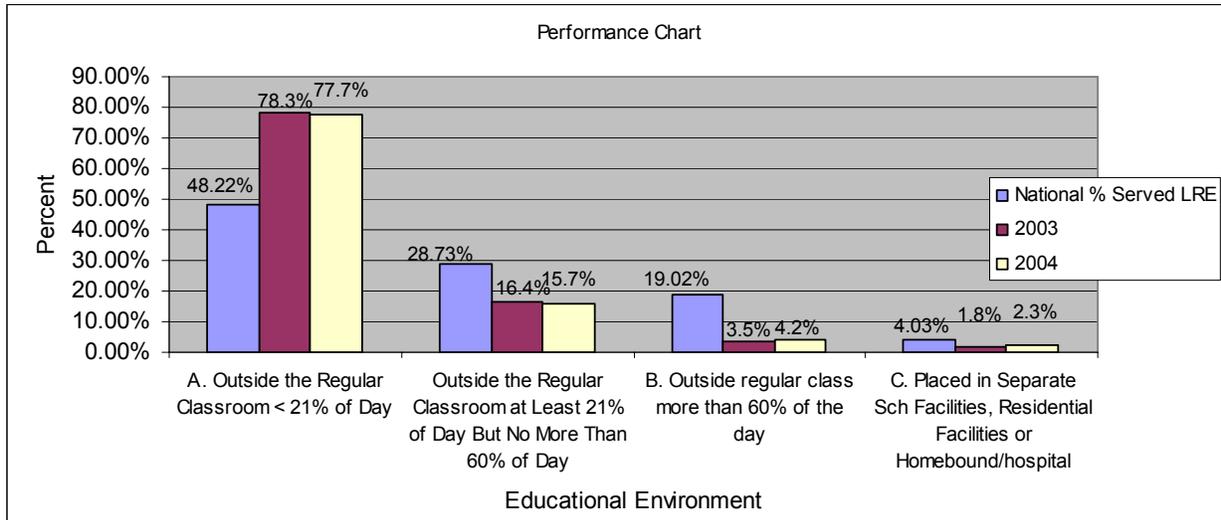
Overview of Issue/Description of System or Process:

Starting with the 2004-2005 school year, the NDDPI utilized an Online Reporting System (ORS) to collect student data for reporting Section 618 Table I, Child Count, Table 3, Educational Environment, and Table 4, Exiting to OSEP annually. Table II, Personnel, will be added for collection during the 2006-2007 school year with Table VIII, Report on Provision of Early Intervening Services added during 2007-2008. The latter two tables were scheduled to be added during 2005-2006. However, a complete rewrite of the online system is currently in process utilizing a computer language, DotNet, that will allow for easier manipulation of the online data collection system in the future. The ORS system is the statewide online system used to collect statistical information about all students in PK-12 schools. Data are submitted via the internet through individual student data records, with each record holding a unique student identifier number. This unique student identifier ensures collection of data without duplication errors in reporting. Additionally, the data system is designed to be a one time collection point with numerous built in validation features which increase the overall accuracy of the data collected. In each school district, typically the superintendent identifies appropriate users allowing various levels of access to the system, including read, write, and submit privileges. Access to the system is available through both Netscape and Internet Explorer. Once logged on with a user name and password, the user has access to only those reports allowed by the district administrator. To maintain strict confidentiality, district personnel do not have access to user names and passwords for the Special Education Membership Report. The Special Education Membership Report, containing data reported to OSEP, is completed by Special Education Unit Personnel. Twice annually, the data collected are migrated to a data warehouse allowing for increased analyses of trend data at the plant, district, special education unit, and state levels.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

Table 5.1. Baseline Data for Indicator 5, 2004 - 2005



OSEP Data Tables: Table AB2 2002-03

Discussion of Baseline Data:

As was the case during the 2002-03 and 2003-04 APR reporting periods, the percentage of ND students with disabilities who are placed outside the regular class less than 21 percent of the day far exceeds the national baseline. A longstanding commitment to inclusive educational practices by parents, local administrators, and the NDDPI has resulted in a high ranking for our state in the area of general education placements for services and educational supports for students with disabilities. Although data indicate a slight drop in placements outside the regular classroom less than 21 percent of the day, the NDDPI staff believe this can be accounted for by a related increase in the percentage of children who were placed in separate school facilities, residential facilities or who are homebound or in hospital care. These numbers are also slight but may reflect the natural annual variation on the least Restrictive Environment (LRE) continuum due to such factors as chronic medical conditions that may require more restrictive placements. The NDDPI will monitor these data over the next reporting period. Another possible variable is the increase of students placed for purposes other than education in more restrictive settings for reasons unrelated to educational issues. These placements are facilitated by other state agencies rather than schools.

Table 5. 2. Measurable and Rigorous Targets for Indicator 5.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	a) 78 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 4 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2006 (2006-2007)	a) 78.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.9 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2007 (2007-2008)	a) 79 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.8 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

2008 (2008-2009)	a) 79.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.7 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2009 (2009-2010)	a) 80 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.6 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2010 (2010-2011)	a) 80.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.5 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.

Table 5. 3. Improvement Activities/Timelines/Resources for Indicator 5.

Activities	Timelines	Resources
Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.	Ongoing through 2010 as needed, 4 to 6 days of training per year	PBS State Leadership Team; University of Oregon; MPRRC
Develop resources and implement trainings to LEA staff on assistive technology and universal design.	Fall 2007	NDDPI staff
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include Rtl model and process.	2005 – 06, statewide summits; ongoing	Iowa state staff; Part B Disc. Funds; MPRRC
Develop, provide training, and implement statewide guidelines for identification and services for students with emotional disturbance.	Spring 2006	E.D. Work Group; MPRRC
Co-host NDDPI Title I Summer Reading and Math institutes.	Ongoing	Part B Disc. Funds
Provide training and implementation of The Special Education Integrated Monitoring System for data analysis and improvement planning.	Implement statewide in 2007 -08	Part B admin. funds;
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models in preservice teacher preparation programs.	Ongoing	Stipends; scholar-ships; tuition reimbursements; UND; Minot State University; University of Mary
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

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

Measurement:

Percent = # of preschool children with IEPs who received all special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100.

Overview of Issue/Description of System or Process:

Starting with the 2004-2005 school year, NDDPI utilized an Online Reporting System (ORS) to collect student data for reporting Section 618 Table I, Child Count, Table 3, Educational Environment. The ORS system is the statewide online system used to collect statistical information about all students in PK-12 schools. Data is submitted via the internet through individual student data records, with each record holding a unique student identifier number. The unique student identifier ensures collection of data without duplication errors in reporting. Additionally, the data system is designed to be a one time collection point with numerous built-in validation features which increase the overall accuracy of the data collected. Each school district, typically the superintendent, identifies appropriate users allowing various levels of access to the system, including read, write, and submit privileges. Access to the system is available through, both, Netscape and Internet Explorer.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

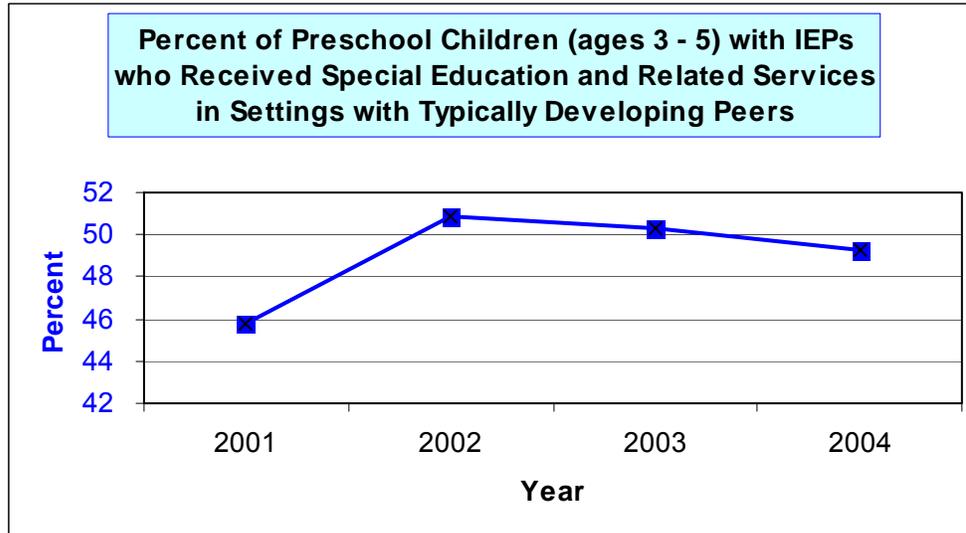


Figure 6.1. Baseline Data for Indicator 6, 2004 - 2005.

Discussion of Baseline Data:

Baseline data reflect preschool children with IEPs in three settings with typically developing peers. The three settings are:

- Early childhood;
- Home; and
- Part-time early childhood/part-time special education

When each of these three subgroups for North Dakota is compared to all 50 states, Washington, D.C., and Puerto Rico, the data indicates that North Dakota is very near or above the national percentage with the majority of services provided in early childhood settings.

Table 6. 1. OSEP Table AB 1 (2002)

	North Dakota	United States
Early Childhood Setting	41.32	35.39
Home	2.08	3.06
Part-time Early Childhood/Part-time Special Education Setting	7.46	15.08

Table 6.2. OSEP Table AB 1 (2003)

	North Dakota	United States
Early Childhood Setting	42.9	33.93
Home	1.4	2.93
Part-time Early Childhood/Part-time Special Education Setting	6.0	16.37

National data for 2004 is not yet available.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Although ND has a smaller percentage of children when compared to national data in the Part-time Early Childhood/Part-time Special Education Setting category this may not be a cause for concern. Overall more ND preschool children with disabilities are served with typically developing peers in early childhood settings. Because we are a rural and sparsely populated state the continuum of LRE placement options for young children are more commonly limited to early childhood settings such as day care and Headstart.

Table 6.3. Measurable and Rigorous Targets for Indicator 6.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	51 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2006 (2006-2007)	51.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2007 (2007-2008)	52 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2008 (2008-2009)	52.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2009 (2009-2010)	53 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2010 (2010-2011)	53.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 6.4. Improvement Activities/Timelines/Resources for Indicator 6.

Activities	Timelines	Resources
Develop, provide training, and implement statewide guidelines for identification and services for students with emotional disturbance including preschool children.	Spring 2006	ED Work Group; MPRRC
Provide training and implementation of Continuous Improvement Focused Monitoring System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs.	Expand pilot sites in 2007; implement statewide in fall 2007-08	GSEG funding; Part B admin. funds;
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state.	Ongoing	Stipends; scholarships; tuition reimbursements
Completion of and training on the ND Early Childhood Transition Guidelines.	December – May 2005/06	NDDPI and ND NDDHS, NECTAC and MPRRC
Completion of and training on the ND Early Learning Guidelines will promote better understanding of appropriate least restrictive environment placement options for preschool children with disabilities.	Spring 2005-06	NDDPI, ND NDDHS (Part C) NECTAC and MPRRC
Provide guidance and training related to the revised Federal preschool LRE settings.	Winter, 2007	NDDPI

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

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

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

Measurement:

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

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

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

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

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

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

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

C. Use of appropriate behaviors to meet their needs:

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

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

Overview of Issue/Description of System or Process

Updates to the ND Early Childhood Outcomes Process

NDDPI completed the initial piloting of the ND Early Childhood Outcomes (ND ECO) Process June 30, 2007. The results from the one-year pilot brought improved procedures, forms, and process. Piloting the ND ECO Process has allowed ND to develop forms and procedures that will assure success when it is implemented statewide on **July 1, 2008**.

The ND ECO Process can be completed in conjunction with three other processes: the ND Early Childhood Transition Process, the ND Evaluation Process, and the ND Individualized Education Program (IEP) Planning Process. Additional guidance for these processes can be found at:

<http://www.dpi.state.nd.us/speced/index.shtm>

ND Early Childhood Outcomes Process

The following provides a brief description of the updated ND ECO Process. The child's team would follow these steps:

1. When a child enters into early childhood special education services, discuss the ND ECO Process with parents and professionals. The North Dakota Early Childhood Outcomes Project Brochure provides general information that will assist in this discussion. Entry into Part B early childhood special education services could be when a child: 1) is newly identified as eligible for Part B; 2) transitions from Part C to Part B; 3) enters a ND ECSE program from another state; or 4) reenters a program after an exit rating was completed.
2. As part of the process to gather information needed to determine the child's outcome ratings, determine and administer the most appropriate Anchor Tool. The process that this step will be

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

incorporated into will depend on the child, e.g., if the child is transitioning from Part C services, determination of the Anchor Tool may be part of the early childhood transition process; for children newly identified as eligible for Part B services, this step in the process may be part of the ND Evaluation Process. If an Anchor Tool has been administered recently to the child, the results of this assessment may be used to complete the ND Child Outcomes Summary Form (ND COSF).

3. As part of the IEP process, the team should discuss the three child outcomes areas and the ND COSF rating score that most closely matches to the child's performance using the Anchor Tool scores and other valuable information from IEP Team Members.
4. Complete the ND COSF by selecting the appropriate ratings that characterize the child's skills and behaviors in each outcome area and provide evidence to support these ratings. Entry ratings can be determined up to 60 days upon entrance to early childhood special education services.
5. Submit a copy of the completed ND COSF to the person in the district or special education unit who is designated to compile and report the data to the state.
6. The ND ECO Process must also be completed when a child exits early childhood special education services if they have been receiving services for at least 6 months. Following the ND ECO Process, exit and progress ratings should be determined during the time period right before the child leaves early childhood special education services or by the time the child turns 6 years of age.

ND Early Childhood Outcomes Process Guide

The ND ECO Process Guide was developed to provide an understanding of the components of the ND ECO Process for professionals responsible for the implementation of the ND ECO Process within each local school district. The Guide includes the history of the development of the early childhood outcomes process at the federal and state level and a description of several components of the ND ECO Process. The ND ECO Process Guide is located at:

http://www.dpi.state.nd.us/speced/early/outcomes_process_guide.pdf

ND Early Childhood Outcomes Process Statewide Training and Technical Assistance

A visual depiction of training and technical assistance activities relating to the implementation of the ND ECO Process is located in the Improvement Activities/Timelines/Resources table (Table 7.4)

Measurement Strategies

Preschool children to be included in the ND ECO Process are children ages three through five years of age who receive early childhood special education services for at least six months. If a child enters preschool services and will not be receiving preschool services for longer than 6 month then the district will not complete entry or exit scores for the child.

Entry data must be collected when a child enters Part B early childhood special education services. Entry into Part B early childhood special education services could be when a child: 1) is newly identified as eligible for Part B; 2) transitions from Part C to Part B; 3) enters a ND ECSE program from another state; or 4) reenters a program after an exit rating was completed. Entry data can be determined up to 60 days upon entrance to early childhood special education services.

The ND ECO Process must also be completed when a child exits preschool services and they have attended at least 6 months. Exit data should be gathered during the time period right before the child leaves the early childhood special education services or by the time the child turns 6 years of age.

Assessment Measures – Anchor Tools

A key step within the ND ECO Process is the administration of a state approved Anchor Tool. Anchor Tools are assessment measures that have been determined to be appropriate for measuring the progress of young children, ages 3 through 5, with disabilities. Administration of the Anchor Tool must be completed by qualified individuals as specified by each assessment measure. Information gathered from the Anchor Tool along with other valuable information from IEP team members provides the information needed to determine the extent to which the child displays behaviors and skills expected for his or her age related to each outcome area.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The initial criteria that were used in the review were selected by the ND ECO Committee through strategic planning. Criteria that were considered essential to assure integrity of the process were included in the review criteria. The criteria consisted of:

1. How well does the instrument address each of the three outcome areas including a) Positive social/emotional skills including social relationships, b) Acquiring and using knowledge and skills, and c) Use of appropriate behavior to meet needs?
2. Are the items, activities and materials culturally appropriate for the different populations served?
3. Is the instrument appropriate for children with disabilities?
4. Who is intended to administer the instrument? Do we have the qualified personnel or the capacity to train personnel?
5. Are there clear guides/instructions for how to adapt with diverse populations?
6. Do we have information on reliability and validity?
7. To what extent is the instrument being used in the state?

The current list of piloted Anchor Tools include:

1. Brigance Diagnostic Inventory
2. Assessment, Evaluation, and Programming Systems for Infants and Children – AEPS
3. Y-CAT/Vineland Adaptive Behavior Scales
4. Hawaii Early Learning Profile – HELP
5. Portage Guide Birth to Six: Preschooler Child Development Tool for Observation and Planning
6. Battelle Developmental Inventory
7. Developmental Assessment of Young Children (DAY-C)
8. The Carolina Curriculum for Preschoolers with Special Needs
9. Psychoeducational Profile – Three

Piloted screening tools for children with articulation and/or phonological impairments to be completed with a comprehensive communication assessment include:

1. Battelle Screening Tool
2. Development Activities Screening Inventory – DASII
3. Brigance Screening Tool
4. Developmental Profile II

Preschool Child Observation Record (COR) and Creative Curriculum for Preschool can be used for preschoolers enrolled in Head Start.

Method to Summarize the Data

As part of the ND ECO Process, NDDPI has adapted a version of the Early Childhood Outcomes Center Child Outcomes Summary Form (COSF) to collect data on this indicator. The criteria for determining “comparable to same aged peers” has been defined as a child whose functioning has been rated as a 6 or 7 on the COSF.

To complete the ND COSF, the child’s team discusses the three child outcomes areas and the COSF rating score that most closely matches to the child’s performance using the Anchor Tool scores and other valuable information from IEP team members. The team then completes the ND Child Outcomes Summary Form by selecting the appropriate ratings that characterize the child’s skills and behaviors in each outcome area and provide evidence to support these ratings. The child’s IEP case manager then submits a copy of the completed ND Child Outcomes Summary Form to the person in their district or special education unit designated to compile and report the data to the state.

Since the implementation of the pilot ND ECO Process, May 2006, the special education units participating in the pilot project have submitted unit data using the Early Childhood Outcomes Center spreadsheet found at: http://www.fpg.unc.edu/~eco/pdfs/COSF_to_OSEP_Calculator_Analytic.xls. The special education unit designee submits a compilation of this information to the NDDPI for each July 1 through June 30 time period. The NDDPI uses the *COSF to OSEP Calculator* found at the ECO Center website listed above to determine the required OSEP reporting categories.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

During the 2007-08 school year, NDDPI is piloting a Statewide Web-based Special Education Case Management System. The statewide system will be implemented in all schools by the start of the 2008-09 school year. Embedded within this system is the ND Child Outcomes Summary Form. Data gathered from the web-based form will be used to determine the required OSEP reporting categories.

Progress Data for FFY2006-07

These are not baseline data, as targets are not due until February 2010.

Table 7.1 shows the progress data for children who had both entry and exit data and had participated in the early childhood special education services for at least 6 months during the FFY 2006-07 data collection time period. Progress data was available for two students from one of the ND ECO Pilot Project special education units. As indicated on Table 7.1, 100% of these exiting children improved their functioning to a level comparable to same-age peers in a given outcome area.

Table 7.1 Percent of Children in Each Reporting Category

Reporting Category	Positive Social Skills		Acquisition and Use of Knowledge & Skills		Use of Behaviors to Meet Needs	
	Number	Percentage	Number	Percentage	Number	Percentage
a: Children who did not improve functioning	0		0		0	
b: Children who improved functioning but not sufficient to move nearer to functioning comparable to same age peers	0		0		0	
c: Children who improved functioning to a level nearer to same-aged peers but did not reach it	0		0		0	
d: Children who improved functioning to reach a level comparable to same-aged peers	2	100%	2	100%	2	100%
e: Children who maintained functioning at a level comparable to same-aged peers	0		0		0	
Total	2	100%	2	100%	2	100%

Discussion Progress Data

Although the progress data reported in this year’s report are minimal, Special Education Units across ND are collecting entry data and will collect and report exit data as children leave the program. The NDDPI determined the skill level of children entering Part B services as part of the Pilot Project for 2006-07. The NDECO Pilot Project began May 15, 2006 and went through June 30, 2007. The following special education units participated in the NDECO Pilot Project: Peace Garden Special Education Unit, Bismarck Special Education Unit, Emmons County Special Education Unit, and Lake Region Special Education Unit. These Units provide a representative sample of the population in ND including rural, urban and different ethnic backgrounds.

Table 7.2 and 7.3 summarize the entry data that were collected between July 2006 and June 2007. Data were collected on 84 students. This table displays the percentage of children whose functioning was described as “comparable to same-aged peers.” This corresponds to a rating of 6 or 7 on the COSF.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 7.2 Number of Children Evaluated and Percent of Children Scoring Below and at Age Level at Entry to the CDC Based on COSFs Collected July 2006 – June 2007

Outcomes Area	Number of Children	Percent Below Age-Level	Percent At Age-Level
Positive Socio-Emotional Skills	84	77% (n=58)	31% (n=26)
Acquiring and Using Knowledge and Skills	84	77% (n=60)	29 (n=24)
Taking Appropriate Action to Meet Needs	84	67% (n=54)	36% (n=30)

Table 7.3 Number of Children Evaluated and Percent of Children Scoring at Each of the COSF Rating Points at Entry to the CDC Based on COSFs Collected July 2006 – June 2007

Outcomes Area	# Children	Percentage Who Received an Overall Rating of:						
		1	2	3	4	5	6	7
Positive Social-Emotional Skills	84	02%	6%	10%	14%	39%	18%	13%
Acquiring and Using Knowledge and Skills	84	1%	8%	7%	27%	27%	18%	11%
Taking Appropriate Action to Meet Needs	84	1%	5%	2%	30%	26%	20%	15%

Rating Scale: 1=no immediate foundational skills; 2-3 = immediate foundational skills but no age-appropriate skills; 4-5 = mixture of age-appropriate and non-age-appropriate skills; 6-7 = age-appropriate skills.

State Phase in Process to Establish Baseline Data

Progress data reported in 2010 will be considered baseline data. A description of the units which are participating in the current pilot project and timelines for the state phase-in process are provided below to assure that NDDPI can provide baseline data and set targets in the 2010 APR.

Phase 1: July 2006-June 2007

Peace Garden – also includes Northern Plains and Turtle Mountain
 Lake Region Special Education Unit Emmons Co. Special Ed Unit Bismarck Special Ed Unit

These units include 20% of the State's child count population.

Phase 2: July 2007- June 2008

Above units plus

Dickinson Special Education Unit Souris Valley Special Education Unit
 Morton/Sioux Special Education Unit

These units include 44% of the State's child count population.

Phase 3: July 2008-June 2009 and future years

Above units plus remaining special education units in the state

Buffalo Valley Special Ed Unit	Burleigh Co Special Ed Unit
Dickey-LaMoure Special Ed Unit	East Central Special Ed Unit
Fargo Special Ed Unit	Fort Yates Special Ed Unit
Ft Totten Special Ed Unit	Grand Forks Special Ed Unit
Lonetree Special Ed Unit	Oliver-Mercer Special Ed Unit
Pembina Special Ed Unit	Rural Cass Special Ed Unit
School for the Deaf	South Central Prairie Sp Ed Unit
South Valley Special Ed Unit	SW Special Ed Unit
Upper Valley Special Ed Unit	Wahpeton Special Ed Unit
West Fargo Special Ed Unit	West River Special Services
Wilmac Special Ed Unit	Sheyenne Valley Special Ed Unit

These units include 100% of the State's child count population.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 7. 4 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Activity Status
Pilot Project Sites collect Entry Data	May 2006 - December 2006	NDDPI and NDECO Pilot Project Sites	Completed and ongoing
Pilot Project Sites meet with the NDDPI to review Pilot Project Process and determine training needs	Fall 2006 and Winter 2007	NDDPI , NDECO Pilot Project Sites, and NECTAC	Ongoing
Participate in a national group for the development of training materials	Winter 2006	NDDPI and ECO	Ongoing
Establish and implement NDECO pilot process for Articulation only students	Fall 2006 to June 30, 2008-	NDDPI, Pilot Project members and SLPs	Pilot of process continues to be completed June 30, 2008
The NDDPI recruit additional sites for Phase I of the statewide NDECO Project	During Winter 2007	NDDPI	Completed - On July 1, 2007, three additional special education units joined the ND ECO Pilot Project as the "Phase I" sites.
ND Pilot Sites collect entry and exit data	Starting January 2007	NDDPI and NDECO Pilot Project sites	Ongoing
Training of sites for Phase one of the statewide NDECO Project	May 2007	NDDPI , NDECO Pilot Project Sites, and NECTAC	Completed
Phase I sites begin collecting entry data –	July – Dec. 2007	NDDPI and Phase I sites	Ongoing
Pilot Sites and Phase I sites collect entry and exit data	Jan- June 2008	NDDPI, Pilot Project Sites, Phase I sites	Ongoing
Establish and complete statewide training Update: <ul style="list-style-type: none"> • Develop ND ECO Process Guide • Provide training on Guide via Interactive Video Network statewide and on NDDPI Website • COSF training in three sites by NECTAC and 1-800 training over three sessions • Statewide conference in for ECSE professionals 	Jan-June 2008 Nov. 20007 Jan. Feb. March 2008 Feb. 2008 March 2008 May 2008	NDDPI, Pilot Project Sites, Phase I sites Special Education professionals; ECSE Professionals; and SLP working with early childhood special education	Completed
Implement ND ECO statewide	July 1, 2008	NDPI and all sites	

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: FAPE in the LRE

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

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

Measurement:

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

Overview of Issue/Description of System or Process:

The NDDPI began work on a web-based Parent Survey during the summer of 2003. To develop sample questions, the NDDPI reviewed surveys developed by Dr. Victoria Bernhardt, Executive Director of the Education for the Future Initiative and by the National Center on Special Education Accountability and Monitoring (NCSEAM). Concurrent with the exploration of identifying a range of survey questions, a group of technical personnel from the Management Information System unit at NDDPI assisted in developing the Parent Survey as an online web-based process. The goal was to achieve seamless data input at the local school plant level to the generation of automatic reports based on survey data collection. Data would then be automatically disaggregated from the state to the unit and plant levels.

A variety of individuals and groups participated in the development and assessment of this tool. Those that participated included the following:

- North Dakota's IDEA Advisory Committee encouraged the development of the parent survey and reviewed both the process and individual questions throughout the development stage. The IDEA Advisory Committee established a subcommittee of parents who continuously participated with the development of the parent survey. This subcommittee identified their perceived meaning of each question, studied the relationship of each question to other questions, and was particularly interested in making sure that the survey would be relevant to the needs of parents and local school plants.
- The Buffalo Valley Special Education Unit developed a stakeholder group that included parents, teachers, and administrators. Members of this group were involved with question evaluation, as well as with beta testing of the online web-based survey.
- The NDDPI Regional Coordinators, the Assistant Director, and the Director of Special Education participated in a question analysis process to determine which of the parent survey's 27 questions were directly related to Indicator 8. Results of this analysis determined that questions number five, ten, fifteen, twenty-one, and twenty-seven were specific to this indicator.
- The North Dakota Director of Special Education shared and requested assistance from parent stakeholders participating in two state-wide conferences. At two state-wide conferences, Family Connections and the Pathfinder (Parent Training Information Center), participants had an opportunity to review each question and provide input, if desired.

The Parent Survey was first deployed on-line on January 4, 2006 and remained available to parents through June 31, 2006. Five specific questions were designed to address Indicator 8 (See Table 8.1). The Likert Scale designed for the purpose of this survey used a five points scale, 1 indicates that participants

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Strongly Disagrees with the statement to 5 which indicated the participant Strongly Agrees with the statement. Therefore, an 80 percent average or above indicates positive responses from parent participants.

Baseline Data for FFY2005-2006

Table 8.1. Parent Survey Questions Relevant to Indicator 8.

Question	Responses	Mean	Percent
I am asked to participate in the development of my child's individualized education program (IEP).	1,036	4.68	98%
I am encouraged to share my knowledge and experience of my child with school personnel.	1,036	4.35	86%
We discussed whether my child could be educated satisfactorily in the regular classroom with appropriate accommodations and modifications.	1,036	4.50	93%
The IEP team encourages me to participate in the IEP decision-making process.	1,036	4.56	94%
I participated in the development of my child's transition IEP plan.	244	4.49	93%

Note: The Likert Scale indicates 1 = Strongly Disagree to 5 = Strongly Agree.

Discussion of Baseline Data:

Baseline for the school year 2005 - 2006 is 92.8%. The standard that was adopted for purpose of developing measurable and rigorous targets was the percent of parents per plant, district, and unit that respond "Agree" or "Strongly Agree" for the five questions specific to this indicator during the 2005-2006 survey year. However, this was based on a small number of parent participation in the online parent survey. Therefore, the targets set are slightly below the current baseline as it is possible that the average will decrease slightly as more parents become aware of and participate in the parent survey. Improvement activities were developed to address increasing parent participation.

The parent survey (Appendix A) for students aged six to twenty-one was revised to accommodate an additional survey for students ages three through five (Appendix A). Two duplicative questions were eliminated in the original survey. The preschool survey mirrors content of the school age survey and each contain the same five questions that are specific to the SPP. The surveys are available throughout the year for parents to complete. However, to increase participation the NDDPI is encouraging local special education units to make the surveys available at each annual IEP meeting. Parents will also be able to access the survey at other locations, including city libraries, work places, and the home.

Report generation will be automatic and aggregated from the plant to the district, unit, and state level. Each Special Education Unit director will have direct web-based access to all reports specific to their plant, district, and unit levels. Additionally, the unit directors will be able to review and compare survey outcomes between and among the various special education units, as well as state level results.

At the close of each survey period, the NDDPI will review results to establish the effectiveness of parent participation in utilizing the survey, as well as reviewing the data for accuracy and meaning prior to dissemination the reports state-wide.

To further promote parent participation, the NDDPI has developed a summary document of the SPP. Each indicator is described as well as details parent information, such as this parent survey and the Follow-up survey described in Indicator 14. NDDPI web addresses for the parent survey is included in the document (Appendix B).

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 8.2. Measurable and Rigorous Targets for Indicator 8.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	86 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2007 (2007-2008)	88 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2008 (2008-2009)	90 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2009 (2009-2010)	92 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2010 (2010-2011)	94 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 8.3. Improvement Activities/Timelines/Resources for Indicator 8.

Activities	Timelines	Resources
Consultation with Mountain Plains Regional Resource Center.	2007	NDDPI Mountain Plains Regional Resource Center.
Technical Assistance and training to promote parent involvement.	Ongoing	ND Parent Training and Information Center (Pathfinders) Pacer Center, Minneapolis, MN
Distribute parent summary of the SPP with parent survey described and web address included.	Ongoing	NDDPI staff Pathfinders Statewide parent organizations
Support and collaborate with statewide family organizations to increase knowledge and promote parent involvement.	Ongoing	Family Connections Family to Family Network
Prepare and disseminate updated resources and provide trainings to parents regarding alternative dispute resolution processes, including IEP facilitation.	Ongoing	State Parent Involvement Coordinator State Dispute Resolution Coordinator Pathfinders Pacer Center, Minneapolis
Collaborate with ND Pathfinders to update existing documents and develop new materials related to parent involvement.	Ongoing	Pathfinders Pacer Center, Minneapolis, MN

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

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.

Overview of Issue/Description of System or Process:

North Dakota includes many small schools in rural school districts. A demographic characteristic of our state is that it is not as racially or ethnically diverse as other parts of the nation. North Dakota's official source of population statistics, the ND State Data Center, created the *ND Profile of General Demographic Characteristics* based on the most recent census count in 2000. Table 9.1 displays the current profile of our state includes the following data by race.

Table 9.1. Profile of North Dakota Population

White	92.40%
Black or African American	0.60%
American Indian	4.90%
Asian	0.60%
Hispanic or Latin American	1.20%

North Dakota's largest racial minority is American Indian (4.9%). North Dakota has four federally recognized American Indian Tribes and one Indian community:

- Spirit Lake Nation
- Standing Rock Nation
- Mandan, Arikara, and Hidatsa Nation
- Turtle Mountain Band of Chippewa Nation
- Trenton Indian Service Area

The students enrolled in the public schools on these four reservations and the Trenton Service Area are almost exclusively American Indian. Therefore, the percentage of students receiving special education and related services in these predominantly American Indian schools is also almost exclusively American Indian. The NDDPI collects special education child count data in these schools. A higher identification rate for special education has been reported in some of these schools compared to statewide rates of identification for all students. However, the identification rates reported in these reservation schools are not in contrast to non-American Indian students; they are in contrast to other American Indian students in

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

these same reservation schools.

A topic that the NDDPI wishes to explore further is the rate of identification of students for special education and related services in North Dakota's public schools on American Indian reservations in contrast to the rate of identification for students in those North Dakota schools administered by the Bureau of Indian Affairs and Tribal Councils. The NDDPI has proposed and is working toward collaboration with the Bureau of Indian Education in analyzing these data and in devising improvement strategies that will promote consistent use of evidenced-based evaluation practices and strategies that will increase educational placements in less restrictive settings.

In consideration of these very small populations of Black or African American, American Indian or Alaska Native, Asian, and Hispanic or Latino citizens in our state, various methods to define disproportionate representation were considered. For purposes of communicating with the public, the NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems' (NCCREST) synopsis of provisions of IDEA 04 (October, 2005):

Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.

Baseline Data for FFY 2005 (2005-2006):

Table 9.2 Revised Three Tier Design for Disproportionate Rates of Identification Thresholds

Year	Tier 1	Tier 2	Tier 3
2004-2005	3.50	3.25	3.00
2005-2006	3.25	3.00	2.75
2006-2007	3.00	2.75	2.50
2007-2008	3.00	2.75	2.50
2008-2009	3.00	2.75	2.50
2009-2010	3.00	2.75	2.50
2010-2011	3.00	2.75	2.50

As displayed in Table 9.2, NDDPI planned to implement a decreasing cut-off point each year, increasing the stringency of this indicator and Indicator 10. However, after lengthy review of these indicators and the technical assistance from North Dakota's regional resource center, it was decided that this constantly changing cut-off point created a situation of "aiming at a moving target." The NDDPI has chosen to maintain a consistent cut-off point of 3.0 for disproportionate representation. With a constant cut-off point, annual district results can be compared and improvements toward these indicators can be reported accurately. Therefore, tables projecting future disproportionality based on the previous formula have been removed from this SPP as these projections are no longer accurate.

Discussion of Baseline Data:

The 2005 - 2006 data indicate that 6 school districts (3.02%) were identified in the Tier 1 category. Therefore, 3.02% of school districts were notified as potentially having disproportional identification. North Dakota has many small and rural school districts. In order to ensure the confidentiality of students from particular ethnic or linguistic groups in the public schools of our state, the NDDPI adopted a weighted risk ratio developed for OSEP by WESTAT, a federally supported research corporation consulting in statistical design, data collection and management, and research analysis work. Once statistical analysis is complete and school districts are identified, the raw data for each school district are reviewed for anomalies. Also, the NDDPI chooses to ignore situations with ten or less students in a subcategory of special education. Each school district is considered on an individual basis.

Data collected by the NDDPI are shared with schools regarding their school districts' academic achievement as well as to determine if significant disproportionality in identification, eligibility category, or

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

placement is occurring. The NDDPI staff will extend this data dissemination process statewide through the posting of the State Performance Report Card on the NDDPI Special Education website. By communicating with local schools, school districts, and special education administrative units about the ND SPP indicators, the NDDPI will create broad awareness regarding the weighted risk ratio as determination of disproportional identification.

The student identification practices of each of the 6 school districts identified in the 2005 - 2006 data as potentially having disproportionate representation of all disability categories and racial and ethnic groups in special education and related services have been reviewed by NDDPI staff. Letters will be sent to special education unit directors and school districts superintendents detailing the required policy and procedure reviews relative to appropriate identification. The NDDPI will monitor the actions taken by school districts and offer technical assistance where necessary.

Table 9.3 Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2007 (2007-2008)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2008 (2008-2009)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2009 (2009-2010)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2010 (2010-2011)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.

Improvement Activities/Timelines/Resources:

The NDDPI identifies school districts that have potentially disproportional identification of students receiving special education and related services, those school districts will be required to review their policies, procedures, and practices of identification. The NDDPI staff offers the technical assistance necessary and monitors corrective actions necessary to ensure completion. Furthermore, school districts that meet the requirement of this indicator but are within an area of concern based on Tier 2 and Tier 3 information will also be notified as a precaution.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 9.4 Improvement Activities/Timelines/Resources for Indicator 9.

Activities	Timelines	Resources
Obtain and disseminate materials on disproportionate representation from the NCCRESt and disseminate to the field. This activity is also designed to address issues identified in Indicator 10.	Ongoing	NDDPI staff NCCRESt
Provide information and technical assistance to school districts that demonstrate a significant discrepancy. This activity is also designed to address issues identified in Indicator 10.	Ongoing	NDDPI staff
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include Rtl model and process. This activity is also designed to address issues identified in Indicators 4 and 10.	ongoing	Part B Disc. Funds; MPRRC
Provide training on statewide guidelines for identification and services for students with emotional disturbance as needed. This activity is also designed to address issues identified in Indicators 4 and 10.	Spring 2007	ED Work Group, MPRRC
Provide training and implementation of the Special Education Integrated Monitoring System for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide in 2007 - 08	Part B admin. funds;
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4 and 10.	Ongoing	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University: University of Mary
Review school district policies and procedures of all schools identified as having rates greater than those identified in the state's target matrix. Provide technical assistance where necessary in revising LEA policies and procedures. This activity is also designed to address issues identified in Indicator 10.	Ongoing	NDDPI Staff
The NDDPI participates in the newly formed workgroup within the MPRRC region to address concerns related to disproportionate representation. A member of the NDDPI staff will participate in a regional meeting on this topic in April, 2008. Information from this meeting will be shared with stakeholders, including the ND IDEA Advisory Committee and local education agency administrators.	Ongoing	NDDPI Staff MPRRC

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Disproportionality

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

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

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

Include State's definition of "disproportionate representation."

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.

Overview of Issue/Description of System or Process:

North Dakota includes many small schools in rural school districts. A demographic characteristic of our state is that it is not as racially or ethnically diverse as other parts of the nation. North Dakota's official source of population statistics, the ND State Data Center, created the ND Profile of General Demographic Characteristics based on the most recent census count in 2000. The current profile (See Table 10.1) of our state includes the following data by race.

Table 10.1. Profile of North Dakota Population

White	92.40%
Black or African American	0.60%
American Indian	4.90%
Asian	0.60%
Hispanic or Latin American	1.20%

North Dakota's largest racial minority is American Indian (4.9%). North Dakota has four federally recognized American Indian Tribes and one Indian community:

- Spirit Lake Nation
- Standing Rock Nation
- Mandan, Arikara, and Hidatsa Nation
- Turtle Mountain Band of Chippewa Nation
- Trenton Indian Service Area

The students enrolled in the public schools on these four reservations and the Trenton Service Area are almost exclusively American Indian. Therefore, the percentage of students receiving special education and related services in these predominantly American Indian schools is also almost exclusively American Indian. The NDDPI collects special education child count data in these schools. Higher identification rates for special education in some of these schools compared to statewide rates of identification for all students have been reported. However, the identification rates reported in these reservation schools are not in contrast to non-American Indian students; they are in contrast to other American Indian students in these same reservation schools.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Another topic that the NDDPI wishes to explore further is the rate of identification of students for special education and related services in North Dakota’s public schools on American Indian reservations in contrast to the rate of identification for students in those North Dakota schools administered by the Bureau of Indian Affairs and Tribal Councils. The NDDPI proposes collaboration with the Bureau of Indian Affairs in analyzing these data and in devising improving strategies that will promote consistent use of evidenced-based evaluation practices and strategies that will increase educational placements in less restrictive settings.

In consideration of these very small populations of Black or African American, American Indian or Alaska Native, Asian, and Hispanic or Latino citizens in our state, various methods to define disproportionate representation were considered. For purposes of communicating with the public, the NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems’ (NCCREST) synopsis of provisions of IDEA 04 (October, 2005):

Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.

As noted, North Dakota has many small and rural school districts. In order to ensure the confidentiality of students from particular ethnic or linguistic groups in the public schools of our state, the NDDPI adopted a weighted risk ratio developed for OSEP by WESTAT, a federally supported research corporation consulting in statistical design, data collection and management, and research analysis work. The tiered weighted risk ratio shown in Table 10.2 (2004-2005 data) will be used by the NDDPI for identifying potential disproportionality. School districts identified in Tiers 1, 2, and 3 will be evaluated from most (1) to least (3) potentially disproportional identification.

Table 10.2. Revised Three Tier Design for Disproportionate Rates of Identification Thresholds.

Year	Tier 1	Tier 2	Tier 3
2004-2005	3.50	3.25	3.00
2005-2006	3.25	3.00	2.75
2006-2007	3.00	2.75	2.50
2007-2008	3.00	2.75	2.50
2008-2009	3.00	2.75	2.50
2009-2010	3.00	2.75	2.50
2010-2011	3.00	2.75	2.50

As displayed in Table 10.2, NDDPI planned to implement a decreasing cut-off point each year, increasing the stringency of this indicator and Indicator 9. However, after lengthy review of these indicators and the technical assistance from North Dakota’s regional resource center, it was decided that this constantly changing cut-off point created a situation of “aiming at a moving target.” The NDDPI has chosen to maintain a consistent cut-off point of 3.0 for disproportionate representation. With a constant cut-off point, annual district results can be compared and improvements toward these indicators can be reported accurately. Therefore, tables projecting future disproportionality based on the previous formula have been removed from this SPP as these projections are no longer accurate.

Baseline Data for FFY 2005 and Discussion:

The 2005-2006 baseline of 13.57 percent is the combination of the six categories. Data indicated potentially disproportionate identification in the following subcategories at a Tier 1 level (3.25 sensitivity level). Four school districts (2.01%) were identified with disproportional rates of identification in the disability area of Mental Retardation; 2 school districts (1.00%) in Emotional Disturbance; 13 school districts (6.53%) in Specific Learning Disabilities; 3 school districts (1.51%) in Speech Impairment; 6 school districts (3.02%) in Other Health Impairment; and 4 school districts (1.00 %) in Autism (see Table 10.3). Four school districts were identified in two or more categories. It should be noted that the raw data

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

from school districts identified have not been individually reviewed for district anomalies nor have school districts with ten or less students in a subcategory been removed from the total. Therefore, the data shown in Figure 10.3 may decrease substantially once this individual district review is complete.

Table 10.3 School Districts Identified

Districts	MR	ED	SLD	SI	OHI	Autism
District 1					X	X
District 2					X	
District 3						X
District 4		X	X			
District 5		X				
District 6	X		X			
District 7	X				X	
District 8	X					
District 9	X					
District 10			X			
District 11			X			
District 12			X			
District 13			X			
District 14			X			
District 15			X			
District 16			X			
District 17			X			
District 18						
District 19			X			
District 20				X		
District 21			X			
District 22			X			
District 23				X		
District 24				X		
District 25					X	
District 26					X	
District 27					X	
Total	4	2	13	3	6	2

The NDDPI staff will notify both the superintendent and the special education directors in each school district identified and outline the corrective actions and timelines specific to this indicator, including a review of policies and procedures used for identifying specific disability categories. Letters of notification will also inform the school district of the availability of technical assistance, if desired or necessary. The NDDPI staff will then monitor corrective action plans to ensure completion within one year.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 10.4. Measurable and Rigorous Targets for Indicator 10.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2007 (2007-2008)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2008 (2008-2009)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2009 (2009-2010)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2010 (2010-2011)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.

Improvement Activities/Timelines/Resources:

As the NDDPI identifies school districts that are potentially disproportionality identifying students in specific disability categories, those school districts will be required to review their policies, procedures, and practices for identification or evaluation. The NDDPI staff will offer technical assistance where necessary and monitor for full compliance. Furthermore, school districts that are in compliance, but are within an area of concern will also be notified as a precautionary measure.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 10.5. Improvement Activities/Timelines/Resources for Indicator 10.

Activities	Timelines	Resources
Obtain and disseminate materials on disproportionate representation from the NCCRESt and disseminate to the field. This activity is also designed to address issues identified in Indicator 9.	Ongoing	NDDPI staff NCCRESt
Provide information and technical assistance to school districts that demonstrate a significant discrepancy. This activity is also designed to address issues identified in Indicator 9.	Ongoing	NDDPI staff
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include Rtl model and process. This activity is also designed to address issues identified in Indicators 4 and 9.	ongoing	Part B Disc. Funds; MPRRC
Provide training on statewide guidelines for identification and services for students with emotional disturbance as needed. This activity is also designed to address issues identified in Indicators 4 and 9.	Spring 2007	ED Work Group, MPRRC
Provide training and implementation of the Special Education Integrated Monitoring System for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide in 2007 - 08	Part B admin. funds;
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4 and 9.	Ongoing	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University; University of Mary
Review school district policies and procedures of all schools identified as having rates greater than those identified in the state's target matrix. Provide technical assistance where necessary in revising LEA policies and procedures. This activity is also designed to address issues identified in Indicator 9.	Ongoing	NDDPI Staff
The NDDPI participates in the newly formed workgroup within the MPRRC region to address concerns related to disproportionate representation. A member of the NDDPI staff will participate in a regional meeting on this topic in April, 2008. Information from this meeting will be shared with stakeholders, including the ND IDEA Advisory Committee and local education agency administrators.	Ongoing	NDDPI Staff MPRRC

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations were completed within 60 days (or State established timeline).
- c. # determined eligible whose evaluations were completed within 60 days (or 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 the evaluation was completed and any reasons for the delays.

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

Overview of Issue/Description of System or Process:

Previous to the reauthorization of the IDEA in 2004, North Dakota did not have specific timelines for completion of evaluations and reevaluations. Some local special education units had created their own timelines for conducting evaluation and reevaluations. Timelines that were identified at the local units ranged from 30 days to 60 days. Furthermore, no clear baseline data were presently available in this area for North Dakota. Local special education directors identified a variety of methods of collecting data in this area. These methods included using established internal monitoring procedures, locally established data collection procedures, or electronic data base systems. In the fall of 2005 several local special education unit directors were contacted by telephone to discuss what would be the most efficient way to collect the most accurate data for this indicator? The data collection method now being used is a result of those conversations.

In February, 2006 data collection directions and an Excel spreadsheet (See Appendix C) were developed and sent to all of the special education directors. The data collection period for this indicator began on March 1, 2006 to June 30, 2006. The following information was collected from each participating unit:

- special education unit and home school district;
- number of children for whom parental consent to evaluate was received;
- number of children eligible whose evaluations and eligibility determinations were completed within 60 days;
- number of children not determined eligible whose evaluations and eligibility determinations were completed within 60 days;
- a narrative account for children whom consent to evaluate was received but evaluation or determination was not completed;
- indication of the range of days beyond the timeline when eligibility was determined; and
- a narrative account of reasons for delays.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2005 (2005-2006):

Table 11.1. Children with Parental Consent for 60 Day Evaluation.

(a) Total # of children with parental consent	(b) Total # of children determined not eligible within 60 days	(c) Total # of children determined eligible within 60 days	Total # of children whose evaluation occurred past 60 day timeline
1424	268	998	158

Table 11.2. Evaluations More Than 60 Days After Parent Consent.

School District	# of evaluations past 60 days	# of Approved Reason	# without Approved Reasons
District A	16	12	4
District B	1	0	1
District C	1	0	1
District D	2	0	2
District E	1	1	0
District F	94	56	38
District G	1	0	1
District H	1	0	1
District I	1	1	0
District J	1	1	0
District K	14	13	1
District L	1	0	1
District M	1	0	1
District N	4	0	4
District O	1	0	1
District P	1	1	0
District Q	2	0	2
District R	9	4	5
District S	1	0	1
District T	2	2	0
District U	1	0	1
District V	1	1	0
District W	1	1	0
Total over 60 days: 1424	Total: 158	Total: 94	Total: 64

Discussion of Baseline Data:

The data indicate that 88.09 percent of children with parental consent to evaluate were evaluated within 60 days. Therefore, 88.09 percent, based on the formula for this indicator, is NDDPI's baseline. Delays ranged from 1 day to 161 days. However, after reviewing reasons for delay the NDDPI has created a list of approved reasons for delay. This list included reasons including Delay Requested by Parent, Unavoidable health Issues, Accidents, and team Decisions Causing Delays. After comparing reasons for the delays with the approved reasons for delay fewer school districts were identified. The data indicate that 95.51 percent of children with parental consent to evaluate were evaluated within 60 days or had approved reasons for delay. Reasons NDDPI did not consider approved included reasons such as human error (both administrative and teacher), and school holiday delayed evaluations.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Data indicate that two school districts had five or more children whose evaluation did not meet the 60 day timeline and did not have approved reasons for the delays. These school districts were notified through a letter from the NDDPI. This letter informs the school districts of the necessity to meet the requirements of this indicator, the corrective action required, and timelines. Letters are also sent to school districts that are near the cut-off point (5) to serve as caution to review their evaluation timeline policy and procedures. The letter also informs the school district of the availability of technical assistance, if desired or necessary.

Inconsistencies in the data collection among special education units were found. These included:

- two units did not report data;
- varying methods were used to collect the data;
- consent for evaluation was collected before RtI was implemented;
- varying times of data collection (some units collected only for the time period from March to June, others reported data for the entire year);
- confusion about if data collected could be re-evaluations and initial evaluations or just initial evaluations;
- confusion on what data went under which column on the spreadsheet;
- confusion about what to do with evaluations that were in process on June 30 when data were to be reported; and
- confusion about whether or not preschool students were included.

Table 11.3. Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2007 (2007-2008)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2008 (2008-2009)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2009 (2009-2010)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2010 (2010-2011)	100 percent of children with parental consent to evaluate are evaluated within 60 days.

Improvement Activities/Timelines/Resources:

This is a new indicator, therefore, improvement activities focus on understanding the data collection process. Information will be disseminated and trainings will occur to ensure consistent data collection methods are used by all districts. This will add confidence to the data submitted in the APR 2008.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 11.4. Improvement Activities/Timelines/Resources

Activities	Timelines	Resources
Clarification about specific data to be collected and provide technical assistance to LEAs in collecting quality data	06-07 school year	NDDPI Coordinator
Clarification that this is initial evaluation data, including preschool students.	06-07 school year	NDDPI Coordinator
Continued technical assistance on the use of the Excel spreadsheet	06-07 school year	NDDPI Coordinator
Communication and technical assistance with units when areas in need of improvement were identified	06-07 school year	NDDPI Coordinator
Revise the Excel spreadsheet based on suggestions from local units.	06-07 school year	NDDPI Coordinator
Disseminate and provide training for revised guideline documents including Evaluations, SLD, and IEP.	Ongoing	NDDPI Staff
Review school district policies and procedures of all schools identified as having evaluations exceeding the 60 day timelines. Provide technical assistance where necessary in revising LEA policies and procedures.	Ongoing	NDDPI Staff
Review improvement plans specific to this indicator as required.	Ongoing	NDDPI Staff
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4, 9 and 10.	Ongoing	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University; University of Mary
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RtI model and process. This activity is also designed to address issues identified in Indicators 4, 9 and 10.	Ongoing	Part B Disc. Funds; MPRRC
Provide training and implementation of the Special Education Integrated Monitoring System for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide in 2007 – 08. Follow-up in 2008 through 2010	Part B admin. funds;
Consider incorporating additional state approved exceptions to the 60 day timeline into state guidelines.	FFY2007-8	NDDPI Staff,
Piloting of the Statewide Special Education Web-based Case Management System (Spring 2008) with full implementation Fall 2008.	FFY2007	NDDPI Staff, District Administrators.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.

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

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

Overview of Issue/Description of System or Process:

The Department of Human Services (NDDHS) collects and compiles early childhood data. Previously NDDPI and NDDHS were not able to develop a system that could share these data. In the spring of 2007, a partnership between NDDHS and NDDPI was developed and system of data-sharing became possible.

The NDDHS sent, electronically, three spreadsheets (Appendix D) containing the necessary data for all children transitioning from Part C services for the FFY2004 – 05, 2005 – 06, and 2006 – 07. Information on each spreadsheet was then compared to the appropriate year's Child Count data contained in the NDDPI Online Reporting System (ORS). Once the NDDPI staff completed this analysis, data were then disaggregated based on the school district of each child. Individual school district spreadsheets were then developed. Each spreadsheet included questions on the date of eligibility, date of the development and implementation of the IEP, number of days the IEP was delayed past the child's third birthday (if applicable), and the reason for delay. These spreadsheets were sent to the appropriate special education director to complete and return to NDDPI.

In cases when the special education unit directors reported that individual children were not found within their units, a NDDPI Special Education Regional Coordinator conducted follow-up telephone calls to locate and collect transition data for the each of the children. This ensured that all children were accounted for during and after transitioning from Part C to Part B services.

Through this system of data sharing, the NDDPI has collected the necessary data and has calculated the percentage of children found eligible for preschool special education services who received services by their third birthday for the FFY2004-05, 2005-06, and 2006-07.

It is expected that beginning Fall 2008, this data will be collected through the ND Statewide Special Education Web-based Case Management System. However, until this system is developed, the partnership between NDDHS, NDDPI, and the special education unit directors offers a successful method to collect the necessary data.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 12.1 Baseline Data for FFY2004-05

	FFY2004	FFY2005
a. # of children served in Part C and referred to Part B	173	193
b. # found not eligible and whose eligibility was determined prior to third birthday	20	6
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	135	159
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	12	16
# in a but not in b, c, or d	6	12
Percent who met the indicator	95.74%	92.98%

Discussion of Baseline Data

A detailed discussion of the baseline is available in the previous sections of this indicator.

Reliability and Validity of the Data

Each year, data relevant to children transitioning from Part C to Part B are collected from the NDDHS. A comparison of Part C data and Part B data is compared and the assignment of each student to only one district is determined. This information and a questionnaire are sent to each of the appropriate Special Education Unit directors. Each director then reviews and validates each student's status and assignment to ensure valid and reliable reporting and completes the questionnaire. This method ensures that every student is counted, that students are not counted more than once, and that their eligibility and IEP status is accurate.

Transition Guidelines

Through review of the NDDHS and NDDPI data and field surveys, it was determined that variances existed between ND regions in the percentage of children who were not eligible for Part B services at 3 years of age. This information was further analyzed to determine inconsistencies in reasons for exit when children were determined to be ineligible for Part B and inconsistencies in eligibility practices across special education units.

The NDDPI and NDDHS facilitated meetings of the Early Childhood Guidelines Workgroup to develop joint guidelines that would address inconsistencies determined in the transition process from Part B to Part C.

The NDDPI and NDDHS worked with the National Early Childhood Technical Assistance Center, NECTAC, and the Mountain Plains Regional Resource Center (MPPRC) to develop the *Understanding Early Childhood Transition: A Guide for Families and Professionals* guideline. Throughout 2005-06, the guideline workgroup established a list of essential components for the guideline along with common expectations for programs performance across the Part C, Early Intervention Programs, and local education agencies (LEAs). Parents and early childhood special education professionals were involved in the development of the guideline.

As part of the Guideline regional trainings, participants from each region will complete a school district plan for implementation and follow up relating to the Guideline. The NDDHS and NDDPI staff will follow up with each region regarding the plans. In addition to follow up visits, the NDDPI will review and compare pre and post Guideline training data to establish future need areas. This will be done by comparison of the NDDHS data and the NDDPI district internal monitoring spreadsheet data; input from the parent survey and unit monitoring data.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Review of Guideline Activities from June 30, 2005 to July 1, 2006

- Development of the *Understanding Early Childhood Transition: A Guide for Families and Professionals*, through several small and large group meetings of members of the Early Childhood Guidelines Workgroup. These meetings took place through meetings held face to face, through the interactive video network and conference calls. MPRRC and NECTAC participated and facilitated most of these meetings along with key staff members from the NDDHS and NDDPI.
- Drafts of the Guidelines were reviewed by outside readers with expertise in the area of early childhood and special education
- Guidelines were completed June 2006 and a training plan was developed for fall 2006.

Table 12.3 Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Initial targets will be established by Summer 2007 through data gathered from Part C and Part B in addition to school district internal monitoring data
2006 (2006-2007)	100 percent 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 birthday.
2007 (2007-2008)	100 percent 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 birthday.
2008 (2008-2009)	100 percent 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 birthday.
2009 (2009-2010)	100 percent 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 birthday.
2010 (2010-2011)	100 percent 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 birthday.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 12.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources
Developed training activities for Transition Guideline.	Summer 2006	NDDPI, NDDHS, MPRRC, and NECTAC
Conducted Transition Guideline Regional Trainings.	Fall 2006	NDDPI, NDDHS, MPRRC, and NECTAC
Follow up on regional training plans relating to Guideline Training.	Spring and Summer 2007	NDDPI and NDDHS
Examine methods to compile and share Part C and Part B data electronically.	Winter 2006-07	NDDPI and NDDHS
Develop and disseminate Indicator 12 Excel spreadsheet to special education units.	Fall 2006	NDDPI Internal monitoring by local education agencies
Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP.	Fall 2007	NDDPI staff
Internal monitoring by state and local education agencies	Ongoing	NDDPI and LEAs
Increased collaboration between the NDDHS, NDDPI, and the ND Parent Training and Information Center (PTI).	Ongoing	NDDPI, NDDHS, and PTI
NDDPI, NDDHS, and PTI First Annual Parent Involvement Conference.	Annually, beginning Spring 2008	NDDPI, NDDHS, and PTI
Piloting of the Statewide Special Education Web-based Case Management System (Spring 2008) with full implementation Fall 2008.	FFY2007	NDDPI Staff, District Administrators.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth 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.

Overview of Issue/Description of System or Process:

With the reauthorization of IDEA 04 and the resulting changes to the transition service requirements of the SPP and the APR, North Dakota began creating a system to measure Indicator 13. North Dakota adopted the Indicator 13 Transition Requirements Checklist that was prepared by the National Secondary Transition Technical Assistance Center. Each special education unit was given this checklist to use during their standard internal monitoring process for the 2006-07 school year. Each unit was requested to review a percentage (determined by the NDDPI) of their files of students aged 16-21. This percentage was based on their child count numbers. Special education units were provided Excel spreadsheets to track results of the internal monitoring for this indicator and submit to the NDDPI (Appendix E, Document 13.1).

Activities to prepare special education unit staff to review files using the indicator 13 checklist included (See Appendix E, Document 13.2):

- a training packet was provided to each unit. This packet explained each question in the checklist, gave examples for each component of each question. This was to improve understanding by the reviewer of the IDEA 04 requirements and to improve rater reliability.
- on-site training by State Transition Coordinator
- secondary transition email briefs from the state Transition Coordinator to the secondary special education teachers in the state.

In June, 2006, North Dakota began piloting the Transition Outcomes Project (TOPs). Dr Ed O'Leary was hired to lead North Dakota through the initiation of this project. This project is being piloted in ND during the 2005 - 2006 and 2006 - 2007 school years to improve the post-school outcomes of students with disabilities. Five Special Education Units volunteered to be part of this project. After the Transition Action Teams from each unit were trained on the requirements of the law, 377 of the total 2,420 student files were reviewed. These files were of students ages 16-21 and represent 16 percent of the total state membership of students ages 16-21 who have IEPs. The files were reviewed using the Transition Requirements Checklist (Ed O'Leary). From these file reviews each unit arrived at a baseline for the school year 2005-2006 regarding their compliance to IDEA 04 transition services requirements.

The NDDPI will also begin transferring these components of measurement for this indicator into the annual performance data collected through the ND Comprehensive School Improvement System. This will ensure a continuing process at the school district level that will enable data based educational improvement activities.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

In the fall of 2008 the NDDPI will begin use of the Statewide Web-based Case Management System which will contain each student's IEP. Procedures to facilitate compliance will also be built into the Statewide Web-based Case Management System to both collect data and monitor improvement according to the established targets. Measurement required for this indicator will also be incorporated into the Statewide Web-based Case Management System.

North Dakota currently has a Follow-Up Study. When exit surveys are conducted with exiting students, one question asked is: Did your most recent IEP identify an anticipated career or postsecondary goal? One year later students or parents are asked about the student's employment or postsecondary education status. This information will be used to support the analysis of the impact of quality transition planning on students' Postschool results.

Baseline Data for FFY 2005-2006:

Table 13.1. Results from the ND TOPS file review.

Checklist Question:	Results:
Question 1: measurable post-secondary goal	
- post secondary goals (however, not written as measurable goals)	100%
- a measurable postsecondary goal for education/training	17%
- a measurable postsecondary goal for employment	9%
- a measurable post secondary goal for independent living	7%
Question 2: annual IEP goal(s)	
- contained annual IEP goals or short term objectives	23%
Question 3: coordination of services	
- contained at least one transition service listed for instruction	55%
- contained at least one transition service listed for related services	19%
- contained at least one transition service listed for community experiences	45%
- contained at least one transition service listed for development of employment and other post-school adult living objective	52%
- contained at least one transition service listed for acquisition of a daily living skill (when appropriate)	15%
- contained at least one transition service listed for functional vocational evaluation (when appropriate)	14%
Question 4: representatives of the agency(ies)	
- a representative of another agency had been invited	41%
Question 5: age-appropriate transition assessment	
- presented evidence of age appropriate transition assessments	12%
Question 6: academic and functional achievement for transition	
- included a course of study that focused on improving the academic achievement of the child to facilitate transition	6%

Discussion of Baseline Data:

The data from the TOPs file review information indicated that each of the 377 files reviewed did not meet all of the components for the six questions in the NSTTAC Transition Requirements checklist. Further analyses of these data indicated that although a file may have been in compliance for a majority of the components of the indicator 13 checklist, the end result was that because it did not meet all of the requirements of the Indicator 13 checklist, it did not meet the requirement of this indicator. Therefore, the baseline for this indicator is 0.00%. Results from the file review of required components ranged from 6

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

percent (course of study) to 100 percent (inclusion of post-secondary goals). Results from these files reviews are displayed in the table 13.1.

Preliminary baseline data from the North Dakota Pilot Transition Outcomes Project (TOPs) clearly demonstrates a need for additional professional development. This will be outlined in the Improvement Activities section.

Change in Checklist Scoring Process

Beginning in the 2006-07 year, for a given IEP to meet compliance on this indicator, at least four of six checklist items need to be present in the IEP. The State and the stakeholder group in reviewing its criteria for this indicator along with additional guidance from OSEP, determined that using a standard of 4 or more of the 6 checklist items suggested by the National Transition Center instead of 6 of the 6 (the standard used last year) is a more appropriate measure.

Table 13.2 Measurable and Rigorous Targets for Indicator 13.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2006 (2006-2007)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2007 (2007-2008)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2008 (2008-2009)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2009 (2009-2010)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2010 (2010-2011)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Improvement Activities/Timelines/Resources:

The TOPs is being piloted in ND to improve the post-school outcomes of students with disabilities. After analysis of the data provided by this project, the NDDPI will:

- Assist the local districts in meeting the transition requirements of IDEA 04;
- Evaluate the effectiveness of providing and delivering transition services to students and families through the IEP;
- Provide training and resource materials on the transition services to students and families through the IEP; and
- Develop a model and process for meeting transition requirements that can be replicated and implemented in school districts across the state.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 13.3. Improvement Activities/Timelines/Resources for Indicator 13.

Activities	Timelines	Resources
Sponsor and promote the North Dakota Interagency Transition Institute	Alternating years beginning October 2006.	State Transition Steering Council (ND stakeholders in the transition process). IDEA Partnership and National Community of Practice on Transition.
Provide technical assistance to LEAs to strengthen understanding and compliance to the IDEA 04 transition requirements. Develop “transition” modules designed as web casts. This activity is also designed to address issues identified in Indicators 1, 2, and 14.	Ongoing	National Secondary Transition Technical Assistance Center (NSTTAC) TOPs Project
Implement a statewide process designed to improve the overall planning of transition services for high school youth with disabilities. This activity is also designed to address issues identified in Indicator 14.	Spring 2006-2008	Dr. Ed O’Leary, Mountain Plains Regional Resource Center
Partner with ND State Vocational Rehabilitation to provide assistance to regional stakeholders in the transition process to develop regional transition committees throughout the state. This activity is also designed to address issues identified in Indicator 14	Fall 2006-2008	Partnership with State Rehabilitation Field Services Director IDEA Partnership National Community of Practice on Transition
Develop and Disseminate Indicator 13 Excel spreadsheet and directions for internal monitoring to LEAs.	Fall 2006	NDDPI NSTTAC
Develop transition training modules through partnership with NDEA. This activity is also designed to address issues identified in Indicator 14.	Spring 2007	Professional Development and Adult Learning Seed Grant (IDEA Partnership at NASDSE)
Conduct State Transition Steering Council meetings. This activity is also designed to address issues identified in Indicators 14.	Ongoing	Statewide membership of individuals in transition related positions National Transition Community of Practice (IDEA Partnership)
Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP. This activity is also designed to address issues identified in Indicators 6 and 12.	Ongoing	State Transition Coordinator State Assistive Technology Coordinator
Development and implementation of a statewide Self-determination curriculum. This activity is also designed to address issues identified in Indicators 1, 2, and 14.	Ongoing	State Transition Steering Council Statewide membership of individuals in transition related positions
Collaboration with ND Education Association (NDEA) through the IDEA Partnership, to develop a transition training module for general education staff.	Ongoing	IDEA Partnership NDEA

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Piloting of the Statewide Special Education Web-based Case Management System (Spring 2008) with full implementation Fall 2008.	FFY2007	NDDPI Staff, District Administrators.
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NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who 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.

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

Measurement: 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) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

Overview of Issue/Description of the Process:

In 1999 the NDDPI initiated The Transition Follow-Up Project. This project was originally developed to evaluate the impact of transition programming and special education. It allowed the NDDPI to collect school exit data and demographic information for follow-up purposes. One year later, follow-up interviews were conducted with the exited students or their families through telephone interviews. The NDDPI contracts with a state university to conduct these interviews and compile raw data. Although these surveys have been conducted since 1999, the NDDPI did not have a system in place to obtain demographic information from every exiting student to be used for follow-up purposes as required for the data collection in Indicator 14. Therefore, demographic information was collected from a variety of sources including the exit surveys, NDDPI Statewide Automated Reporting System STARS (previously ORS) system, and special education unit administrators.

The NDDPI Exit and Follow-Up survey annual reports are distributed to special education units and school districts through a state-wide report as well as posted on the NDDPI transition website. Individual school district reports are also sent to each special education unit administrators. This information is used for statewide transition trainings and school improvement activities.

Definitions

For purposes of consistency and communicating with the public, the NDDPI elects to use the following definitions.

Postsecondary education: Enrollment, either full or part time, in a two to four year college, university, adult education program, or vocational or technical education program after exiting secondary school. Enrollment is determined by the program in which the student is enrolled.

Competitive employment: Work that is performed on a full time or part time basis in an integrated setting for which an individual is compensated at or above the minimum wage (as articulated by the Rehabilitation Act and recommended by the National Post School Outcomes, February 2006).

- Full-time: 35 or more hours per week
- Part-time: Less than 35 hours per week.

Exiter: A student who has exited the school through means of graduating with a regular diploma, who completed the program with a certificate or modified diploma, who dropped out, reached

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

maximum age (21). This does not include students who no longer require an IEP and special education services, has transferred to another program or school, residential or rehabilitation program, or correctional center.

Drop-out: *An individual who was enrolled at the start of the reporting period but was not enrolled at the end of the reporting period, and did not exit through the any of the other means described as exiting. This does not include transfer to another program, private school or home school, or state or district approved education program; temporarily absent due to suspension, approved illness, or anticipated late enrollment.*

Baseline Data for FFY2006 (2006-2007):

In spring 2006, the NDDPI developed a system to obtain a complete list of the students who exited school in the school year 2005-2006. This list was obtained through a formal request to special education unit administrators for names and contact information. This information was then uploaded into the existing web-based survey program for contacting all students one year after exiting school. A total of 739 students exited school in 2005-06 as either: graduate, drop-out, age-out or unknown. Student confidentiality was maintained in accordance with FERPA.

Given the small numbers of exiting students, sampling was not employed on this indicator; and as such all exiting students were attempted to be contacted by telephone.

The interview protocol that was used is the 2007 Follow-Up Interview Protocol (Appendix F) modeled after the Post School Data Collection Protocol developed by the National Post-School Outcomes Center. Interviews were conducted between April and September of 2007. To ensure the greatest number of respondents, five attempted contacts were made with each of the 739 exiters. The individuals conducting the interviews were trained through use of the *Post-school Outcomes Data Collection Guide Training Interviewers*. Interviews were conducted with the 2006 school exiter or a family member.

Discussion of Baseline Data:

A total of 330 (45%) of the 739 exiters were successfully contacted and interviewed. As Table 14.1 indicates, 81.8% of exiters have been competitively employed and/or attended post-secondary education in the year since leaving high school.

The characteristics of those who were successfully contacted and interviewed were compared to those who were not successfully contacted and interviewed to determine if the interviewed students are representative of all exiting students. Results show that a representative sample of males/females, students of differing races/ethnicities, and students with differing primary disabilities were contacted. However, results showed that students who graduated with a regular diploma (53%) were more likely to be interviewed than students who dropped-out (17%).

Table 14.1 Number and Percent of Exiters Who Have Engaged in Employment and/or Education

	Number	Percent
Attended Post-Secondary Education Only	54	16.4%
Been Competitively Employed Only	120	36.4%
Attended Post-Secondary Education AND Been Employed	96	29.1%
Neither Attended Post-Secondary Education OR Been Employed	60	18.2%
Attended Post-Secondary Education and/or Been Competitively Employed	270	81.8%

Total Exiters contacted = 330

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

These results indicate that students who graduated with a regular diploma were more likely to have been competitively employed and/or have attended post-secondary education than students who have dropped out. No other differences were statistically significant.

Table 14.2 Response Rates and Percent Who Met the Indicator by Various Groups

	Number in Target Group	Response Rate	Number Interviewed	Percent Who Were:			Percent who met the Indicator
				Enrolled in post- secondary school Only	Competitively employed Only	Enrolled in post- secondary education AND competitively employed	
Total	743	45%	330	16.4%	36.4%	29.1%	81.8%
Male	474	47%	222	38%	17%	27%	82%
Female	265	41%	108	16%	33%	32%	81%
Asian	1	0%	0				
Black	7	43%	3				
Hispanic	20	30%	6	50%	17%	0%	67%
Native American	82	33%	27	11%	37%	19%	67%
White	629	46%	292	16%	37%	31%	84%
Autism	6	100%	6				
ED	95	36%	34	15%	41%	15%	71%
HI	7	86%	6				
MR	69	41%	28	4%	46%	18%	68%
OHI	77	39%	30	13%	33%	27%	73%
OI	5	40%	2				
SI	67	33%	22	23%	41%	27%	91%
SLD	402	49%	195	18%	36%	32%	86%
TBI	7	57%	4				
VI	4	50%	2				
Regular Diploma	562	53%	297	17%	37%	31%	85%
Certificate of Completion	7	14%	1				
Maximum Age Eligibility	8	50%	4				
Dropped Out	162	17%	28	14%	32%	14%	61%

Note: Results are not shown for groups based on fewer than 10 exiters.

Results on Table 14.2 were validated through the NPSO Response Calculator.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 14.3 Measurable and Rigorous Targets for Indicator 14

FFY	Measurable and Rigorous Target
2006 (2006-2007)	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 will meet or exceed 81.82%
2007 (2007-2008)	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 will meet or exceed 81.85%
2008 (2008-2009)	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 will meet or exceed 82.25%
2009 (2009-2010)	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 will meet or exceed 82.75%
2010 (2010-2011)	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 will meet or exceed 83.0%

Improvement Activities/Timelines/Resources:

The following improvement activities will be incorporated to: 1) increase the number of youth with disabilities exiting school who are employed, attending postsecondary education, or both, one year after exiting; 2) Increase the response rate and representation of the cohort group interviewed one year after exiting school.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 14.4 Improvement Activities/Timelines/Resources

<p>NDDPI in partnership with the North Dakota Vocational Rehabilitation Agency (VR) will create a collaborative annual conference. This conference will serve as the ND Interagency Secondary Transition Conference.</p>	<p>October 2008 and annually each proceeding year.</p>	<p>State Transition Steering Council (ND stakeholders in the transition process). IDEA Partnership and National Community of Practice on Transition. ND VR agency.</p>
<p>Fall, 2008 the NDDPI will have in operation a Statewide Web-Based Case Management System. This will improve accessibility to demographics of exiter groups. The follow-up interview will also be housed in this Case Management System allowing easier access to data collected annually for this indicator.</p>	<p>Beginning Fall 2008</p>	<p>NDDPI staff</p>
<p>The NDDPI will develop documents, trainings, and presentations designed to increase parent, district educators, and other statewide stakeholders' awareness of the ND Follow-Up Process.</p>	<p>Spring 2008 and annually</p>	<p>ND DPI Secondary Transition Coordinator State Transition Steering Council (ND stakeholders in the transition process). National post-School Outcome Center National Dropout Prevention Center for SD</p>
<p>Provide identified strategies and approaches to LEAs to incorporate each school year to enhance the NDDPI's ability to track students one year out who had exited school informally.</p>	<p>Fall 2008 and annually thereafter</p>	<p>National post-School Outcome Center National Dropout Prevention Center for SD</p>
<p>The NDDPI will provide ongoing technical assistance to LEAs to strengthen understanding and compliance to the IDEA 04 transition requirements. This will include continued development of "transition" modules designed as web casts. This activity is also designed to address issues identified in Indicators 1, 2, and 13.</p>	<p>Ongoing</p>	<p>National Secondary Transition and Technical Assistance Center (NSTTAC) Transition Outcomes Project (TOPs)</p>
<p>Continue progression of a statewide process designed to improve the overall planning of transition services and evidence based practices for high school youth with disabilities. This activity is also designed to address issues identified in Indicator 13 and positively influence results in Indicators 1 and 2.</p>	<p>Ongoing</p>	<p>Dr. Ed O'Leary, Mountain Plains Regional Resource Center National Secondary Transition Technical Assistance Center (NSTTAC) IDEA Partnership National Community of Practice on Transition</p>

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

<p>Continue partnership with ND State Vocational Rehabilitation Agency to provide technical assistance and resources to the eight regional interagency transition committees (Communities of Practice) throughout the state.</p>	<p>Ongoing</p>	<p>The NDDPI</p> <p>Partnership with North Dakota Vocational Rehabilitation Agency</p> <p>State Transition Steering Council (ND stakeholders in the transition process).</p> <p>IDEA Partnership National Community of Practice on Transition</p>
<p>Plan and coordinate presentation of transition training modules for general educators. This activity is also designed to address issues identified in Indicator 13.</p>	<p>Initiate presentation in Summer, 2008, ongoing thereafter.</p>	<p>NDDPI staff</p> <p>North Dakota Education Association Personnel Development Director.</p> <p>Professional Development and Adult Learning Seed Grant (IDEA Partnership at NASDSE)</p>
<p>Support collaboration of stakeholders in the secondary transition process through State Transition Steering Council meetings, and participation in national secondary transition forums. This activity is also designed to address issues identified in Indicators 1, 2, and 13.</p>	<p>Ongoing</p>	<p>National Transition Community of Practice (IDEA Partnership)</p> <p>National Postschool Outcomes Center</p> <p>NSTTAC</p>
<p>Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP. This activity is also designed to address issues identified in all indicators.</p>	<p>Ongoing</p>	<p>ND DPI State Transition Coordinator</p> <p>NDDPI State Assistive Technology Coordinator</p> <p>ND Interagency Program for Assistive Technology (IPAT)</p>
<p>Development and implementation of a statewide self-determination curriculum. This activity is also designed to address issues identified in Indicators 1, 2, and 13.</p>	<p>Spring 2009</p>	<p>NSTTAC</p> <p>State Transition Steering Council</p> <p>Statewide membership of individuals in transition related positions</p>

In the fall of 2008, the ND Statewide Web-based Case Management System will be in use by all ND school districts. This will improve accessibility to the demographics of the exited students. Demographic and contact information for exiting students will be collected through this statewide system as well the Summary of Performance. The Statewide Web-based Case Management System will have a built in prompt to alert case managers to update student contact information at the time of the completion of the Summary of Performance. Improved access to exited student demographics will enable the NDDPI to increase the representation and response rate of the cohort groups interviewed one year after exiting.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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:

A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification:

- a. # of findings of noncompliance made related to monitoring priority areas and indicators.
- 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/or enforcement that the State has taken.

B. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification:

- a. # of findings of noncompliance made related to such areas.
- 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/or enforcement that the State has taken.

C. Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification:

- a. # of agencies in which noncompliance was identified through other mechanisms.
- b. # of findings of noncompliance made.
- c. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = c divided by b times 100.

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

Overview of Issue/Description of System or Process:

The monitoring and oversight of general supervision in North Dakota uses two components; the emerging Comprehensive School Improvement (CSI) System and the internal monitoring system used at the special education unit level.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The implementation of laws and regulations in federal education programs clearly requires a dual focus on performance and compliance. The revised NDDPI special education internal monitoring system and the connection between performance and compliance is described in the *ND Special Education IDEA Local Level Internal Monitoring Procedures* found in the separate pdf. attachment. The policies and procedures contained in this document are NDDPI's response to the expectations specified by OSEP.

A critical feature of the NDDPI's future monitoring system is the web-based special education case management system (pilot scheduled for January 2008). Together with the case management system, this monitoring system contains a single set of forms for implementation of IDEA 04 in all ND school districts. This system will significantly increase the NDDPI's capability to ensure the identification and timely correction of compliance with Part B requirements. This system also offers particular emphasis on the priority areas and indicators most closely related to improving educational results and functional outcomes for all children with disabilities. Special education unit directors also agreed that such a system will enable them to more efficiently conduct sophisticated and reliable internal monitoring. The procedures detailed in the *ND Special Education IDEA Local Level Internal Monitoring Procedures* (Appendix G) are intended to allow NDDPI and local school districts to meet the expectations that OSEP identified regarding identification of noncompliance and correction within one year *during the period until the web-based case management system is fully functioning.*

The Comprehensive School Improvement (CSI) System for monitoring general supervision is part of the new, collaborative system based on the Continuous Improvement and Focused Monitoring System (OSEP, 2003). A self-assessment tool has been prepared inclusive of all federal and state programs (Special Education, Title I, IIa, IIc, III, IV and ND Approval and Accreditation) to measure all compliance issues involving the status and achievement of students in North Dakota schools. This will be combined with performance standards ranging from transition at age 3, academic achievement, student and staff culture, graduation and dropouts rates, transition to adulthood, and parent and community involvement for all students attending a local education agency. This system is now being reviewed by all staff at NDDPI with the initial implementation beginning February 2007 in the Roughrider Educational Services Program, one of ND's Area Education Agencies (known in ND as Joint Powers Agreement Consortia). The goal is statewide implementation in the remaining 8 Area Education Agencies during the 2007-2008 school year. The Area Education Agencies will serve as the primary training venues for the implementation of the new monitoring system. Each school district will complete the compliance self-assessment with a performance assessment. The school districts will complete data analyses of the findings based on the NDDPI guided focus areas. A school improvement and professional development plan will be developed based on the findings at the building level.

A system for ranking schools based on achievement and secondary indicators that are descriptive of the learning environment, professional environment, parent and community involvement as well as program compliance will be used to determine the schools/districts in greatest need of intervention. The SPP indicators are the basis for comprehensive primary and secondary indicators for school improvement. This ranking system is based on local and state targets based on state performance plans. The NDDPI will monitor for compliance, assess school needs, and assist in the development of the school improvement plan. The NDDPI will also provide guidance and resources for the corresponding professional development plans for the 16 lowest ranked schools.

Correcting areas of noncompliance will be addressed through the self-assessment tool, onsite monitoring, and data review. With the identification of noncompliance issues through the self-assessment process, a timeline and action plan for addressing compliance issues will be included. The NDDPI will assist in developing the action plan if an issue is severe or demands immediate change. The school districts identified will submit a follow-up summary of the changes made with appropriate documentation to demonstrate the compliance issues have been addressed.

The NDDPI Special Education unit can withhold funding if school districts fail to comply with federal law. A system of sanctions and rewards for school plants is being developed as part of the CIS that is responsive to the level of achievement and failure.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline Data for FFY 2004 (2004-2005):

Table 15.I. Baseline Data for FFY 2004 (2004-2005)

Monitoring Priority: Effective General Supervision Part B		
Indicator	Measurement Calculation	Explanation
<p>Indicator 15, part A: Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification:</p> <p style="margin-left: 40px;">A. # of findings of noncompliance made related to monitoring priority areas and indicators</p> <p style="margin-left: 40px;">B. # of corrections completed as soon as possible but in no case later than one year from identification.</p>	<p>Calculation chart identifying specifics of indicator 15 attached as compilation table I.</p> <p style="margin-left: 40px;">A = 66</p> <p style="margin-left: 40px;">B = 58</p> <p>Formula used: (B/A) * 100 or 58 / 66 = .878 .878 * 100 = 84.8 or 87.8%</p>	<p>The data used to create a baseline for indicator 15 was derived from Title IV onsite monitoring, Testing and Assessment Unit's data review, Approval and Accreditation Unit's data review, Special Education Unit, and the North Dakota Educational Services Improvement Project's self-assessment schools and pilot schools. The data was taken for the 2004-2005 school year (FFY 2004). The baseline is 87.8% derived from the preceding data sources. Compilation Table I provides the specific information gathered. The baseline does not include indicators 7, 8, 9, 10, 11, 13 or 14. Data are not collected specific to those indicators as of FFY 2004. Onsite and self-assessment monitoring has been in flux since FFY 2004 due to a monitoring process change for Special Education. Special Education in North Dakota is moving from the Continuous Improvement Monitoring Program (CIMP) to a consolidated approach with the Continuous Improvement and Focused Monitoring System (CIFMS). Due to this, data collection and sampling has also been in transition while the new monitoring system is in continued development. This is reflected in the number of schools used for the baseline and the data sources during the 2004-05 school year.</p>

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 15.2. Compilation of Specific Indicators.

Indicator	Monitoring Mechanism	# Reviewed	# with Findings	A. # of Findings	B. # Corrected w/in 1 yr.	% Corrected w/in 1 yr.
1. Percent of youth with IEPs graduating from high school with a regular diploma. (2004-2005 ND; 95% of special education student graduated)	Self-Assessment	6	0	0	0	NA
	On-site Visit	6	1	2	2	100%
	Data Review	15	3	5	5	100%
	Other	0	NA	NA	NA	NA
2. Percent of youth with IEPs dropping out of high school.	Self-Assessment	6	4	7	7	100%
	On-site Visit	6	4	4	4	100%
	Data Review	0	NA	NA	NA	NA
	Other	0	NA	NA	NA	NA
3. Participation and performance of children with disabilities on statewide assessments.	Self-Assessment	6	0	0	0	NA
	On-site Visit	6	0	0	0	NA
	Data Review	15	2	5	4	80%
	Other	0	NA	NA	NA	NA
4. Rates of suspension and expulsion.	Self-Assessment	6	4	8	8	100%
	On-site Visit	26	16	29	22	75.8%
	Data Review	0	NA	NA	NA	NA
	Other	0	NA	NA	NA	NA
5. Percent of children with IEPs aged 6 through 21—educational placement.	Self-Assessment	6	1	2	2	100%
	On-site Visit	6	2	3	3	100%
	Data Review	0	NA	NA	NA	NA
	Other	0	NA	NA	NA	NA
6. Percent of preschool children who received special education and related services in settings with typically developing peers.	Self-Assessment	0	NA	NA	NA	NA
	On-site Visit	6	0	0	0	NA
	Data Review	0	NA	NA	NA	NA
	Other	0	NA	NA	NA	NA
12. Percent of children referred by Part C prior to age 3 have an IEP developed and implemented by their third birthday.	Self-Assessment	6	0	0	0	NA
	On-site Visit	6	1	1	1	100%
	Data Review	0	NA	NA	NA	NA
	Other	0	NA	NA	NA	NA

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Indicator	Monitoring Mechanism	# Reviewed	# with Findings	A. # of Findings	B. # Corrected w/in 1 yr.	% Corrected w/in 1 yr.
Indicator 7, 8, 9, 10, 11, 13, and 14 are new indicators; no data for 2004-2005	NA	NA	NA	NA	NA	NA
TOTALS	Sum of Column A and B			66	58	

Self-Assessment: LEAs assess compliance with federal programs and report areas identified as needing improvement to NDDPI.

On-Site Visit: The NDDPI staff make on-site visits to check for compliance in specific areas.

Data Review: Desk review of compliance information and data submitted to the NDDPI. Desk review may include telecommunication and electronic review.

Other: The NDDPI does not utilize any other monitoring mechanisms at this time.

Table 15.3. Non compliance identified through dispute resolution processes

Table for Indicator 15C. Non compliance identified through dispute resolution processes		
Indicator	Measurement Calculation	Explanation
15C. Percent of noncompliance identified through complaints, due process, etc. corrected within 1 yr a. # of agencies noncompliance was identified through complaints =1 b. # of findings of noncompliance made = 1 c. # of corrections completed as soon as possible but in no case later than one year from identification = 1	$\text{Percent} = \frac{c}{b \text{ times } 100}$ $1 \text{ divided by } 1 \text{ times } 100 = 100\%$ noncompliance through other mechanisms were corrected within one year of identification.	Out of 3 complaint investigations and one due process hearing, <u>one</u> issue was identified to be in violation of IDEA 04 relative to notification requirements. One LEA was involved in the issue. The finding was corrected within 1 month after the LEA received the corrective action directive from the complaint investigation report.

Discussion of Baseline Data:

The local education agencies monitored to create the baseline for indicator 15 were in 3 categories; self assessment, on-site monitoring, and data review. The 6 schools used for self assessment were LEAs asked to report general supervision data for the purpose of potential involvement in the pilot test of the CIFMS for the 2004-2005 school year. These schools represented a small scale representation of school size based on foundation aid category. The 6 LEAs that were monitored on-site were the pilot participants for CIFMS in the 2004-2005 school year. An on-site visit to review data and basic compliance occurred as part of the training to test the CIFMS. The schools information was reviewed through paper copies of monitoring and compliance reviews for the 2004-2005 school year. This information was gathered for the purpose of creating a baseline for the area mentioned in the table and based on foundation aid category to have a reasonable representation of the state. It is of note that Table I, number 4 has 26 schools listed

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

as on-site monitored. Twenty of the twenty six schools were monitored by the Title IV program. A data review of their findings contributed to the total for A and B.

The LEAs used to assess and create a baseline for indicator 15 were put into 3 categories noted above; onsite visit, data review, and self assessment. The definitions used to categorize the LEAs are as follows. A school that was visited onsite has an NDDPI individual or team in the school building reviewing compliance, documentation, and data in order to determine areas needing attention in the LEA. A data review is the desk review of information and data submitted to NDDPI. The LEA is a participant in a data review through phone conversations and email. NDDPI staff assess the needs of the LEA based on the required documentation submitted. Self assessment is where an LEA submits a report or requested information to NDDPI that has already determined areas of need through an internal review process.

Table 15.4. Measurable and Rigorous Targets for Focused Monitoring, Indicator 15.

FFY	Measurable and Rigorous Targets – Focused Monitoring
2005 (2005-2006)	100 percent identified noncompliance will be corrected within one year of identification.
2006 (2006-2007)	100 percent identified noncompliance will be corrected within one year of identification.
2007 (2007-2008)	100 percent identified noncompliance will be corrected within one year of identification.
2008 (2008-2009)	100 percent identified noncompliance will be corrected within one year of identification.
2009 (2009-2010)	100 percent identified noncompliance will be corrected within one year of identification.
2010 (2010-2011)	100 percent identified noncompliance will be corrected within one year of identification.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 15.5. Measurable and Rigorous Targets for Complaints and Due Process, Indicator 15

FFY	15C. Measurable and Rigorous Targets – Complaints, Due Process
2005 (2005-2006)	100 percent identified noncompliance will be corrected within one year of identification.
2006 (2006-2007)	100 percent identified noncompliance will be corrected within one year of identification.
2007 (2007-2008)	100 percent identified noncompliance will be corrected within one year of identification.
2008 (2008-2009)	100 percent identified noncompliance will be corrected within one year of identification.
2009 (2009-2010)	100 percent identified noncompliance will be corrected within one year of identification.
2010 (2010-2011)	100 percent identified noncompliance will be corrected within one year of identification.

Table 15.6. Improvement Activities/ Timelines/ Resources for Indicator 15.

Activities	Timelines	Resources
NDDPI will develop regional administrative units. The regions will make DPI staff more accessible and make it possible for greater professional development to occur statewide. The trainings will include best practices as well as law and compliance. This has a mandated timeline from the Governor’s Commission on Education (2006).	FFY 2007	Special Education Unit Directors, Joint Powers Consortiums Administrators, DPI professionals
The Online Reporting System will be updated to include needed data to support targets for SPP. The online reporting system is currently being upgraded to include a greater amount of data input related to performance. Simultaneously, a self report for compliance, including all federal programs is also being developed. NDDPI is currently migrating data from the ORS to the new STARS system for online data collection.	FFY 2007	Eductech, DPI MIS staff, DPI professionals.
Implementation of new monitoring/school improvement system (CIS). Roughrider Education Services (Joint Powers Agreement Consortium involving 18 districts) will implement the CIS in February, 2007. The remaining 8 JPAs will implement during the 2007-2008 school year.	FFY 2006 FFY 2007	LEA administrators, DPI professionals, NCSEAM consultation, MPRRC consultation, Department of Education consultation
Continue to offer technical assistance to parents and schools through early dispute resolution options.	Ongoing	NDDPI Staff
Develop ways to improve correlation between monitoring noncompliance and complaint findings.	Ongoing	NDDPI staff
Piloting of the Statewide Special Education Web-based Case Management System (Spring 2008) with full implementation Fall 2008.	FFY2007	NDDPI Staff, District Administrators.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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.

NDDPI Percent = 2 + 1 divided by 3 = 1 times 100 = 100%

Overview of Issue/Description of System or Process:

NDDPI has developed a Complaints Manual that explains the complaint process to interested individuals. When parents request information on how to file a complaint, the NDDPI Dispute Resolution Coordinator discusses the many dispute resolution options available through the State Office. The parents are assisted in framing issues and in exploring the dispute resolution option best suited to their individual situation. The parents are also guided to other individuals who may assist them if they have not already discussed the issue with the local special education case manager or director. If the parents opt to file a complaint, NDDPI sends a copy of the procedural safeguards, the complaint process manual and a letter outlining how a complaint must be filed in order to initiate the complaint investigation process. Once received, if the complaint does not meet the criteria for a formal complaint (i.e., address not included; not signed by the complainant) the complainant is given an opportunity to correct or clarify the areas in question and resubmit the complaint. Parents are typically referred to Protection and Advocacy for assistance. Once the formal complaint is received, the complaint investigation and required (60-day) timeline are initiated. Mediation is offered as soon as a complaint is received, but may be accessed earlier if the conflict is made known to the Department prior to a formal complaint being filed. Upon completion of interviews and review of pertinent documents, the investigator writes the complaint investigation report. A complaint investigation report may or may not contain corrective actions depending on the outcome of the investigation. The NDDPI sends the final complaint closure letter to all parties when all complaint corrective actions are completed to the expectation of the NDDPI Regional Coordinator. A complainant may withdraw their letter of complaint at any time prior to the 60 day deadline for investigation. This request must be in writing to the Director of Special Education, requesting the original complaint be withdrawn.

Baseline Data for FFY 2004 (2004-2005): (See Appendix H)

Table 16.1. Baseline Data for 2004 - 2005

(1) Total signed written complaints	3
(1.1) Complaints with reports issued	3
(a) Reports with findings	1
(b) Reports within timeline	2
(c) Reports within extended timeline	1
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Discussion of Baseline Data:

Three complaints were filed with the NDDPI for complaint investigation in 2004-2005. Of those three complaints, 100 percent were investigated within the 60 calendar days. This is a consistent pattern for NDDPI complaint investigations. Since the 1998-1999 school year, complaint investigations have been completed within the 60-day timeline or with accepted extensions. During this reporting period, one of the three complaints was found to have at least one violation and two were found to have no violations. There were 8 specific issues, one of which was determined to be a violation under IDEA 04. The most frequently occurring issue included in the three complaints was the failure to implement the IEP. Two of the three complaints were filed by the same parent.

Table 16. 2. Complaint Management History

Year	Complaints	Complaints within timeline or with extension
1998-99	4	4
1999-00	16	16
2000-01	14	14
2001-02	15	15
2002-03	33	33
2003-04	11	11
2004-05	3	3

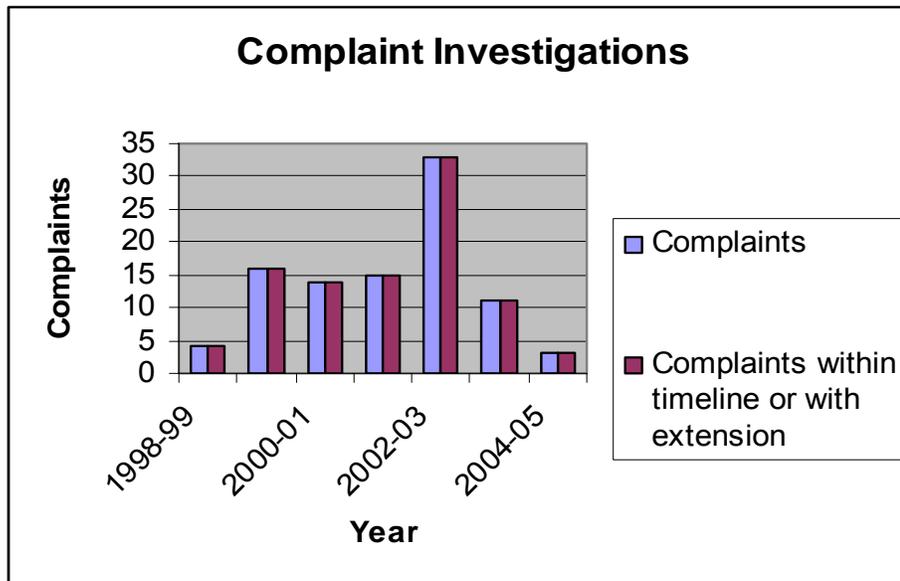


Figure 16.1. Complaint Investigations

The NDDPI received a higher number of complaints prior to the 2004-2005 school year (1999-2003). In 2004, the NDDPI Special Education redefined one of its state level positions with the intent of improving the early dispute resolution processes and tracking of all dispute resolution activities for special education within the state. During the 2004-05 school year, early intervention methods such as IEP facilitation and mediation were more routinely encouraged.

The State level Dispute Resolution Coordinator provides early intervention options such as:

- Helping parents identify and frame issues to discuss with the child’s IEP team, case manager, building principal or special education administrator;
- Helping parents identify possible solutions to the issue(s);
- Offering to contact the case manager, building principal, local Special Education Coordinator or Director when appropriate;
- Assisting parents in determining if they should request that the IEP team reconvene to discuss

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

- the issue;
- Referring parents to a local parent organization or protection and advocacy for assistance/support;
- Providing guidance documents and references for questions pertaining to the parents issues;
- Explaining the resolution options of IEP facilitation, mediation, complaints and due process;
- Helping the parents identify the best resolution option for their individual situation;
- Providing follow-up of each of the dispute resolution processes.

Based on the number of children with disabilities in the state (14,681 students) out of the total state enrollment (107,564 students), the percentage of the total complaints, mediations and due process hearings filed with the NDDPI was .05 percent for the 2004-2005 school year.

It is a high priority for the NDDPI Special Education to educate parents and advocates about procedural safeguards so that parents are knowledgeable of their rights. This is conducted in a variety of ways. Presentations regarding procedural safeguards and dispute resolution options are offered through NDDPI by way of: the ND IDEA Advisory committee; Pathfinder Parent Training and Information Center annual conference; the Family Connections annual conference; and other conferences in which NDDPI is invited to participate. The NDDPI also provides technical assistance for P &A advocates, the ND PTI (Pathfinders) and other parent organizations and the local education agencies. The NDDPI forwards copies of procedural safeguards to the special education units as part of the assurance that public agencies meet the requirements in 34 CFR 300.500-300.529. The procedural safeguards are also posted on the NDDPI website.

Table 16.3. Measurable and Rigorous Targets for Indicator 16.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2006 (2006-2007)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2007 (2007-2008)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2008 (2008-2009)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2009 (2009-2010)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2010 (2010-2011)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.

Improvement Activities/Timelines/Resources:

The NDDPI will maintain 100 percent of all complaints be investigated and reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances. The NDDPI will continue use of early dispute resolution processes.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The NDDPI activities will focus on continuing to improve tracking methods, data collection, database structures and maintenance procedures, and improve follow-up procedures. Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

The NDDPI is confident that parents are given many opportunities for learning about their procedural safeguards. However, the NDDPI is cognizant of the need to develop new approaches to disseminate and communicate this information to accommodate diverse abilities and preferences.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 16.4. Improvement Activities/Timelines/Resources for Indicator 16.

Activities	Timelines	Resources
Provide training in the new IDEA 04 Procedural Safeguards; Revise guidance documents; Develop and revise model forms;	05-06 School Year	NDDPI Dispute Resolution Coordinator
Improve complaint data collection and analysis through Online Reporting System and Department database.	06-07 School year	NDDPI Dispute Resolution Coordinator and NDDPI staff
Review data and develop action plan for dealing with systemic issues.	Ongoing	NDDPI Dispute Resolution Coordinator
Develop guidance materials in varied formats so that parents can access the information through different modes (brochures, videos, audio tapes, sign-language interpreter, etc.).	06-07 School Year	NDDPI staff, and other interested stakeholders
Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	Ongoing	NDDPI Dispute Resolution Coordinator
Analyze and improve upon existing follow-up methods for ensuring completion of corrective actions in a timely fashion.	Ongoing	NDDPI Dispute Resolution Coordinator
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIA special education administrators in the state.	2006	NDDPI Dispute Resolution Coordinator

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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.

NDDPI Percent = 0 + 1 divided by 1 times 100 = 100%

Overview of Issue/Description of System or Process:

The NDDPI has developed a Due Process Manual that explains the due process hearing procedures to interested individuals. When parents request information on how to file a complaint, the NDDPI Dispute Resolution Coordinator discusses the many dispute resolution options available through the State. The parents are assisted in framing issues and in exploring the dispute resolution option best suited to their individual situation. The parents are also guided to other individuals who may assist them if they have not already discussed the issue with the local special education case manager or director. Parents are referred to Protection and Advocacy for assistance.

Either a parent or public education agency may request a due process (DP) hearing regarding the identification, evaluation, placement or the provision of a free appropriate public education (FAPE) of a student with a disability. The DP request must meet the requirements before the process can be initiated. Once the DP request is accepted through NDDPI, the request is sent to the Office of Administrative Hearings (OAH), which will select an Administrative Law Judge (a.k.a. Impartial Hearing Officer (IHO)) to be appointed. The IHO has the responsibility to be impartial, not to be employed by an agency involved with the care or education of the child, or a school board official, and who is knowledgeable about the legal and educational issues which may arise under Part B of the Individuals with Disabilities Education Act in connection with the matters in dispute at a hearing initiated pursuant to this regulation. During the period of time between the date of the filing of the Application for Request for Due Process Hearing and the commencement of a hearing, the Department offers mediation to remedy the dispute between the parents and the special education unit. A final report is sent to NDDPI once a decision has been made.

Baseline Data for FFY 2004-2005: (See Appendix H)

Table 17.1. Baseline Data for 2004 - 2005

(3) Hearing requests total	1
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	1
(c) Decisions within timeline	0
(b) Decisions within extended timeline	1
(3.3) Resolved without a hearing	0

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Discussion of Baseline Data:

One Due Process Hearing request was filed with the NDDPI in 2004-2005. The Due Process Hearing occurred within the extended timeline requirement. Two extensions were requested and accepted by both parties. Since the 1998-1999 school year, due process hearings have been completed within the 45-day timeline or with accepted extensions. This is a consistent pattern for due process hearings filed with NDDPI. This particular due process hearing decision determined that the school district was not in violation of IDEA 04 for any of the three alleged violations. The parent who filed for a due process hearing accessed other dispute resolution options prior to filing, including IEP facilitation, mediation, and complaint investigation.

Table 17.2. Due Process Hearings in 2004 - 2005.

Year	Due Process Hearings	Due Process Hearings within timeline or with extension.
1998-99	2	2
1999-00	1	1
2000-01	0	0
2001-02	1	1
2002-03	2	2
2003-04	2	2
2004-05	1	1

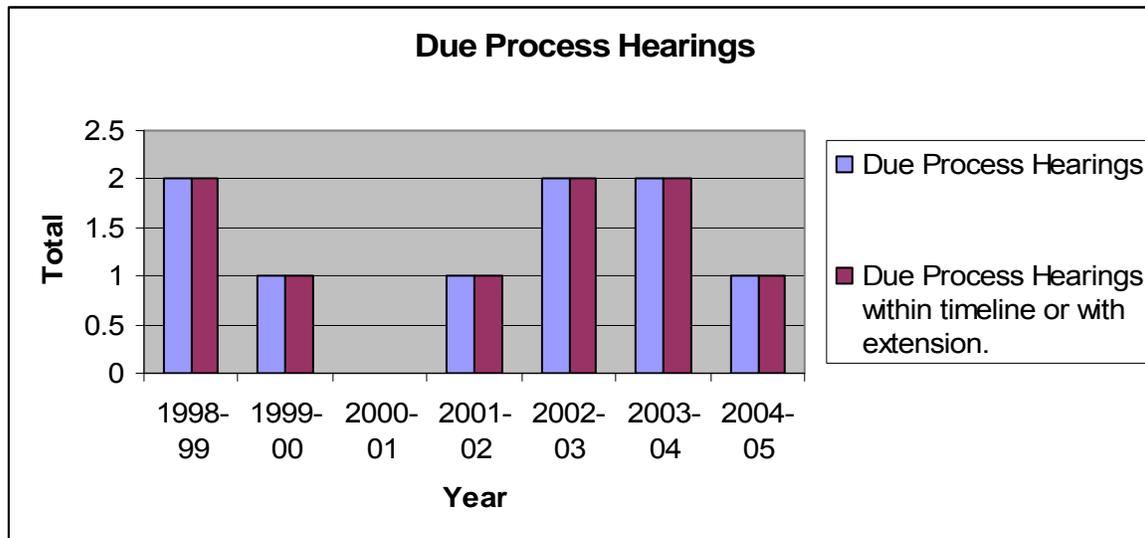


Figure 17.1. Due Process Hearings.

Since 1998, the NDDPI has received two or less due process hearing requests per year. This is largely due to North Dakota's small population. Based on the number of children with disabilities in the state (14,681 students) out of the total state enrollment (107,564 students), the percentage of the total complaints, mediations and due process hearings filed with NDDPI was .05 percent for the 2004-2005 school year.

Additionally, state level complaint investigation has generally been accessed more often than due process hearings in North Dakota because it is less litigious in nature making it more accessible. North Dakota follows a one-tier model for complaint investigation.

Finally, the NDDPI regards early intervention activities as having had a positive effect on the number of total due process hearing requests for 2004-2005. In 2004, NDDPI Special Education redefined one of its state level positions with the intent of improving the early dispute resolution processes and tracking of all

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

dispute resolution activities for special education within the state. During the 2004-05 school year, early intervention methods such as IEP facilitation and mediation were more routinely encouraged.

See Indicator 16 for a description of the NDDPI's Dispute Resolution Coordinator early intervention activities that support families and schools in conflict.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 17.3. Measurable and Rigorous Targets for Indicator 17.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2006 (2006-2007)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2007 (2007-2008)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2008 (2008-2009)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2009 (2009-2010)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2010 (2010-2011)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.

Improvement Activities/Timelines/Resources:

The NDDPI will meet the 100 percent requirement for all due process hearing decisions and reports to be issued within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances. NDDPI will continue use of early dispute resolution processes.

The NDDPI activities will focus on continuing to improve tracking methods, data collection, database structures and maintenance procedures, and improve follow-up procedures. Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

NDDPI is confident that parents are given many opportunities for learning about their procedural safeguards. However, NDDPI is cognizant of the need to develop new approaches to disseminate and communicate this information to accommodate diverse abilities and preferences.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 17.4. Improvement Activities/Timelines/Resources for Indicator 17.

Activities	Timelines	Resources
Provide training in the new IDEA 04 Procedural Safeguards; Revise guidance documents; Develop and revise model forms.	05-06 School Year	NDDPI Dispute Resolution Coordinator and NDDPI staff
Improve complaint data collection and analysis through Online Reporting System and Department database.	06-07 School year	NDDPI Dispute Resolution Coordinator and NDDPI staff
Review data and develop action plan for dealing with systemic issues.	Ongoing	NDDPI Dispute Resolution Coordinator
Develop guidance materials in varied formats so that parents can access the information through different modes (brochures, videos, audio tapes, sign-language interpreter, etc.).	06-07 School Year	NDDPI staff, and other interested stakeholders
Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	Ongoing	NDDPI Dispute Resolution Coordinator
Analyze and improve upon existing follow-up methods for ensuring completion of corrective actions in a timely fashion.	Ongoing	NDDPI Dispute Resolution Coordinator
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIA special education administrators in the state.	2006	NDDPI Dispute Resolution Coordinator

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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.

Overview of Issue/Description of System or Process:

The NDDPI has developed a model Resolution Session Agreement form that may be used by local school districts. The NDDPI has also developed a process and worksheet for tracking timelines associated with the Resolution Session and Due Process Hearing requirements. Once a due process hearing complaint notice is received by both the LEA and NDDPI, the NDDPI forwards the notice to the Office of Administrative Hearings (OAH) for assignment of an Administrative Law Judge, (Impartial Hearing Officer (IHO)). This ensures the prompt transfer of information, tracking of timelines, and handling any sufficiency contest of the Due Process Complaint Notice.

Due to the NDDPI's small number of due process hearing requests each year, the state decided to assist the school district and parents involved in the conflict in arranging for neutral facilitators. The facilitator's role is to facilitate the meeting and to assist the parties who have reached an agreement in documenting the terms of the agreement using the Resolution Session Agreement form. The NDDPI receives a copy of the agreement, if one is completed. The NDDPI also assists in the tracking of timelines associated with the Resolution Session and documenting the following:

- Whether the parties wish to resolve the issues through mediation rather than through the resolution session;
- Whether the parties have submitted in writing to waive the resolution session;
- Whether the school has fulfilled the terms of the agreement to the satisfaction of the parent within the 30 day timeline;
- Whether the party who requested the due process hearing wishes to proceed with the due process hearing after the 30-day time frame.

Baseline Data for FFY 2005-2006:

The NDDPI Dispute Resolution Coordinator monitors the data to compare against the state performance plan targets. Of the two due process hearings conducted during the 2005-2006 school year, only one entered into a resolution session meeting. The meeting resulted in no agreement. A neutral facilitator assisted the parties in the meeting, but the parties could not come to agreement on any of the issues presented in the complaint. The parties in the other due process agreed to waive the resolution session and did not wish to participate in mediation.

Discussion of Baseline Data:

North Dakota asserts that it is counter intuitive to strive for 100 percent in agreement rates because it brings an agenda separate from what the parties bring. If the goal is to achieve 100 percent agreements from the resolution session, the process becomes authoritative and third-party controlled rather than participant controlled.

The resolution session agreement rate for 2005-2006 was below the NDDPI's original target of 50

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

percent. North Dakota typically has very small due process numbers which creates a statistical conundrum because there are too few to derive any statistical conclusions. In light of NDDPI having had only one resolution session during the 2005-2006 school year (out of two due process hearing requests), the NDDPI has created new targets for resolution session agreements.

Table 18.1. Measurable and Rigorous Targets for Indicator 18.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	30 percent of Resolution Sessions will be facilitated successfully.
2006 (2006-2007)	35 percent of Resolution Sessions will be facilitated successfully.
2007 (2007-2008)	40 percent of Resolution Sessions will be facilitated successfully.
2008 (2008-2009)	45 percent of Resolution Sessions will be facilitated successfully.
2009 (2009-2010)	50 percent of Resolution sessions will be facilitated successfully.
2010 (2010-2011)	50 percent of Resolution sessions will be facilitated successfully.

Table 18.2. Improvement Activities/Timelines/Resources for Indicator 18.

Activities	Timelines	Resources
Provide stakeholder training in the new IDEA 04 regulations on procedural safeguards and dispute resolution options. Revise guidance documents.	06-07 school year	NDDPI Dispute Resolution Coordinator
Continue to expand existing facilitator pool; provide facilitation and IDEA 04 training to facilitators.	06-07 school year; ongoing	NDDPI Dispute Resolution Coordinator
Monitor resolution session via internal database and reporting processes.	06-07 school year	NDDPI Dispute Resolution Coordinator
Monitor issues presented in the resolution sessions for the purpose of handling systemic issues.	06-07 school year and ongoing	NDDPI Dispute Resolution Coordinator
Develop guidance materials in varied formats so that parents can access the information through different modes.	06-07 and 07-08 school years	NDDPI staff, and interested stakeholders
Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	Ongoing	NDDPI Dispute Resolution Coordinator
Analyze data and improve upon existing follow-up methods for monitoring implementation of resolution session agreements.	Ongoing	NDDPI Dispute Resolution Coordinator

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

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.

Overview of Issue/Description of System or Process:

The NDDPI offers mediation when conflict between a parent and school exists or when a due process hearing is requested. A request for mediation may occur when parents and schools reach an impasse after having made good faith efforts to resolve their differences. Either the parents or school district can request mediation. Mediation may occur on any issue considered appropriate for a due process hearing or complaint investigation. The NDDPI's guidance document on mediation informs parties that mediation may occur prior to or concurrent with a request for a due process hearing or the filing of a complaint but that it may not interfere with the right to a due process hearing.

Once the parents and school district agree to mediation, each party completes an *Agreement to Mediate* form and sends the document to the NDDPI, who then contacts the other identified party to seek participation. If one party declines to participate in mediation, all efforts to resolve conflict via mediation end. Mediators will be chosen on a rotational basis. This is a change from our previous method of allowing the parties to choose the mediator. Mediations are few in North Dakota and some mediators expressed concern that their familiarity with special education mediation issues was compromised when they were not given an opportunity to perform special education mediation on an annual basis. Although training is provided for all mediators, the NDDPI agreed that mediators would benefit from being selected rotationally so that they might each have an opportunity to mediate a special education case in any given year. The rotation process includes:

- The mediator who is next on the list will be contacted. If that mediator is not available, the next mediator on the list is contacted.
- Disability category of the student will be taken into account for special cases when selecting a mediator if a particular mediator has extensive experience in a particular disability area (i.e., mental illness).
- Geographic location of the mediator will only be taken into account if the parties' issues are so widespread that several meetings would be required to effectively resolve the issues presented in the mediation request.

The NDDPI has improved the collection of participant feedback data. The mediator disseminates a NDDPI generated mediation exit survey immediately following the mediation as part of continuous improvement process. The participants may send it in the accompanying self-addressed/stamped envelope at their convenience. The information obtained from the surveys are held confidential to the extent that no names are attached to the survey and data is strictly used to improve the mediation process and mediator trainings, or to convey trend data to stakeholders at parent or leadership conferences.

To ensure objectivity, the mediator is given only the *Agreement to Mediate* forms submitted by the parties. The mediator is not made aware of any phone conversations between the parties and the NDDPI staff. Mediators are selected to be available to the NDDPI on the basis of these qualifications: sensitivity

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

to cultural, linguistic and class differences; neutrality; knowledge of the process of mediation; fundamental understanding of IDEA 04 requirements; and appropriate personal communication skills.

The parties determine the terms of the agreement and, if the parties agree, the mediator puts the agreement in writing. Both parties and the mediator sign the mediation agreement. At the conclusion of the session, each party receives a copy. If mediation results in an agreement that would require changes to a student's IEP, the NDDPI recommends to the parties that an IEP team meeting be convened as soon as possible to consider incorporating some or all elements of the agreement into the student's IEP. If agreement is not reached, the mediator will certify to the parties, in writing, that the mediation has been unsuccessful.

Baseline Data for FFY 2004 (2004-2005):

Table 19.1. Baseline Data 2004 - 2005.

(2) Mediation request total	4
(2.1) Mediations	
(a) Mediations related to due process	1
(i) Mediation agreements	0
(b) Mediations not related to due process	3
(i) Mediation agreements	3
(2.2) Mediations not held (including pending)	0

Discussion of Baseline Data:

NDDPI received five mediation requests during the 2004-2005 school year. Of those five, one was declined by the other party. Of the four that went to mediation, one was related to a due process hearing, which resulted in no agreement. Of the four that went to mediation, three were not related to due process and those three resulted in a mediation agreement. All mediations were completed within a 3 week time period. The most frequently occurring mediation issue was placement.

Mediations related to due process hearings

Of all due process hearing requests since 1998, approximately 20 percent went to mediation. Of those mediations related to due process hearings since 1998, 33 percent have resulted in agreement. During the 2004-05 school year, 0 percent of mediations related to due process resulted in agreement.

Mediations not related to due process hearings:

Of all mediations not related to due process hearings since 1998, 78 percent resulted in agreement. During the 2004-05 school year, 100 percent of mediations not related to due process hearings resulted in agreement.

Table 19.2. Mediation Data 1998 - 2005.

Year	Total Mediations	Mediations related to Due Process	Mediation Agreements related to Due Process	Mediation not related to Due Process	Mediation Agreements not related to Due Process
1998-99	1	0	0	1	1
1999-00	6	1	1	5	4
2000-01	2	1	0	1	0
2001-02	3	0	0	3	2
2002-03	0	0	0	0	0
2003-04	1	0	0	1	1
2004-05	4	1	0	3	3

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

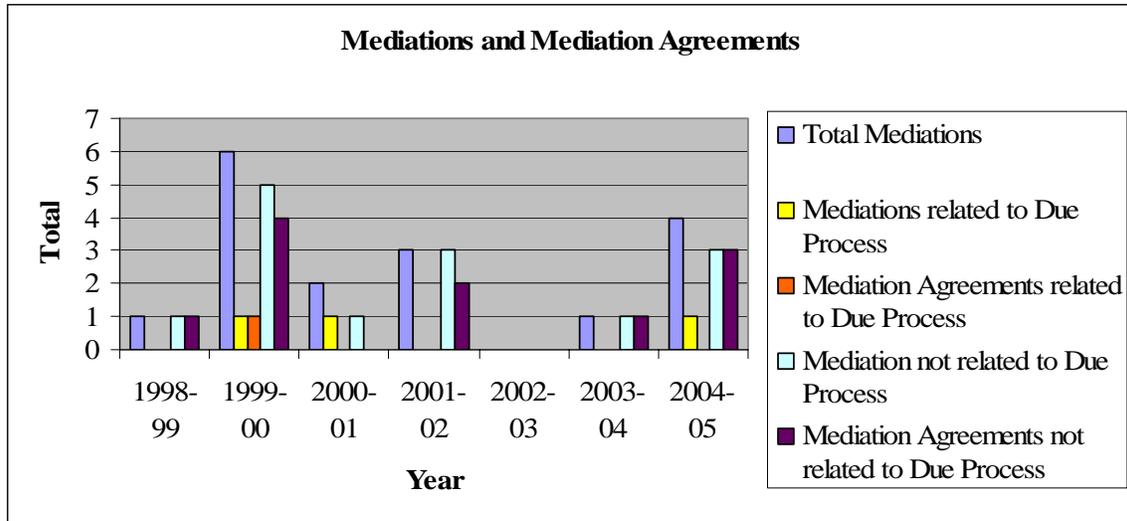


Figure 19.1. Mediations and Mediation Agreements.

Although the number of annual mediations has not changed significantly over the last 7 years, there has been a new focus on early intervention for resolving conflicts between schools and parents before they reach complaint level. Please see Indicator 16 for a description of the NDDPI’s early intervention activities that support families and schools in conflict.

North Dakota asserts that it is counter intuitive to strive for an increase in agreement rates because it brings to the table an agenda separate from what the parties bring. If the goal is to achieve 100 percent agreements from mediation, then the process becomes a mediator-centered rather than client-centered process.

Table 19.3. Measurable and Rigorous Targets for Indicator 19.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2006 (2006-2007)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2007 (2007-2008)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2008 (2008-2009)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2009 (2009-2010)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2010 (2010-2011)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Improvement Activities/Timelines/Resources:

NDDPI activities will focus on: improving mediator training about IDEA 04; increasing the existing mediator pool; implementing new tracking methods; enhancing data collection, including database structures and maintenance; and expanding follow-up procedures.

Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

Table 19.4. Improvement Activities/Timelines/Resources for Indicator 19.

Activities	Timelines	Resources
Provide stakeholder training in the new IDEA 04 Procedural Safeguards; Revise guidance documents; Develop and revise mediation forms;	05-06 School Year	NDDPI Dispute Resolution Coordinator
Expand mediator pool and improve quality of mediator training in both mediation methods and IDEA 04.	Ongoing	NDDPI Dispute Resolution Coordinator
Improve mediation data collection and analysis for improved tracking processes.	06-07 School year	NDDPI Dispute Resolution Coordinator
Review of all mediation issues for the purpose of handling systemic issues.	Ongoing	NDDPI Dispute Resolution Coordinator
Develop guidance materials in varied formats so that parents can access the information through different modes (brochures, videos, audio tapes, sign-language interpreter, etc.).	06-07 School Year	NDDPI staff, and other interested stakeholders
Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	Ongoing	NDDPI Dispute Resolution Coordinator
Analyze data and improve upon existing follow-up methods for ensuring implementation of mediation agreements.	Ongoing	NDDPI Dispute Resolution Coordinator
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIA special education administrators in the state.	2006	NDDPI Dispute Resolution Coordinator

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Overview of the State Performance Plan Development:

See Indicator 1 for complete overview.

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

State reported data, including 618 data 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 accuracy).

Overview of Issue/Description of System or Process:

In 2003 the NDDPI determined that the state's special education data collection and reporting system was no longer sufficient for meeting increasing reporting requirements. During an October, 2003 conference with local special education administrators the NDDPI's director of the Management Information Systems (MIS) unit explained the Department's plan for collecting and reporting special education data with a new online reporting system (ORS). Beginning with the 2004-05 school year, all special education data collection and reporting was done with the ORS.

In the development of North Dakota's Special Education Annual Performance Reports for the 2002-03 and 2003-04 school years, the NDDPI recognized that various units within the state education agency collected essential data, however, different methods of collecting these data were sometimes used. An example of this was the required reporting of suspension and expulsion data which had been historically collected by the NDDPI office of Coordinated School Health through its administration of the Safe and Drug-Free Schools program. It also became essential for the special education office at the NDDPI to work collaboratively with the NDDPI Title I staff and personnel from the MIS unit, the Standards and Achievement unit, and the Assessment staff in order to accurately collect and report data regarding the participation and performance of students with disabilities on state assessments. Steady improvements in the coordination of this data collection and analysis within the NDDPI are occurring.

Upon returning from the U.S. Department of Education Office of Special Education Program's 2005 *Summer Institute* personnel from the NDDPI office of special education met with key staff from the NDDPI Management Information System unit regarding the data collection and reporting requirements of the State Performance Plan. Similar meetings were held with other key personnel within the Department of Public Instruction to ensure accuracy and consistency across the agency in establishing baseline data, e.g., graduation and dropout rates, suspension and expulsion rates, personnel qualifications, etc. In October, 2005, a coordinator from the NDDPI special education unit accompanied the director of the NDDPI Management Information Systems unit to the U.S. Department of Education's conference for education data managers. These collaborative activities are promoting increased awareness within the agency regarding general and special education performance targets, improvement strategies, resources, and opportunities for potential collaborative technical assistance.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

The NDDPI office of special education began informally researching the possibility of initiating a new statewide electronic individualized education program (IEP) during the 2004-05 school year. Personnel from the Nebraska state education agency met with staff from the NDDPI to review a web-based IEP system that is currently used in Nebraska. In the summer of 2005, the NDDPI office of special education initiated a contract with the ND Center for Persons with Disabilities (NDCPD) at Minot State University to more formally research the interest and willingness of ND school districts and special education units to adopt one web-based IEP system for statewide usage. It is anticipated that formal recommendations will emerge from this study that will be the basis of the state's planning about an electronic IEP. It is the intention of the NDDPI to review these recommendations with the ND IDEA State Advisory Committee. Pending the conclusion of that consultation and if there is evidence of broad-based support, the NDDPI intends to actively pursue an electronic IEP for the students, families, and schools of our state. Development of a web-based IEP would be done in coordination with DPI's online reporting system. The NDDPI office of special education anticipates that the proposed statewide electronic IEP will significantly enhance the SEA's ability to collect and analyze student, building, district, special education unit, and statewide data for purposes of improvement planning and IDEA 04 compliance monitoring.

The NDDPI office of special education consistently documents the timely completion of IDEA 04 complaint investigation reports, due process hearings, and mediations, and submits required data reports (Annual Performance Report, Sec. 618) to the U.S. Department of Education on or before required deadlines.

Personnel from the NDDPI have already conducted statewide and district specific training on the SEA's online reporting system. The ORS has a feature that allows users to submit queries to personnel within the Department of Public Instruction, thereby allowing personalized technical assistance. Additionally, the NDDPI will provide ongoing training and support for LEAs in the collection, reporting, and analysis of data for improvement planning.

Baseline Data for FFY 2004 (2004-2005):

Required data reports are submitted to the U.S. Department of Education on or before due dates (February 1 for Child Count and LRE; November 1 for Exiting, Suspension/Expulsion, and Personnel; and February 1 for Annual Performance Reports.)

On October 31, 2005, the NDDPI was notified by the U.S. Office of Planning, Evaluation and Policy Development (OPEPD) that it is one of the first states to be excused from traditional reporting of data to the U.S. Department of Education. Due to the high quality and accuracy of EDEN submissions for SY2003-04, North Dakota has been qualified to supply the data for the Report of Children with Disabilities Exiting Special Education during the School Year exclusively through the Education Data Exchange Network (EDEN).

Discussion of Baseline Data:

As described in the Overview of Issue/Description of System or Process, the NDDPI continues efforts to improve statewide data collection systems that will ensure accuracy. The continued development and eventual implementation of a web-based IEP system will support these efforts. In addition refinement of data collection for graduation and drop-out, suspension and expulsion, family involvement, preschool outcomes, secondary transition, and evaluation completion timelines will continue.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Table 20.1. Measurable and Rigorous Targets for Indicator 20.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of required data reports will be accurately completed and submitted on time.
2006 (2006-2007)	100 percent of required data reports will be accurately completed and submitted on time.
2007 (2007-2008)	100 percent of required data reports will be accurately completed and submitted on time.
2008 (2008-2009)	100 percent of required data reports will be accurately completed and submitted on time.
2009 (2009-2010)	100 percent of required data reports will be accurately completed and submitted on time.
2010 (2010-2011)	100 percent of required data reports will be accurately completed and submitted on time.

Table 20.2. Improvement Activities/Timelines/Resources for Indicator 20.

Activities	Timelines	Resources
Training for LEA staff who are responsible for entering student record data.	Ongoing	NDDPI staff
Individual technical assistance to LEA staff as needed.	Ongoing	NDDPI staff
Provide training and implementation of The Special Education Integrated Monitoring System for data analysis and improvement planning.	Implement statewide in 2007 -08	Part B admin. funds;
Further refinement of State Automated Reporting Systems	Ongoing	State MIS Staff
Piloting of the Statewide Special Education Web-based Case Management System (Spring 2008) with full implementation Fall 2008.	FFY2008	NDDPI Staff, District Administrators.
The NDDPI Standards and Achievement Unit has moved the annual school district data submission date to an earlier deadline of November 1.	Ongoing	NDDPI staff

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX A

Documents Relating to Indicator 8

NDDPI Parent Survey

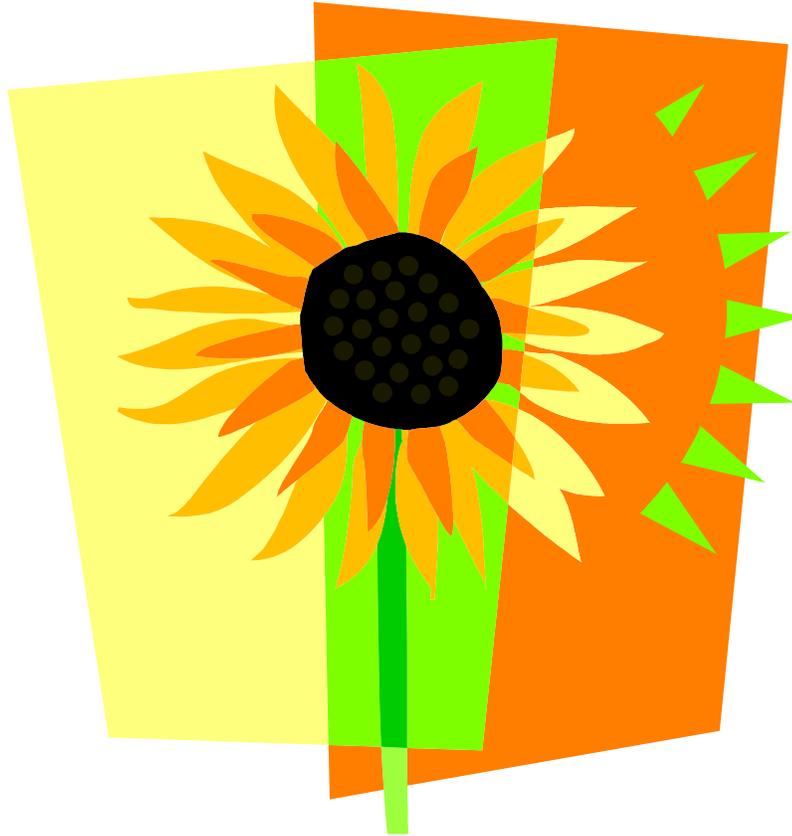
NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX B

Documents Relating to Indicator 8

The North Dakota Special Education
State Performance Plan and Annual Performance Report
Summary
2005 – 2010

**The North Dakota Special Education
State Performance Plan and Annual Performance Report
Summary 2005 – 2010**



Individuals with Disabilities Education Act, 2004



Dr. Wayne G. Sanstead, State Superintendent
Department of Public Instruction
600 E Blvd Ave, Dept 201
Bismarck ND 58505-0440

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Department of Public Instruction Office of Special Education

Robert Rutten
State Special Education Director

Jeanette Kolberg
Assistant State Director

Regional Special Education Coordinators:

Nancy Skorheim	John Porter
Gerry Teevens	Guy McDonald
Alison Dollar	Teresa Monicken
Doreen Strode	

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Greetings from our Director

Major changes are taking place in education across the nation. Two important federal education laws, the No Child Left Behind Act and the Individuals with Disabilities Education Act, require states and local school districts to be more accountable for what they are doing. There is an increased emphasis on achievement results for students. Data-driven decision making has become increasingly common in American schools.

One requirement of the Individuals with Disabilities Education Act (IDEA) is for a state education agency to have a six year special education State Performance Plan (SPP). The purpose of the SPP is to plan for the improvement of outcomes for children and youth with disabilities. Each year a state must now have an annual performance report (APR) to show how a state is progressing toward the targets established in the State Performance Plan.

We have worked hard in North Dakota to create a meaningful and useful special education State Performance Plan. However, we realize that it is a lengthy and complicated document. It is also something that might be overlooked because it is so detailed. The document you are now reading is intended to explain our special education State Performance Plan and how the Annual Performance Report allows us to measure our progress. This is a condensed version of our SPP and can serve as an introduction to these new tools for parents and educators to see how students with disabilities are achieving in our schools.

The ND Department of Public Instruction is committed to improving results for students with disabilities. We know that well informed parents and dedicated educators who provide special education and related services in the schools of our state are critical partners in making those improved results possible.

Respectfully,
Robert Rutten
Director of Special Education
ND Department of Public Instruction



NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Introduction

The North Dakota State Special Education Performance Plan is our six-year plan for improving the educational results for all children with disabilities. There are 20 indicators and each indicator detailed in the State Performance Plan contains information such as details of baseline data, the measurable and rigorous annual targets, and improvement activities. Beginning in 2005, through 2011, the North Dakota Department of Public Instruction (NDDPI) will collect data from all of the school districts and solicit input from parent surveys, statewide or regional standing committees, and workgroups. This information is used to continuously improve both state and school district activities thus improving results for all children with disabilities.

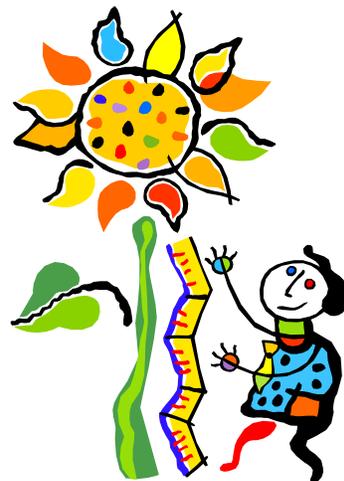
After collecting the data for each of these indicators, the special education staff at the NDDPI reviews the information. School districts that are identified as needing assistance are contacted and a letter is sent describing the concern found. They are also given specific corrective actions based on the indicator that must be completed within a specific timeframe. Once the school district has completed the corrective actions, the NDDPI staff is notified to review actions completed. Through this process, issues of concern will decrease and positive results for students with disabilities will increase. This information is given to school districts, publicly available on our website and reported to the U. S. Department of Education, Office of Special Education Programs (OSEP) in our Annual Performance Report (APR).

Because the SPP (what we are doing) and the APR (how we are doing) appear very similar, this summary was designed to assist you in understanding the purpose of both reports and the importance of the data collected. Through this condensed version of the SPP, you can quickly review each indicator, the 2004-2005 baseline data, the previous year's results, and the current year's targets. The improvement activities are also listed for each indicator so you can review our plan toward improving special education services and the results for all children with disabilities in North Dakota.

The annual results of each of the indicators in the SPP are reported in our Special Education Annual Performance Report (APR). For example, in this document the "Achieved for 2005-2006" rate is given. The full description of this achievement is found in the APR. When revisions to the plan are necessary, these revisions are made in the SPP. For detailed information, please see the full reports. Both the APR and the SPP are posted on the special education web page within the NDDPI web site <http://www.dpi.state.nd.us/speced/>

The Three Monitoring Priorities:

- ☼ Free appropriate public education in the least restrictive environment (FAPE in the LRE).
- ☼ **Disproportionality by race/ethnicity.**
- ☼ **Effective general supervision.**



NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Monitoring Priority 1

Free appropriate public education in the least restrictive environment (FAPE in the LRE)

The Individualized Education Program (IEP) describes the specific services provided by special education and related services staff that a child with disabilities requires to meet his or her individual needs. These services are provided in the least restrictive environment (LRE). This means children with disabilities are educated to the greatest extent appropriate in the same settings that are offered to all students. Services appropriate for children with disabilities to achieve educational success through the public education system are offered without extra fees to the parent. This is free appropriate public education, otherwise known as FAPE.

Monitoring for FAPE in the LRE allows NDDPI, school districts, and parents to ensure that, as appropriate, children with disabilities are educated in the general education setting while receiving the services necessary for positive educational results. Indicators 1 through 8 monitor FAPE in the LRE. These include increasing the graduation rate with a regular diploma, reducing the dropout rate, mastery of state grade-level content standards in mathematics and reading, suspension and expulsion rates as compared to children without disabilities, and the percentage of students with disabilities who are educated in various settings outside the general classroom. Indicators 6 and 7 are specific to the placement of preschool children and positive early childhood outcomes. Indicator 8 is the final indicator in this priority. Indicator 8 measures the percentage of parents who report their school facilitated parent involvement as a means of improving services and results for students with disabilities.



Indicator 1

Percent of students with IEPs graduating from high school with a regular diploma compared to percent of all students in the state graduating with a regular diploma.

Target for 2010 - 2011: The percentage of youth with IEPs graduating from high school will increase to 89.90%.

Baseline (2004-2005): Graduation rate for students with IEPs = 84.14%; graduation rate for all children = 80.98%

Achieved in 2005-2006: Graduation rate for students with IEPs = 77.13%; graduation rate for all children = 81.02%

Annual Target for 2006 - 2007: 86.06%

Improvement Activities:

- * Provide technical assistance to school districts in collecting quality data and in designing research based interventions.
- * Support the provision of distance education through technology to ensure that students with disabilities have additional options for graduating from high school.
- * Statewide dissemination of instructional materials regarding prevention of school bullying.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

- * Implement a statewide process designed to improve the overall planning of Transition services for high school students with disabilities.
- * Collaborate in sharing data and improvement strategies to promote evidence-based practices to increase high school graduation opportunities for adjudicated youth with disabilities.
- * Expand statewide Positive Behavioral Supports (PBS) Collaborative project. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.
- * Improve data collection and reporting in collaboration with general education partners and with school districts.
- * Complete “Guidelines: Identifying and Serving Children and Youth with Emotional Disturbance”. Conduct regional training on these guidelines.
- * Support professional development for general education (secondary level) on differentiated instruction and strategies.



Indicator 2

Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

Target for 2010 - 2011: The percentage of youth with IEPs dropping out of high school will decrease to 10.04%.

Baseline (2004 – 2005): Students with IEPs dropout rate = 15.86%; All students dropout rate = 19.11%

Achieved in 2005 - 2006: Students with IEPs dropout rate = 19.11%; All students dropout rate = 22.87%

Annual Target for 2006 - 2007: 13.92%

Improvement Activities: Indicators 1 and 2 are directly related. Therefore, the activities for Indicator 2 are those of Indicator 1.

Indicator 3

Participation and performance of children with disabilities on statewide assessments: A) Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup; B) Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards; C) Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.



Target for 2010 - 2011: Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 97.5%. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.8%.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline (2004 – 2005): A) Reading - 92.4% and Math - 95.4%; B) 98%; and C) Reading – 48.1% and Math – 43.0%;

Achieved in 2005 – 2006: A) Reading – 95.5% and Math – 97.2%; B) 95%; and C) Reading – 55.0% and Math – 50.0%;

Annual Target for 2006 - 2007: A) Reading – 96.0% and Math – 97.3%; B) 95%; and C) Reading – 57.8% and Math – 52.5%;

Improvement Activities:

- * Provide statewide annual training on ND Alternative Assessment (NDALT) including annual technical quality improvements of the assessment.
- * Survey teachers regarding training needs for instructional strategies linked to the NDALT.
- * Statewide training as follow-up to needs identified in response surveys.
- * Scoring and evaluation of the validity, reliability, and quality of the NDALT for necessary revisions and electronic updates each year performed by ongoing NDALT committee.
- * Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.
- * Provide information, resources, and support for Response to Intervention (RtI) model and implementation. Revise state guidelines for assessment to include RtI model and process.
- * Support professional development for general education (secondary) on differentiated instruction/strategies.

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; and B) Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.



Target for 2010 - 2011: The percent of school districts identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97%.

Baseline: 0.97% (2) of the districts were identified.

Achieved in 2005 – 2006: 0.00% of the school districts were identified.

Annual Target for 2006 - 2007: Percent of school districts will not exceed 0.97%.

Improvement Activities:

- * Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating school districts. Data collection and analysis will be used for school improvement planning. This activity is also designed to address issues identified in Indicators 1 and 2.
- * Provide information, resources, and support for RtI model and implementation. Revise state

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

guidelines for assessment to include Rtl model and process. This activity is also designed to address issues identified in Indicators 9 and 10.

- * Provide training on statewide guidelines for identification and services for students with emotional disturbance as needed. This activity is also designed to address issues identified in Indicators 9 and 10.
- * Co-host Title I Summer Reading and Math institutes.
- * Provide training and implementation of Comprehensive School Improvement System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs. This activity is also designed to address issues identified in all Indicators.
- * Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 9 and 10.
- * Review school district policies and procedures for suspensions and expulsions rates of all schools identified as having suspension and expulsions rates greater than those identified in the state's target matrix. Provide technical assistance where necessary in revising school districts policies and procedures.
- * Statewide dissemination of instructional materials regarding prevention of school bullying. This activity is also designed to address issues identified in Indicators 1 and 2.



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.

Target for 2010 - 2011: a) 80.5% of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.5% will be educated outside the regular classroom more than 60 percent of the day. c) 2% will be placed in separate schools, residential schools, or homebound/hospital.

Baseline: A) 77.7%; B) 4.2%; and C) 2.3%

Achieved 2005 – 2006: A) 81.15%; B) 4.10%; and C) 2.14%.

Annual Target for 2006 - 2007: A) 78.5%; B) 3.9%; and C) 2%.

Improvement Activities:

- * Expand statewide Positive Behavioral Supports (PBS) Collaborative project by adding 10 – 15 school districts/plants per school year. Provide training, coaching, and data collection software to participating districts. Data collection and analysis will be used for school improvement planning.
- * Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include Rtl model and process.
- * Develop, provide training, and implement statewide guidelines for identification and services for students with emotional disturbance.
- * Co-host NDDPI Title I Summer Reading and Math institutes.
- * Provide training and implementation of Continuous Improvement Focused Monitoring System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs.
- * Support ongoing personnel development projects in collaboration with state university training

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

programs to increase the number of qualified special educators across the state. Support mentoring models in preservice teacher preparation programs.

- * Support professional development for general education (secondary) on differentiated instruction/strategies.

Indicator 6

Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).



Target for 2010 - 2011: 53.5% of preschool children with IEPs will receive special education services in settings with typically developing peers.

Baseline: 49.9%

Achieved in 2005 – 2006: 52%

Annual Target for 2006 - 2007: 51.5%

Improvement Activities:

- * Develop, provide training, and implement statewide guidelines for identification and services for students with emotional disturbance including preschool children.
- * Provide training and implementation of Continuous Improvement Focused Monitoring System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs.
- * Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state.
- * Completion of and training on the ND Early Childhood Transition Guidelines.
- * Completion of and training on the ND Early Learning Guidelines will promote better understanding of appropriate least restrictive environment placement options for preschool children with disabilities.
- * Provide guidance and training related to the revised Federal preschool LRE settings.



Indicator 7

Percent of preschool children with IEPs who demonstrate improved: A) Positive social-emotional skills (including social relationships); B) Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and C) Use of appropriate behaviors to meet their needs.

NOTE: This indicator has been revised in the current SPP. Therefore, baseline and annual targets have not yet been determined.

Improvement Activities:

- * Pilot Project Sites collect Entry Data.
- * Pilot Project Sites meet with the NDDPI to review and review Pilot Project Process and determine

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

training needs.

- * Participate in a national group for the development of training materials.
- * Establish and implement ND Early Childhood Outcomes (NDECO) pilot process for Articulation only students.
- * The NDDPI recruit additional sites for Phase I of the statewide NDECO Project.
- * ND Pilot Sites collect entry and exit data.
- * Training of sites for Phase one of the statewide NDECO Project.
- * Phase I sites begin collecting entry data.
- * Pilot Sites and Phase I sites collect entry and exit data.
- * Establish and complete statewide training.
- * Implement NDECO statewide.

Indicator 8

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



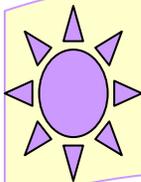
Target for 2010 - 2011: 80 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Baseline (2005-2006 data): 92.8%

Annual Target for 2006 - 2007: 88%

Improvement Activities:

- * Technical Assistance and training to promote parent involvement.
- * Support and collaborate with statewide family organizations to increase knowledge and promote parent involvement.
- * Prepare and disseminate updated resources and provide trainings to parents regarding alternative dispute resolution processes, including IEP facilitation.
- * Collaborate with ND Pathfinders to update existing documents and develop new materials related to parent involvement.

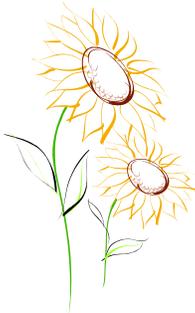


If you are a parent and your child has a disability, please go to <http://www.dpi.state.nd.us/speced/parent/> to participate in the **Parent Survey**.

Monitoring Priority 2

Disproportionality

Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education. Indicators 9 and 10 monitor disproportionality in ND schools.



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.

Target for 2010 - 2011: School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0%.

Baseline: 5.58% were found with disproportionate identification.

Achieved in 2005 – 2006: 3.02%

Annual Target for 2006 - 2007: 0.00%

Improvement Activities:

- * Obtain and disseminate materials on disproportionate representation from the NCCREST and disseminate to the field. This activity is also designed to address issues identified in Indicator 10.
- * Provide information and technical assistance to school districts that demonstrate a significant discrepancy. This activity is also designed to address issues identified in Indicator 10.
- * Provide information, resources, and support for RtI model and implementation. Revise state guidelines for assessment to include RtI model and process. This activity is also designed to address issues identified in Indicators 4 and 10.
- * Provide training on statewide guidelines for identification and services for students with emotional disturbance as needed. This activity is also designed to address issues identified in Indicators 4 and 10.
- * Provide training and implementation of Comprehensive School Improvement System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs. This activity is also designed to address issues identified in all Indicators.
- * Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4 and 10.
- * Review school district policies and procedures of all schools districts identified as having rates greater than those identified in the state's target matrix. Provide technical assistance where

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

necessary in revising school district policies and procedures. This activity is also designed to address issues identified in Indicator 10.

Indicator 10

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



Target for 2010 - 2011: School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0%.

Achieved in 2005 – 2006: 17.09% of were found with disproportionate identification in the specific disability categories.

Annual Target for 2006 - 2007: 0.00%

Improvement Activities: Indicators 9 and 10 are directly related. Therefore, the activities for Indicator 10 are those of Indicator 9.

Monitoring Priority 3

Effective General Supervision Part B

General supervision monitors and ranks districts and schools based on achievement and indicators that are descriptive of the learning environment, professional environment, parent and community involvement as well as program compliance to determine the areas in greatest need of technical assistance. The ranking system is based on local and state targets based on the state performance plan. The NDDPI monitors for compliance, assesses school needs, assists in the development of the school improvement plan, and provides guidance and resources for the corresponding professional development plans. Although the entire SPP are included in the data required for general supervision, the balance of the SPP are specific to this priority.

Indicator 11

Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline).



Target for 2010 - 2011: 100% of children with parental consent to evaluate are evaluated within 60 days.

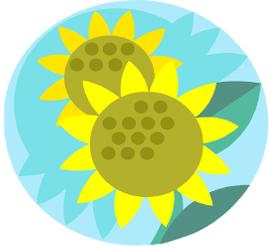
NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Baseline: 95.51%

Annual Target for 2006 - 2007: 100%

Improvement Activities:

Because this is a new indicator and the data collection method is new, activities involve technical assistance to school districts. Activities directly related to the indicator will be written in the next revision of the SPP (February 2008).



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.

NOTE: This indicator has been revised in the current SPP. Therefore, baseline and annual targets have not yet been determined.

Target for 2010 - 2011: 100% of the 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 birthday.

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.



Target for 2010 - 2011: 100% of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Baseline: Data for this baseline is being collected during the 2006-2007 school year.

Annual Target for 2006 - 2007: 100% of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Improvement Activities:

- * Sponsor and promote the North Dakota Interagency Transition Institute.
- * Provide technical assistance to school districts to strengthen understanding and compliance to the IDEA 04 transition requirements. Develop "transition" modules designed as web casts. This activity is also designed to address issues identified in Indicators 1, 2, and 14.
- * Implement a statewide process designed to improve the overall planning of transition services for high school youth with disabilities. This activity is also designed to address issues identified in Indicator 14.
- * Partner with ND State Vocational Rehabilitation to provide assistance to regional stakeholders in the transition process to develop regional transition committees throughout the state. This activity is also designed to address issues identified in Indicator 14.
- * Develop and Disseminate Indicator 13 Excel spreadsheet and directions for internal monitoring to

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

school districts.

- * Develop transition training modules through partnership with NDEA. This activity is also designed to address issues identified in Indicator 14.
- * Conduct State Transition Steering Council meetings. This activity is also designed to address issues identified in Indicators 14.
- * Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP. This activity is also designed to address issues identified in Indicators 6 and 12.
- * Development and implementation of a statewide Self-determination curriculum. This activity is also designed to address issues identified in Indicators 1, 2, and 14.
- * Collaboration with ND Education Association (NDEA) through the IDEA Partnership, to develop a transition training module for general education staff.

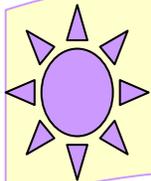
Indicator 14

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.



NOTE: This is a new indicator and depends on data from the students who exited school in 2006. Therefore, baseline and annual targets have not yet been determined. Two statewide surveys are used to collect information from students - one as students exit school and one a year later to follow-up on post school outcomes.

Improvement Activities: Indicators 13 and 14 are directly related. Therefore, the activities for Indicator 14 will be similar to those of Indicator 13.



If your child has a disability and is exiting school this year, please update your contact information at your school. To collect data for this indicator, we will contact you one year from now so you can participate in the **Post-school Follow-up Survey.**



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.

Target for 2010 - 2011: 100% identified noncompliance will be corrected within one year of identification.

Baseline: 87.8%

Achieved in 2005 – 2006: 98.8%

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

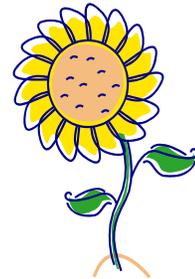
Annual Target for 2006 - 2007: 100%

Improvement Activities:

- * NDDPI will develop regional administrative units. The regions will make DPI staff more accessible and make it possible for greater professional development to occur statewide. The trainings will include best practices as well as law and compliance. This has a mandated timeline from the Governor's Commission on Education (2006).
- * The Online Reporting System will be updated to include needed data to support targets for SPP. The online reporting system is currently being upgraded to include a greater amount of data input related to performance. Simultaneously, a self report for compliance, including all federal programs is also being developed. NDDPI is currently migrating data from the ORS to the new STARS system for online data collection.
- * Implementation of new monitoring and school improvement system. The Roughrider Education Services (Joint Powers Agreement Consortium involving 18 districts) will implement the system in the spring of 2007. The remaining 8 area education agencies will implement during the 2007-2008 school year.

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.



Target for 2010 - 2011: 100% of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.

Baseline: 100%

Annual Target for 2006 - 2007: 100%

Improvement Activities:

- * Provide training in the new IDEA 04 Procedural Safeguards, revise guidance documents, and develop and revise model forms.
- * Improve complaint data collection and analysis through Online Reporting System and Department database.
- * Review data and develop action plan for dealing with systemic issues.
- * Develop guidance materials in varied formats so that parents can access the information through different modes (brochures, videos, audio tapes, sign-language interpreter, etc.).
- * Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and school districts.
- * Analyze and improve upon existing follow-up methods for ensuring completion of corrective actions in a timely fashion.
- * The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIA special education administrators in the state.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010



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.

Target for 2010 - 2011: 100% of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.

Baseline: 100%

Annual Target for 2006 - 2007: 100%

Improvement Activities: Indicators 16 and 17 are directly related. Therefore, the activities for Indicator 17 are those of Indicator 16.

Indicator 18

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



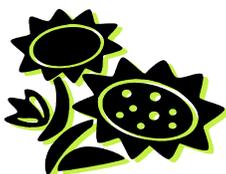
NOTE: This is a new indicator. Therefore, baseline has not yet been determined.

Target for 2010 - 2011: 50% of Resolution sessions will be facilitated successfully.

Annual Target for 2006 - 2007: 35%

Improvement Activities:

- * Provide stakeholder training in the new IDEA 04 regulations on procedural safeguards and dispute resolution options. Revise guidance documents.
- * Continue to expand existing facilitator pool; provide facilitation and IDEA 04 training to facilitators.
- * Monitor resolution session via internal database and reporting processes.
- * Monitor issues presented in the resolution sessions for the purpose of handling systemic issues.
- * Develop guidance materials in varied formats so that parents can access the information through different modes.
- * Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and school districts.
- * Analyze data and improve upon existing follow-up methods for monitoring implementation of resolution session agreements.



Indicator 19

Percent of mediations held that resulted in mediation agreements.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

NOTE: A state is not required to set targets for this indicator unless its baseline data reflect that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year. However, NDDPI continues to monitor this indicator toward the improvement of mediation services offered.

Improvement Activities:

- * Provide stakeholder training in the new IDEA 04 Procedural Safeguards, revise guidance documents, and develop and revise mediation forms.
- * Expand mediator pool and improve quality of mediator training in both mediation methods and IDEA 04.
- * Improve mediation data collection and analysis for improved tracking processes.
- * Review of all mediation issues for the purpose of handling systemic issues.
- * Develop guidance materials in varied formats so that parents can access the information through different modes (brochures, videos, audio tapes, sign-language interpreter, etc.).
- * Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and school districts.
- * Analyze data and improve upon existing follow-up methods for ensuring implementation of mediation agreements.
- * The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIA special education administrators in the state.

Indicator 20

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



On October 31, 2005, the NDDPI was notified by the U.S. Office of Planning, Evaluation and Policy Development that North Dakota is one of the first states to be excused from traditional reporting of data to the U.S. Department of Education. Due to the high quality and accuracy of Education Data Exchange Network (EDEN) submissions for school year 2003-04, North Dakota has been qualified to submit the data for the Report of Children with Disabilities Exiting Special Education during the School Year exclusively through the EDEN.

Target for 2010 - 2011: 100 percent of required data reports will be accurately completed and submitted on time.

Baseline: 100%

Annual Target for 2006 - 2007: 100 percent of required data reports will be accurately completed and submitted on time.

Improvement Activities:

- * Training for school district staff who are responsible for entering student record data.
- * Individual technical assistance to LEA staff as needed.
- * Development of web-based IEP to be used statewide.
- * Further refinement of state reporting systems.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010



For more information on the State Performance Plan or the Annual Performance Report please contact the

Special Education Office
North Dakota Department of Public Instruction
600 East Boulevard Avenue
Bismarck, North Dakota. 58505

Telephone: 701 – 328 – 2277
TTY: 701 – 328 - 4920
Toll Free: 866 – 741 - 3519
Fax: 701 – 328 - 4149



NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX C

Documents Relating to Indicator 11

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Instructions for Completing Indicator 11 – 60 Day Evaluation Form Information gathered from August 1, 2006 through July 31, 2007

Column A – *Special Education Unit*

Column B – *Home School District*

Column C - *# of consent*

Enter the number of children for whom a consent for initial evaluation has been signed from August 1, 2006 through July 31, 2007.

Column D - *# determined w/in 60 days*

Enter the number from Column C of those were determined eligible within 60 days.

Column E - *# eligible not eligible w/in 60 days*

Enter the number from Column C of those determined not eligible within 60 days.

Column F - *# of consents with no determination*

Enter the number from Column C where no determination was made.

Column G - *Why a consent but not determination*

Enter the reason why there was not determination. This can be a list of all children from column F. A drop down list is provided.

Column H - *Other Reasons*

This column is used if “other” is selected in Column G.

Column I - *Range of days determination of eligibility was delayed beyond 60*

Enter the range of days beyond 60 days. The range of days is one response which includes all children with initial consent for evaluation in the district whose eligibility determination was delayed beyond 60days. e.g 1 to 35 days delayed

Column J - *Reasons for delays*

Choose as many responses as necessary from the drop down list supplied.

Column K – *Other – List reasons*

This column is used if “other” is selected in Column J.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX D

Documents Relating to Indicator 12

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Document 12.1

Instructions for Completing Indicator 12 – Early Childhood Transition Form
Information gathered from August 1, 2006 through July 31, 2007

Column A – Special Education Unit

Column B – Home School District

Column C - *# referred by C to B for Eligibility*

Enter the number of children who have been served in Part C and referred to Part B for eligibility determination from August 1, 2006 through July 31, 2007

Column D - *# determined NOT B eligible prior to 3rd b-day*

Enter the number from Column C who were determined NOT Part B eligible prior to their third birthday

Column E - *# eligible for B w/IEP by 3rd b-day*

Enter the number from Column C who were determined Part B eligible and who had an IEP developed and implemented by their third birthday

Column F - *# with eligibility determination delayed beyond 3rd b-day*

Enter the number from Column C who were served in Part C and referred to Part B but eligibility determination was delayed beyond the child's third birthday

Column G – *Range of days determination of eligibility was delayed beyond 3rd b-day*

Of the number from Column F, enter the range of days of the delays to determine eligibility beyond the third birthdays. The range of days should include one response which includes all Part B eligible preschool children in the district whose eligibility determination was delayed beyond their third birthdays, e.g. 1 to 35 days delayed

Column H - *# delay due to parent refusal to consent*

Of the # from Column F whose eligibility determination was delayed, enter the number for whom parent refusal to consent caused delays in evaluation or initial services.

Column I – *Other Reasons for delays*

Of the number from Column F whose Part B eligibility determination was delayed beyond their third birthday, provide a summary list of the reasons for delays, e.g. child was ill, family crisis. Do not include parent refusal to consent in this column.

Column J - *# referred with no eligibility determination*

Enter the number from Column C who were not found in Column D, E, or F. These will be the students in which no eligibility determination was made.

Column K – *Why no determination*

Of the number from Column J, provide a summary list of the reasons that no determination was made, e.g. deceased, moved out of state, withdrawn by parent

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX E

Documents Relating to Indicator 13

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Document 13.1

Instructions for Completing Indicator 13-Excell spreadsheet
Information to be collected during Internal Monitoring Process and IEP File Reviews (16 & up) by July 30,
2007

Column A – Special Education Unit

Column B – Home School District

Column C – *Total # IEPs reviewed per district*

Enter the total # of IEPs reviewed per district for students 16 years and older. (When selecting files please include representation across ages 16-21 and disability)

Column D – *Total # IEPs that met requirements of Indicator 13*

Enter the Total # IEPs reviewed (per district) that met the requirements of Indicator 13. (This becomes apparent after completing the Internal monitoring Transition Requirements checklist for each IEP reviewed).

Column E – *Re: measurable postsecondary goal(s).*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #1 on the ND Internal Monitoring Transition Requirements Checklist.

Column F – *Re: annual IEP goals*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #2 on the ND Internal Monitoring Transition Requirements Checklist.

Column G – *Re: Transition Services*

Enter the total # of IEPs reviewed for the district that received a Yes or NA answer to question #3 on the ND Internal Monitoring Transition Requirements Checklist.

Column H – *Re: Parental consent & agency invitation*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #4 on the ND Internal Monitoring Transition Requirements Checklist.

Column I – *Re: Age appropriate Transition Assessment*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #5 on the ND Internal Monitoring Transition Requirements Checklist.

Column J – *Re: Course of Study*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #6 on the ND Internal Monitoring Transition Requirements Checklist.

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

Document 13.2

Instructions for Completing Indicator 13 Checklist

1. Is a measurable post-secondary goal stated for this area?

- Find the transition component of the IEP
- Find the post-secondary goal(s) for this student
- If there are measurable postsecondary goals that address *Education* or *Training* after high school, *Employment* after high school, and (if applicable) *Independent Living* after high school, circle Y
- If there are postsecondary goals that address *Education* or *Training* after high school, *Employment* after high school, and (if applicable) *Independent Living* after high school, but are not measurable, circle N
- If there is not a postsecondary goal that addresses *Education* or *Training*, circle N
- If there is not a postsecondary goal that addresses *Employment* after high school, circle N
- If there is one measurable postsecondary goal that addresses *Education* or *Training*, *Employment*, and (if applicable) *Independent Living* after high school, circle Y
- If there is one postsecondary goal that addresses *Education* or *Training*, *Employment*, and (if applicable) *Independent Living* after high school, but is not measurable, circle N

2. Is (are) there annual IEP goal(s) that will reasonably enable the child to meet the postsecondary goal(s)?

- Find the annual goals in the IEP
- For each of the postsecondary goal, if there is an annual goal or short-term objective included in the IEP that will help the student make progress towards the stated postsecondary goal, circle Y
- For each postsecondary goal, if there is **no** annual goal or short-term objective included in the IEP that will help the student make progress towards the stated postsecondary goal, circle N

3. Are there transition services in the IEP that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?

- Find where transition services/activities are listed on the IEP
- For each of the postsecondary goal, if there is (a) instruction, (b) related service(s), (c) community experience, (d) development of employment and other post-school adult living objective, (e) if appropriate, acquisition of daily living skill(s), or (f) if appropriate, provision of a functional vocational evaluation listed in association with meeting the postsecondary goal, circle Y
- For each postsecondary goal, if there is **no** (a) type of instruction, (b) related service, (c) community experience, (d) development of employment and other post-school adult living objective, (e) if appropriate, acquisition of a daily living skill, or (f) if appropriate, provision of a functional vocational evaluation listed in association with meeting the postsecondary goal, circle N

4. For transition services that are likely to be provided or paid for by other agencies with parent (or child once of the age of major is reached) consent, is there evidence that representatives of the agency(ies) were invited to the IEP meeting?

- Find where persons responsible and/or agencies are listed on the IEP
- Are there transition services, listed on the IEP that are likely to be provided or paid for by an outside agency? If yes, continue with next guiding question. If no, circle NA.
- Is it too early to determine if this student will need outside agency involvement? If yes, circle NA

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

- Was parent consent or child consent (once student is the age of majority) to invite an outside agency(ies) is obtained? If yes, continue with next guiding question. If no, circle NA
 - If transition services are likely to be provided by an outside agency and if consent was obtained, is there evidence in the IEP or the student's file that any of the following were invited to the IEP meeting to discuss transition: postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation for this postsecondary goal? If yes, circle Y. If no, circle N.
- 5. Is there evidence that the measurable postsecondary goals were based on age-appropriate transition assessment?**
- Find where information relates to assessment and the transition component on the IEP (either in the IEP or the student's file)
 - For each postsecondary goal, is there evidence that age-appropriate transition assessment provided information on the student's needs, taking into account strengths, preferences, and interests regarding the postsecondary goal(s), circle Y.
 - For each postsecondary goal, if there is **no** evidence that age-appropriate transition assessment provided information on the student's needs, taking into account strengths, preferences, and interests regarding the postsecondary goal(s), circle N.
- 6. Do the transition services include courses of study that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?**
- Locate the course of study (instructional program of study) or list of courses of study in the student's IEP
 - Does the course of study (or courses) listed align with the student's identified postsecondary goal(s)? If yes, circle Y. If no, circle N.
- 7. Does the IEP meet the requirements of Indicator 13?**
- If all Ys or NAs for each item (1-6) on the Checklist, then circle each item (1-6) on the Checklist, then circle **Yes**
 - If one or more Ns are circled, then circle **No**

**(Adapted from the Checklist prepared by the National Secondary Transition
Technical Assistance Center Form September 13, 2006)**

North Dakota Department of Public Instruction/Office of Special Education

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

North Dakota Internal Monitoring Transition Requirement Checklist: 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 child to meet the post-secondary goals. [20 U. S. C.1416 (a)(3)(B)]

Post-secondary Goals

1. Is there a measurable post-secondary goal or goals that covers education or training, employment, and, as needed, independent living?	Y N
Can the goal(s) be counted? Will the goal occur <i>after</i> the student graduates from school? • If yes to both, then circle Y • If a postsecondary goal(s) is not stated, circle N	
2. Is (are) there annual IEP goal(s) that will reasonably enable the child to meet the postsecondary goal(s)?	Y N
Is (are) an annual goal(s) included in the IEP that will help the student make progress towards the stated postsecondary goal(s)? • If yes, then circle Y	
3. Are there transition services in the IEP that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?	Y N
Is a type of <i>instruction, related service, community experience, development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills, and provision of a functional vocational evaluation</i> listed in association with meeting the post-secondary goal(s)? • If yes, then circle Y	
4. For transition services that are likely to be provided or paid for by other agencies with parent (or child once the age of majority is reached) consent, is there evidence that representatives of the agency(ies) were invited to the IEP meeting?	Y N NA
For the current year, is there evidence in the IEP that representatives of any of the following agencies/services were invited to participate in the IEP development: <i>postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation</i> for this post-secondary goal? Was consent obtained from parent (or child, for a student of the age of majority)? • If yes to both, then circle Y • If it is too early to determine if the student will need outside agency involvement, or no agency is likely to provide or pay for transition services, circle NA • If parent or individual student consent (when appropriate) was not provided, circle NA • If <i>no</i> invitation is evident and a participating agency is likely to be responsible for providing or paying for transition services and there was consent to invite them to the IEP meeting, then circle N	
5. Is there evidence that the measurable postsecondary goal(s) were based on age-appropriate transition assessment (s)?	Y N
Is the use of a transition assessment(s) for the postsecondary goal(s) mentioned in the IEP or evident in the student's file? • If yes, then circle Y	

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

6. Do the transition services include courses of study that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?	Y N
Do the transition services include courses of study that align with the student's postsecondary goal(s)? • If yes, then circle Y	
Does the IEP meet the requirements of Indicator 13? (Circle one) Yes (all Ys or NAs are circled) No (one or more Ns circled)	

(Adapted from the Checklist prepared by the National Secondary Transition
Technical Assistance Center Form September 13, 2006)

North Dakota Department of Public Instruction/Office of Special Education

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX F

Documents Relating to Indicator 14

Secondary Transition Follow-up Survey

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

2007 North Dakota Follow-up Interview Questions

Survey symbols

= radio button, when used only one response can be selected.

= check box, when used more than one response can be selected.

= text box

Questions

1) Has (student) been enrolled in any of the following types of postsecondary education *at any time* since leaving high school?

Yes

- High school completion document/certificate program (Adult Basic Education, GED, etc.)
- Short-term education or employment training program (Job Corps, etc.)
- Vocational Technical School -less than a 2-year program
- Community or Technical College (2 year)
- College or University (4 year program)
- (specify other)

No (see question 2)

2) If not, why hasn't (student) chosen to enroll in post secondary education since high school? (check as many as apply)

- Does not apply * Mark if has been enrolled and answered "yes" to question 1.
- Lack of post secondary training opportunities in the immediate locale
- Student lacks necessary skills/qualifications to enter post secondary education
- Student lacks transportation
- Student is working
- Student does not want to go to post secondary education
- Student has health problems that preclude going to post secondary education
- Student believes he/she cannot afford to go to school
- Other (please specify)
- Don't Know

3) Has (student) been employed at any time since leaving high school?

Yes

- In a competitive employment setting for pay (competitive employment means work on a full or part time basis, at or above minimum wage in an integrated setting)
- In a family member's home, business, or farm
- In a sheltered or supported employment setting
- Yes (other--please specify)

No (see question 4)

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

4) If (student) isn't working, why hasn't (student) obtained employment since leaving high school?

- Does not apply * Mark if working and answered "yes" to question 3.
- Lack of employment opportunities in the immediate locale
- Student lacks necessary skills or training for employment in the area
- Student lacks transportation
- Student is attending a post secondary program
- Student does not want to work
- Student has health problems that preclude employment
- Student believes he/she will lose benefits if he/she works
- Other (please specify)
- Don't know

5) How many hours on average does (student) work per week? (current or most recent job)

- Full-time (more than 35 hours/week)
- Part-time (35 or less hours/week)
- Refuse to answer
- Don't know
- No answer

6) How much does (student) make per hour? (current or most recent job)

- Unpaid or volunteer
- Less than minimum wage
- Minimum wage
- More than minimum wage
- Refused to answer
- Don't know
- No answer

7) Does (student) have health insurance?

- Yes (please identify the source of the insurance)
 - Parent's insurance
 - Through (student)'s job
 - Self-purchased
 - Other
 - Unknown
- No

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8) What is (student's) current living arrangement? (Pick best fit from the description)

- Own home or is buying it
- Live independently in a rented apartment/house with or without a roommate
- Live with parents
- Live with relatives (not parents)
- Live in a dormitory ****“Dorms” includes college/university or military**
- Live in a residential facility (such as an institution like the Developmental Center or vocational program with on-site housing like Job Corps) ***Any housing that is required as enrollment in a service.**
- Other

9) Did (student) chose to drop out of school?

- Yes
What was the reason (student) left? Please explain.
- What would have helped (student) stay in school? Please explain.

10) If (student) could change anything about his/her high school experience, what would he/she like to change?

11) Do you feel that (student) was prepared for life after leaving high school?

- Yes (Please explain)
- No (Please explain)

12) Since exiting high school has (student) been referred to...? (Choose as many as apply)

- Vocational Rehabilitation *** VR includes supported employment, placement assistance, & funding assistance for higher education.**
- Developmental Disabilities *** DD services include case management, residential or day programs, group home living.**
- Job Service *** JS provides job seekers with training & placement, work incentives, job searches, as well as unemployment info.**
- Independent Living Centers *** ILCs provide disability services like independent living skills, advocacy, money management, etc.**
- Disability Support Services *** College disability support services (tutoring, testing, etc.)**
- Other (please specify)
- None

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

13) Is (student) currently receiving services for his/her disability?

Yes (choose as many as apply)

Vocational Rehabilitation

Social Security

* SS income supplement and work incentives

Developmental Disabilities

Job Service

Independent Living Centers

Disability Support Services

* College disability support services

(other-please specify)

No

14) Who served as the source for this information?

The student

Parent

Guardian/Foster parent

Sibling

Grandparent

Other family member

Family friend

Other (specify)

NORTH DAKOTA State Performance Plan – Part B. 2005 - 2010

APPENDIX G

Documents Relating to Indicator 15

ND Special Education
Local IDEA Internal
Monitoring Procedures
2006-2007

ND Special Education Local IDEA Internal Monitoring Procedures 2006-2007

“North Dakota shall have a seamless education system that is responsive to the needs of all children, adolescents, and young adults, and their families. Parents and students must be given the opportunity to participate as full partners in all educational endeavors. We must build the capacity in general education for all children, while supporting each individual student’s rights and the gains made since the passage of federal legislation in special education. In such a system all children reap the benefits of a free appropriate public education through effective, research based, instructional programs and practices based on equitable standards with accountability and high expectations for all.”

***NDDPI Special Education IDEA Advisory Committee
Position Statement on a Unified System of Education
Approved on September 21, 2001***



Dr. Wayne G. Sanstead, State Superintendent
Department of Public Instruction
600 E Blvd Ave, Dept 201
Bismarck, ND 58505-0440
January 31, 2007

Table of Contents

- Section I: Background Information and Introduction
 - Section II: Current (Interim - 2006-07) Status and Future Plans
 - Section III: New 2006-2007 Required Reporting SPP/APR
 - Section IV: Internal Compliance Monitoring, Required Common Elements
-
- Appendices:
 - A. Individual Student File Review Form
 - B. District IDEA Tally Form
 - C. Internal Monitoring Self Assessment Form – SAMPLE

Section I ND Special Education Quality Assurance

Background Information and Introduction

The process of documenting adherence to the requirements of the Individuals with Disabilities Education Act (IDEA) has gone through a steady evolution in the past decade. The process of State Education Agency (SEA) monitoring in North Dakota in the 1990's was primarily a series of activities conducted by the Department of Public Instruction. Teams of DPI monitors typically conducted on-site visits to local special education units across the state over a five year cycle. The special education teams focused on reviews of student files and the security of those files, conducted interviews with education personnel and some students, and obtained parent satisfaction information through surveys.

In the late 1990's, the U.S. Department of Education Office of Special Education Programs (OSEP) began changing its monitoring to include self-assessments with stakeholder involvement, increased focus, and an emphasis on continuous improvement. These changes affected the process of IDEA monitoring in North Dakota that was revised in 1999.

Another significant influence on federal monitoring practices was the **Government Performance Results Act (GPRA)**, a law that required agencies to have performance measures and indicators instead of a sole focus on input, or process, measures.

Widely considered to be a powerful influence on later accountability practices was the Thomas B. Fordham Institute's report, "Rethinking Special Education for a New Century." This report recommended sweeping reform of federal special education policy. It was a precursor to the President's Commission on Excellence in Special Education (2001) that identified areas for reform, including a need to focus more attention on achieving positive results for students with disabilities with a lesser emphasis on the process of special education. Almost simultaneously President Bush and Congress enacted the *No Child Left Behind Act* (2001) that dramatically emphasized academic achievement, including the performance of students with disabilities on statewide reading and mathematics assessments, and the public reporting of school district performance.

Thomas B. Fordham Institute Report

"Rethinking Special
Education for a New
Century"

http://www.edexcellence.net/institute/topic/topic.cfm?topic_id=15

President's Commission on Excellence in Special Education Problematic Areas in Special Education



President's Commission on Excellence in Special Education

Focus on **results**
not process.

Embrace a model of
Prevention, not a
model of failure.

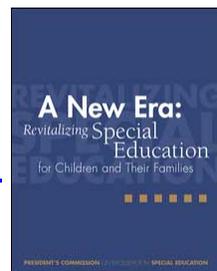
RECOMMENDATIONS

Children with disabilities are
general education children first.

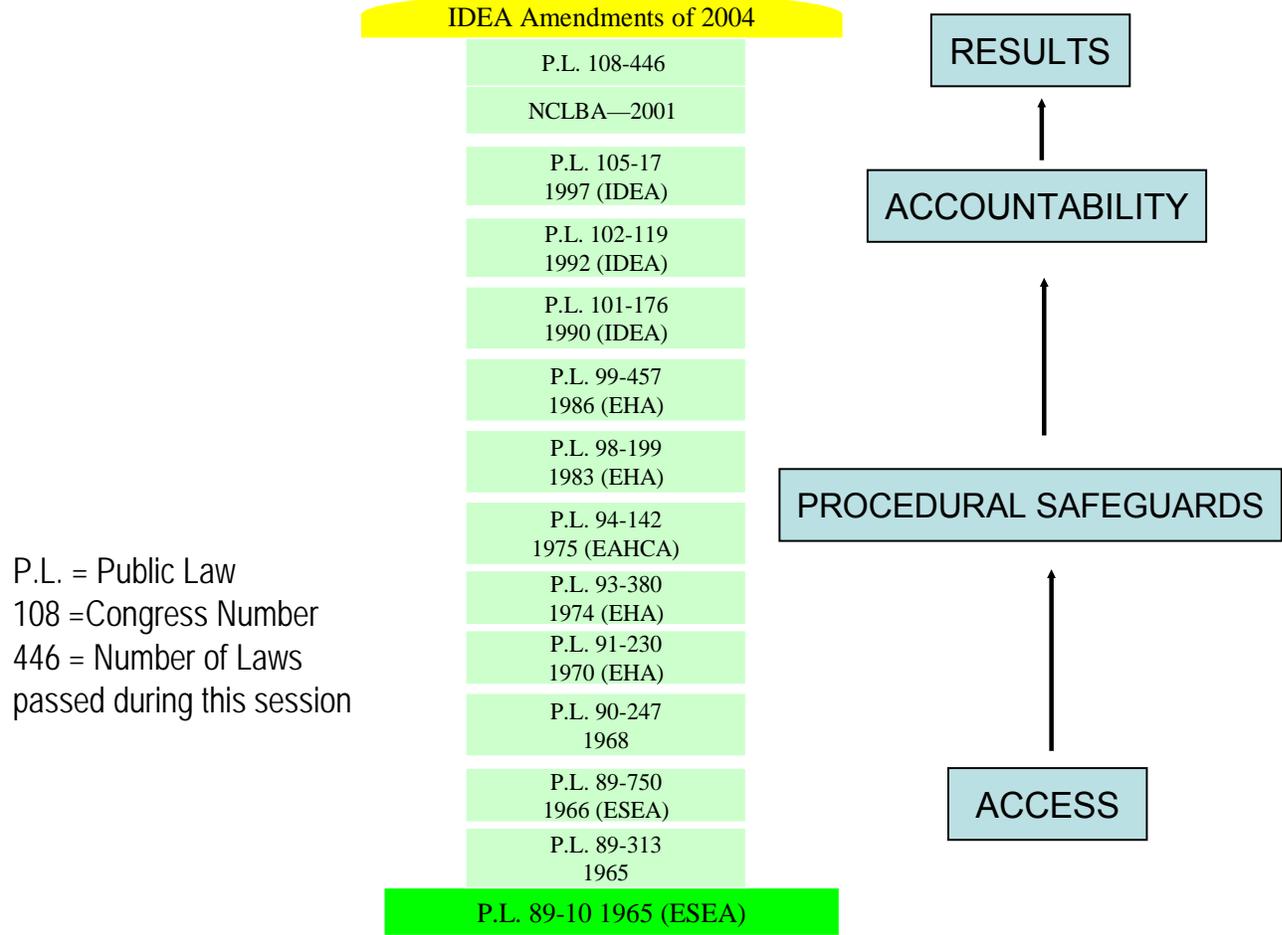
A top recommendation to emerge from the President's Commission on Excellence in Special Education was that there must be a primary focus on results, not process, in special education reform.

[**A New Era: Revitalizing Special Education for Children and their Families, October 2, 2001**](#)

<http://www.ed.gov/inits/commissionsboards/whspecialeducation/reports.html>

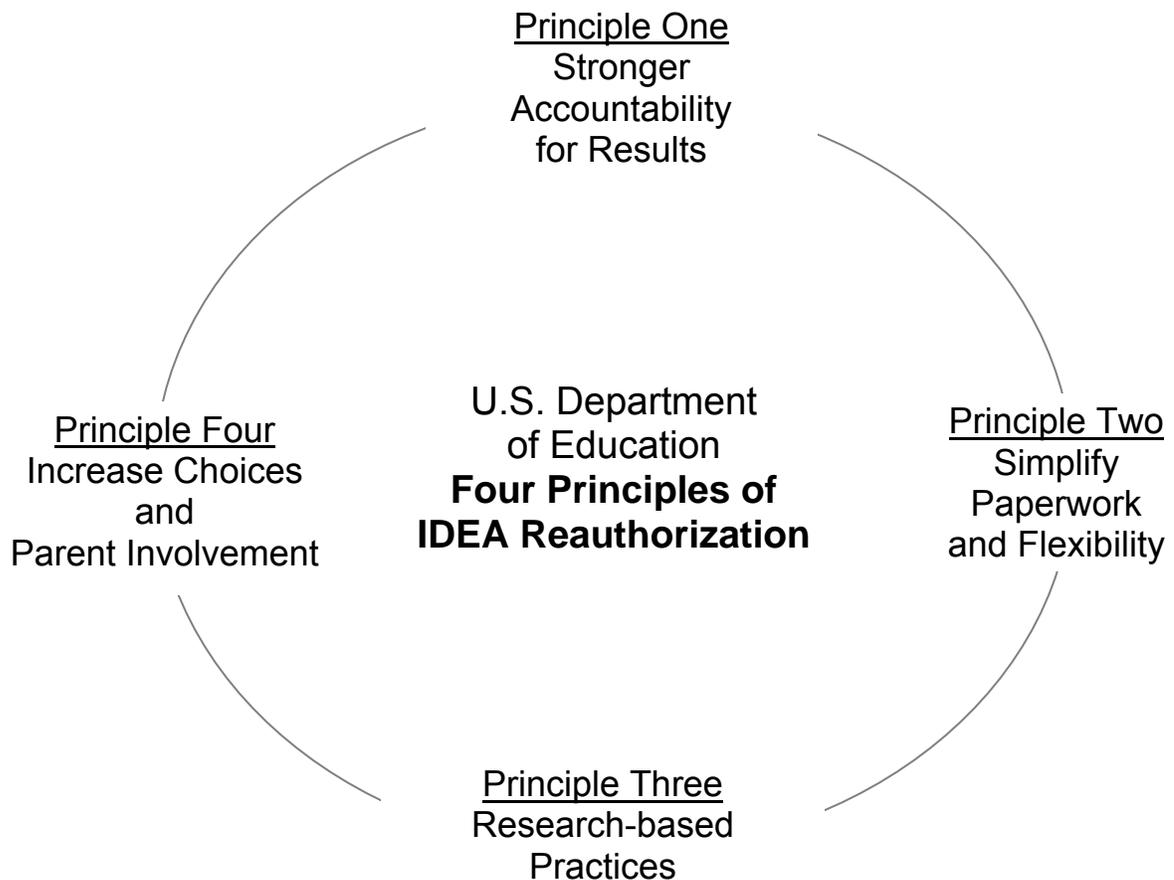


The Federal Legislative History of Special Education



With the IDEA Amendments of 2004 (P.L. 108-446) there was an alignment of special education with the No Child Left Behind Act and an increased expectation for schools to focus on results.

When the U.S. Department of Education's Office of Special Education Program approached the reauthorization of IDEA, four principles were identified:



The reauthorization of IDEA by Congress in December, 2004 added a new accountability requirement that each state must have an approved special education state performance plan (SPP). In many ways, this new provision paralleled the accountability requirements for general education previously identified in the *No Child Left Behind Act* three years earlier. This increased alignment between general and special education was referred to as “the marriage of NCLB and IDEA.”

The final regulations for IDEA’04 were published in August, 2006 and clarified the requirements for state monitoring, enforcement, and annual reporting. Guidance from OSEP indicates that “the primary focus of the State’s monitoring activities must be on:

- *Improving educational results and functional outcomes for all children with disabilities; and*

- *Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.”*

As a part of its responsibilities under 34 CFR 300.600 (a), the State must use quantifiable indicators and such qualitative indicators as are needed to adequately measure performance in the priority areas identified in 34 CFR 300.600 (d), and the indicators established by the Secretary for the State performance plans.

The NDDPI must monitor the school districts in the state, using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- Provision of a free appropriate public education (FAPE) in the least restrictive environment (LRE);
- State exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in 34 CFR 300.43 and in 20 U.S.C. 1437 (a) (9);
- Disproportionate representation of racial and ethnic groups in special education and related services to the extent the representation is the result of inappropriate identification.

Section II Current Status and Future Plans

North Dakota Department of Public Instruction's Model for Measuring Performance and Ensuring Compliance with the IDEA



The implementation of laws and regulations for federal education programs in this era clearly requires a dual focus on performance and compliance. Both the No Child Left Behind Act and IDEA'04 have public accountability and reporting aspects at the local school district level. In order to meet the monitoring and enforcement requirements of IDEA'04, the North Dakota Department of Public Instruction has adopted a model that addresses both the performance and compliance provisions. The interplay between performance and compliance is illustrated in the diagram on page 8 and represents our attempt to communicate expectations for parents, local administrators and NDDPI personnel.

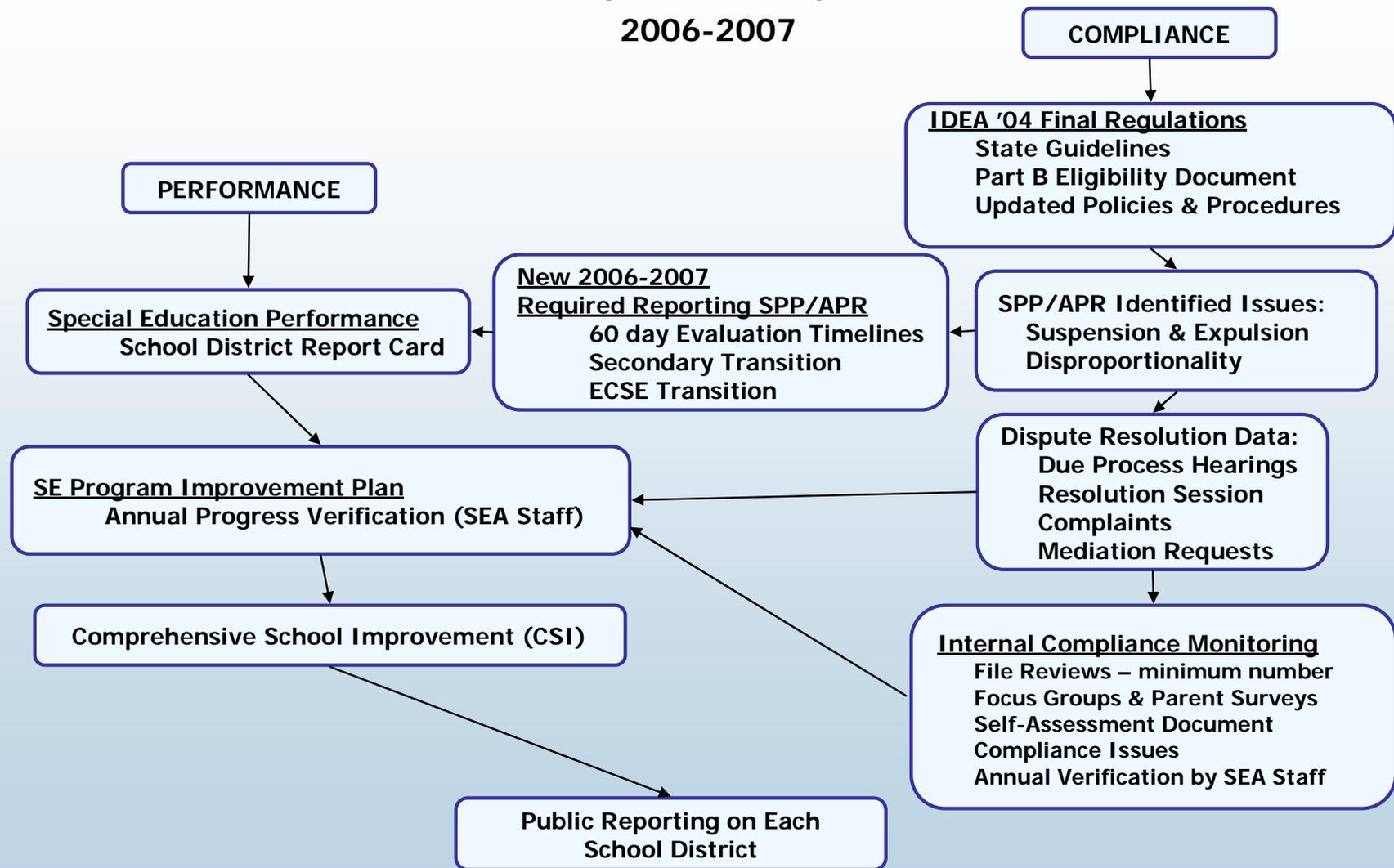
Assumptions

- Everyone wants to do right.
- Every State will do it differently.

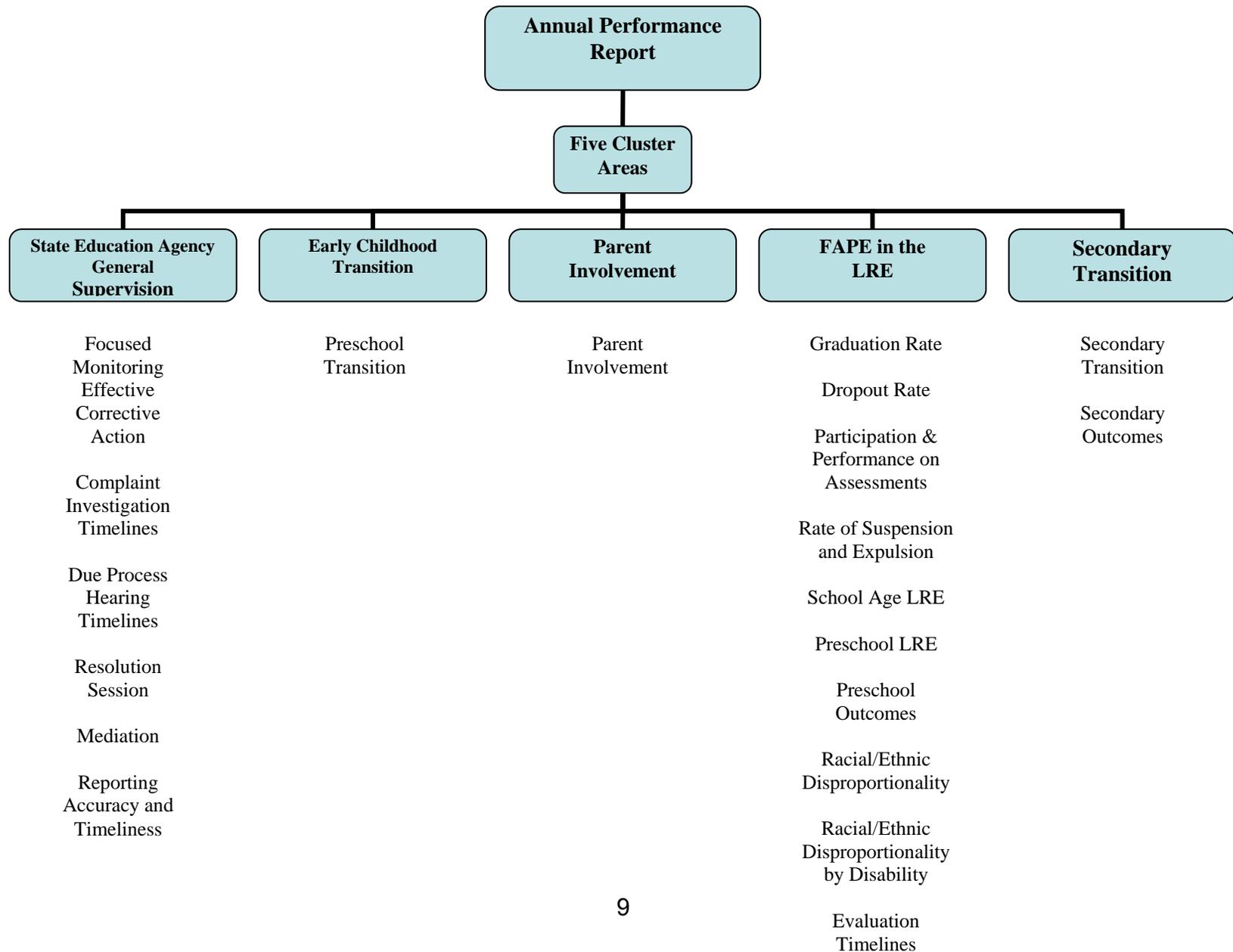
“A monitoring system should be designed after the unique nature of the State.”

John Copenhaver
MPRRC

ND Special Education State Performance Plan and Annual Performance Report General Supervision Requirements 2006-2007



This chart illustrates the 20 indicators that must have statewide data in ND's special education annual performance report (APR).



In July, 2006 the U.S. Department of Education Office of Special Education Programs (OSEP) conducted a verification visit in North Dakota. The purpose of this visit was to determine how NDDPI uses our “general supervision, State-reported data collection, and statewide assessment systems to assess and improve State performance and to protect child and family rights.” OSEP recognized that the NDDPI was in the process of significant revision of monitoring policies and procedures. OSEP is aware that NDDPI is shifting the primary focus on inputs to a primary focus on functional outcomes and educational results, consistent with the monitoring requirements of the reauthorized IDEA.

In a letter received by NDDPI following the verification visit to North Dakota, OSEP wrote:

“OSEP supports NDDPI’s efforts to focus on improved educational results and outcomes for children with disabilities. Its emphasis on improved learning outcomes is consistent with the intent of IDEA as well as NCLB. It has been OSEP’s experience that North Dakota has a high level of IDEA compliance.”

Although OSEP has expressed encouragement and support for the direction that NDDPI has adopted for its monitoring practices, it has asked the State to provide:

- 1. “corrective measures NDDPI is taking to ensure that its monitoring procedures are adequate to identify noncompliance with Part B requirements by all LEAs in the State and to correct identified noncompliance within one year of identification, with a particular emphasis on monitoring priority areas and indicators that are most closely related to improving educational results and functional outcomes for all children with disabilities in the State; and*
- 2. a description of how it will collect data for all LEAs during the six year period covered by the SPP to ensure that they meet the program requirements of Part B of the Act.”*

NDDPI appreciates OSEP’s acknowledgment of North Dakota’s traditional high level of compliance with the IDEA. NDDPI also values OSEP’s analysis of the status of current transitional IDEA monitoring practices in our state and its recommendations for improvements. The policies and procedures contained in this document are NDDPI’s response to the expectations specified by OSEP.

During the OSEP verification visit, NDDPI spent considerable time explaining its vision for a consolidation of departmental monitoring activities. In response to this vision, OSEP wrote:

“NDDPI staff explained that NDDPI is in the process of developing a focused monitoring model as a part of a consolidated monitoring approach that places its primary emphasis on student outcomes. NDDPI explained that No Child Left Behind (NCLB) provided the impetus for the development of the consolidated monitoring system that promotes a unified system of operation. Consolidated monitoring is intended to merge quality assurance for multiple Federal education laws, including IDEA and NCLB. According to the State, consolidated monitoring

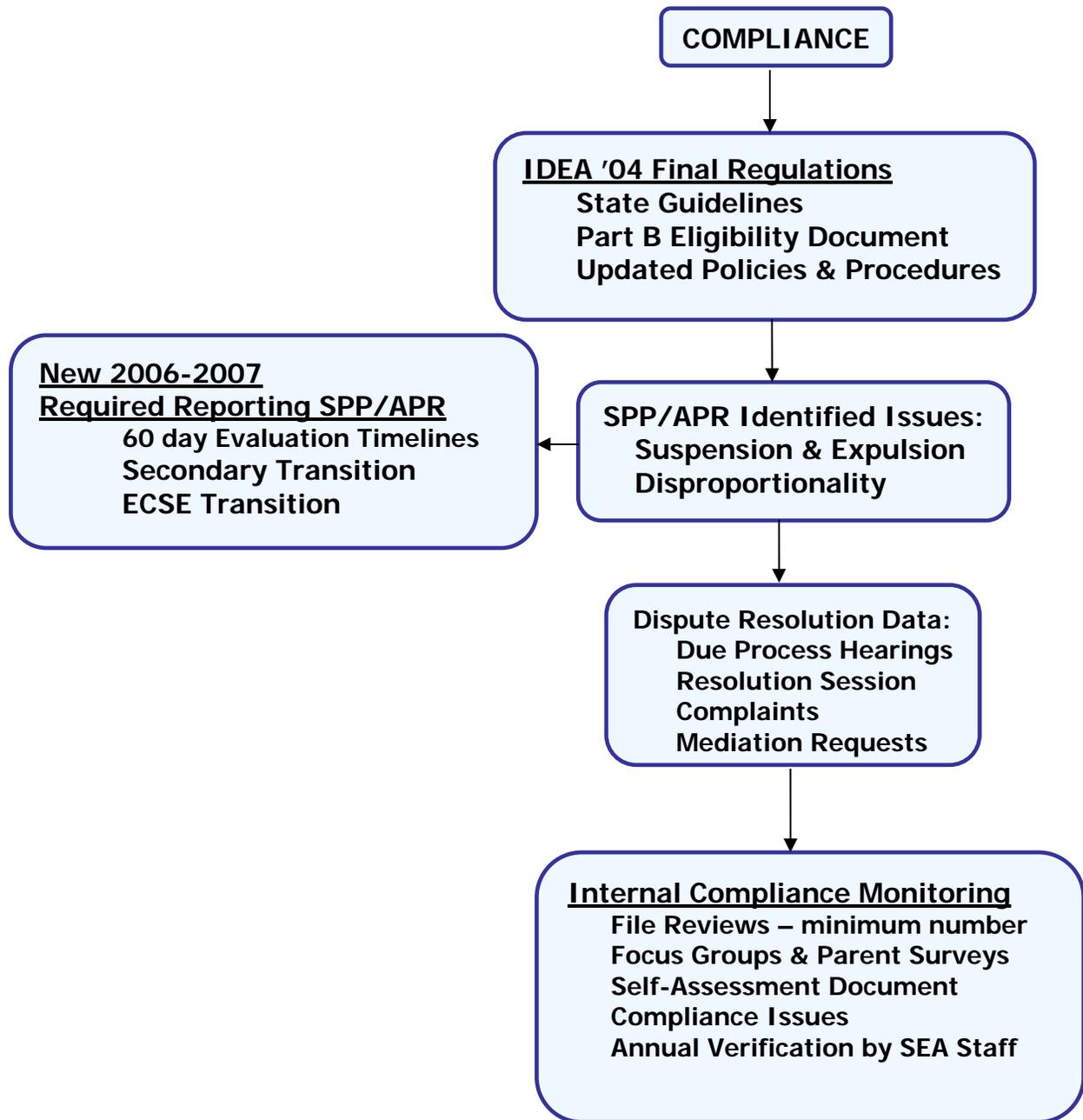
will improve shared data collection, data analysis, and reporting at the State, district, and building levels.”

The NDDPI intends to complete the piloting of the consolidated monitoring process during the current school year, and is expected to be fully implemented in school year 2007-08. This process will allow for a more frequent review of data and allow the State to be more proactive in providing technical assistance to schools.

A critical feature of NDDPI's future monitoring process will be a web-based special education case management system. The NDDPI conducted a statewide analysis of North Dakota special education units' willingness to collaborate with the State in creating a single set of forms for implementation of IDEA in all school districts in the state, and a single web-based system for special education case management. In April, 2006, the NDDPI convened a meeting of all special education units in the state. The results of the statewide study were shared with local administrators. A series of questions were posed to the participants to gauge their level of interest and support for a single statewide electronic system of case management. During this meeting it was determined that administrators representing 100% of the North Dakota IDEA Part B Child Count were in agreement to proceed with this vision. Several administrators commented during this forum that such a system would enable them to more easily and efficiently conduct more sophisticated internal monitoring activities.

The plans for implementation of this statewide IDEA case management system are in process. A State plan to identify the critical features of the system is being developed now, and a request for information, followed by a request for proposals to develop this system in partnership with local special education units, is currently underway. Estimated timelines for having an operational system are currently projected for a pilot to occur by January, 2008, with statewide implementation beginning for the 2008-09 school year. This system will significantly increase the NDDPI's capability to ensure the identification and timely correction of compliance with Part B requirements, with a particular emphasis on the priority areas and indicators most closely related to improving educational results and functional outcomes for all children with disabilities.

The procedures that follow are intended to allow the NDDPI and local school districts to meet the expectations that OSEP identified regarding identification of noncompliance and correction within one year *during the period of time until the web-based case management system is fully functioning.*

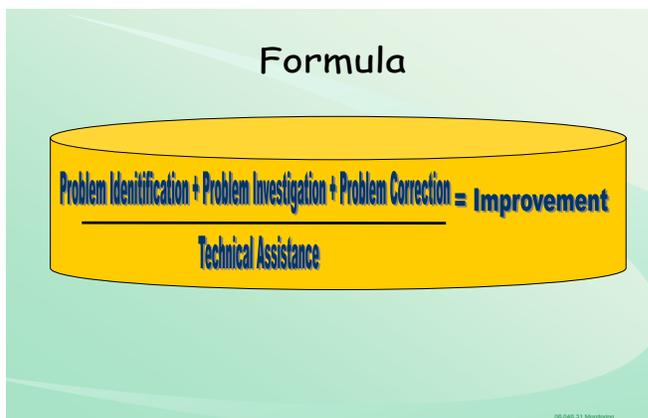
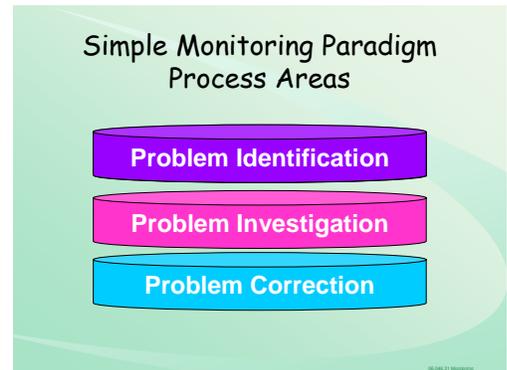


Reporting Requirements for the Special Education State Performance Plan and the Annual Performance Report

Reporting requirements for the Special Education State Performance Plan (SPP) and the Annual Performance Report (APR) are part of the local school district Internal Compliance Monitoring procedures. These procedures are designed to ensure that the NDDPI will be able to meet OSEP's expectation that data will be collected for all local education agencies to ensure that they meet the program requirements of IDEA Part B. These procedures contain the following components that are already being collected by school districts and special education units:

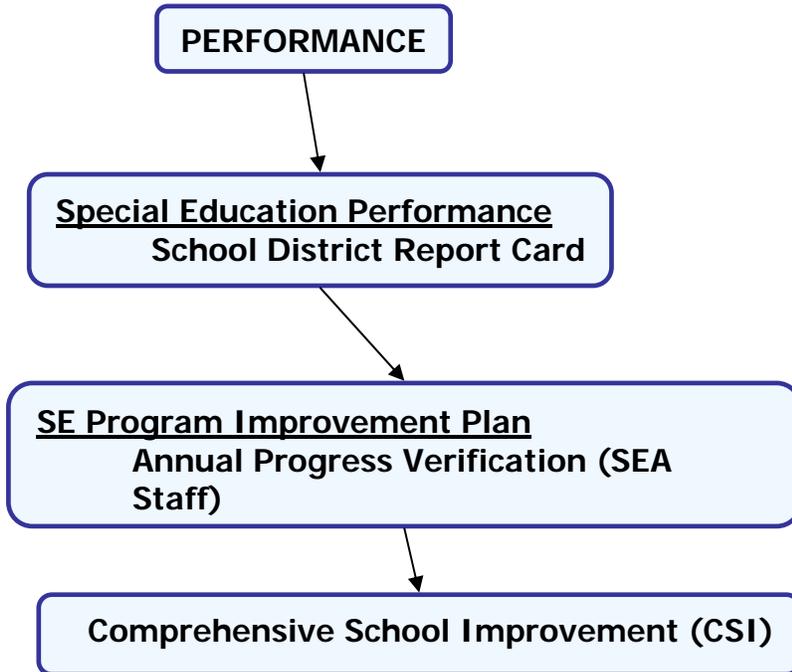
- Suspension and expulsion data for students with disabilities (collected through Child Count reporting process);
- Disproportionality in the identification of students with disabilities by ethnic background, and disproportionality in the identification of students in specific disability categories (collected through the Child Count reporting process);
- Parental Consent to Evaluation 60 day timeline;
- Secondary Transition Requirements Checklist;
- Early childhood special education transition from IDEA Part C to Part B; and
- Survey data reflecting parent involvement (summarized by NDDPPI and reported annually to local districts).

The new required statewide components for district internal compliance monitoring are outlined below. Local Internal Compliance Monitoring means that a school district will analyze its implementation of IDEA Part B through a systematic review of common elements. To ensure statewide consistency these common elements are listed below. Local data must be reported to the NDDPI on an annual basis. The NDDPI then will verify the validity of local internal monitoring data and will ensure that local school districts correct identified noncompliance within one year.



Future Plans

The North Dakota Comprehensive School Improvement (CSI) system is currently being implemented as a pilot project in the mid-western area of the state. The mission of CSI is “to continuously assess education based on student achievement and Federal program data, and to improve and unify education for all students in North Dakota.”



Information and data collected through IDEA Internal Monitoring Procedures, along with special education improvement planning, will become a critical component of a school's efforts to analyze data and implement continuous improvement strategies.

What does all this mean?

- ▶ Federal programs within the NDDPI will have cooperative relationships, collective information, and consolidated practices.
- ▶ School building staff will have better information, based on data and representative of all education programs, upon which to base school improvement.
- ▶ Development of one assessment, one school improvement plan, one professional development plan, and one set of problems to address.

The goals of the NDDPI Comprehensive School Improvement (CSI) system include the following:

Goals

- Maintain necessary data collection for federal reporting to ensure Federal funding is obtained;
- Efficiently use data in a consolidated manner to provide guidance to schools;
- Effectively communicate education improvement needs and standards within DPI and LEAs; and
- Provide resources, training, and technical assistance for education improvement to all schools, targeting those with the greatest demonstrated needs.

Section III New 2006-2007 Required Reporting SPP/APR

Data for three specific SPP/APR indicators are currently being collected and reported for North Dakota school districts. These indicators address parental consent for evaluation, early childhood transition and secondary transition. Instructions for data collection and reporting for each of these indicators is included here as a reference. This reporting will continue annually.

A. 60 Day Evaluation Timeline

New 2006-2007
Required Reporting SPP/APR
60 day Evaluation Timelines
Secondary Transition
ECSE Transition

IDEA '04 specifies that evaluations to determine whether a child is a child with a disability must be completed within 60 days of receiving parental consent for the evaluation (Sec. 614(a)(1)(C)(i)(I). Performance indicator number eleven for the IDEA State Performance Plan (SPP) requires data on the *“percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days.”*

All North Dakota local special education units began collecting evaluation data from March 1, 2006 to June 30, 2006.

- Special Education Unit and Home School District
- Number of children for whom parental consent to evaluate was received
- Number of children eligible whose evaluations and eligibility determinations were completed within 60 days
- Number of children not determined eligible whose evaluations and eligibility determinations were completed within 60 days
- A narrative account for children whom consent to evaluate was received but evaluation or determination was not completed
- An indication of the range of days beyond the timeline when eligibility was determined
- A narrative account of any reasons for the delays

The most efficient way to get the most accurate data for indicator eleven would be utilization of a statewide online Individual Education Plan (IEP) System. However, North Dakota does not have such a system in place at this time. In the future, when a statewide online IEP system is developed, the procedures to facilitate compliance of the sixty-day evaluation timeline will be built in as well as a means for collecting data in this area. Another way to collect the data needed for this indicator would be to utilize NDDPI's Online Reporting System (ORS). However, fields to collect the data for this indicator can not be built into ORS until later 2007. Until an online IEP system is developed or the ORS is updated with the necessary fields, the necessary data will need to be submitted using the attached form.

The data collected in the first year (2005-2006) will be used as baseline data. The baseline data will help North Dakota establish measurable and rigorous targets for the next 5 years. The final target in 2010 is 100% of children with parental consent to evaluate will be evaluated and eligibility determined within 60 days.

Instructions for Completing Indicator 11 – 60 Day Evaluation Form
Information gathered from August 1, 2006 through July 31, 2007

Column A – *Special Education Unit*

Column B – *Home School District*

Column C - *# of consent*

Enter the number of children for whom a consent for initial evaluation has been signed from August 1, 2006 through July 31, 2007.

Column D - *# determined w/in 60 days*

Enter the number from Column C of those were determined eligible within 60 days.

Column E - *# eligible not eligible w/in 60 days*

Enter the number from Column C of those determined not eligible within 60 days.

Column F - *# of consents with no determination*

Enter the number from Column C where no determination was made.

Column G - *Why a consent but not determination*

Enter the reason why there was not determination. This can be a list of all children from column F. A drop down list is provided.

Column H - *Other Reasons*

This column is used if “other” is selected in Column G.

Column I - *Range of days determination of eligibility was delayed beyond 60*

Enter the range of days beyond 60 days. The range of days is one response which includes all children with initial consent for evaluation in the district whose eligibility determination was delayed beyond 60days. e.g. 1 to 35 days delayed

Column J - *Reasons for delays*

Choose as many responses as necessary from the drop down list supplied.

Column K – *Other – List reasons*

This column is used if “other” is selected in Column J.

B. ECSE Transition

Revised Instructions for Completing Indicator 12 – Early Childhood Transition Form
Information gathered from August 1, 2006 through July 31, 2007

Column A – Special Education Unit

Column B – Home School District

Column C - *# referred by C to B for Eligibility*

Enter the number of children who have been served in Part C and referred to Part B for eligibility determination from August 1, 2006 through July 31, 2007

Column D - *# determined NOT B eligible prior to 3rd b-day*

Enter the number from Column C who were determined NOT Part B eligible prior to their third birthday

Column E - *# eligible for B w/IEP by 3rd b-day*

Enter the number from Column C who were determined Part B eligible and who had an IEP developed and implemented by their third birthday

Column F - *# with eligibility determination delayed beyond 3rd b-day*

Enter the number from Column C who were served in Part C and referred to Part B but eligibility determination was delayed beyond the child's third birthday

Column G – *Range of days determination of eligibility was delayed beyond 3rd b-day*

Of the number from Column F, enter the range of days of the delays to determine eligibility beyond the third birthdays. The range of days should include one response which includes all Part B eligible preschool children in the district whose eligibility determination was delayed beyond their third birthdays, e.g. 1 to 35 days delayed

Column H - *# delay due to parent refusal to consent*

Of the # from Column F whose eligibility determination was delayed, enter the number for whom parent refusal to consent caused delays in evaluation or initial services.

Column I – *Other reasons for delays*

Of the number from Column F whose Part B eligibility determination was delayed beyond their third birthday, provide a summary list of the reasons for delays, e.g. child was ill, family crisis. Do not include parent refusal to consent in this column.

Column J - *# referred with no eligibility determination*

Enter the number from Column C who were not found in Column D, E, or F. These will be the students in which no eligibility determination was made.

Column K – *Why no determination*

Of the number from Column J, provide a summary list of the reasons that no determination was made, e.g. deceased, moved out of state, withdrawn by parent

C. Secondary Transition

Instructions for Completing Indicator 13-Excel spreadsheet
Information to be collected during Internal Monitoring Process and IEP File Reviews
(16 & up) by July 30, 2007

Column A – Special Education Unit

Column B – Home School District

Column C – *Total # IEPs reviewed per district*

Enter the total # of IEPs reviewed per district for students 16 years and older. (When selecting files please include representation across ages 16-21 and disability)

Column D – *Total # IEPs that met requirements of Indicator 13*

Enter the Total # IEPs reviewed (per district) that met the requirements of Indicator 13. (This becomes apparent after completing the Internal monitoring Transition Requirements checklist for each IEP reviewed).

Column E – *Re: measurable postsecondary goal(s).*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #1 on the ND Internal Monitoring Transition Requirements Checklist.

Column F – *Re: annual IEP goals*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #2 on the ND Internal Monitoring Transition Requirements Checklist.

Column G – *Re: Transition Services*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #3 on the ND Internal Monitoring Transition Requirements Checklist.

Column H – *Re: Parental consent & agency invitation*

Enter the total # of IEPs reviewed for the district that received a Yes or NA answer to question #4 on the ND Internal Monitoring Transition Requirements Checklist.

Column I – *Re: Age appropriate Transition Assessment*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #5 on the ND Internal Monitoring Transition Requirements Checklist.

Column J – *Re: Course of Study*

Enter the total # of IEPs reviewed for the district that received a Yes answer to question #6 on the ND Internal Monitoring Transition Requirements Checklist.

Criteria for determination of # IEP Transition files for review for students 16-21. (This number of IEP Transition files to be reviewed can be included in a district's minimum number of student files that must be reviewed.)

District child count for students 16-21	Percent of files to review
1-5	100%
6-25	20%
26-100	15%
101-250	10%

Section IV Internal Compliance Monitoring Required Common Elements

Internal Compliance Monitoring

File Reviews – minimum number
 Focus Groups & Parent Surveys
 Self-Assessment Document
 Compliance Issues
 Annual Verification by SEA Staff

- A. A **review of school files for students with disabilities**, based on district Child Count data, must be conducted. The Special Education District File Review chart (below) indicates the minimum number of student files that must be reviewed: A district may review more files than the numbers specified in the chart when any additional areas of concern are identified, or if additional data for improvement planning are needed. The *Individual Student File Review Form (Appendix A)* must be used.

Criteria for determination of the minimum number of student files that must be reviewed:

Special Education District File Review

District Child Count Total	Number of files to review
15 or less	All
16-50	10
50-100	20
100-250	35
251-500	50
501-1000	65
1000+	80

The information from individual student file reviews is transferred to the *District IDEA File Tally Form (Appendix B)*. This summary form will be submitted to NDDPI. NDDPI will verify the validity of local file review data through a combination of contacts with local administrators, including off-site and on-site options, in conjunction with an analysis of local performance data.

Purpose of Data Review

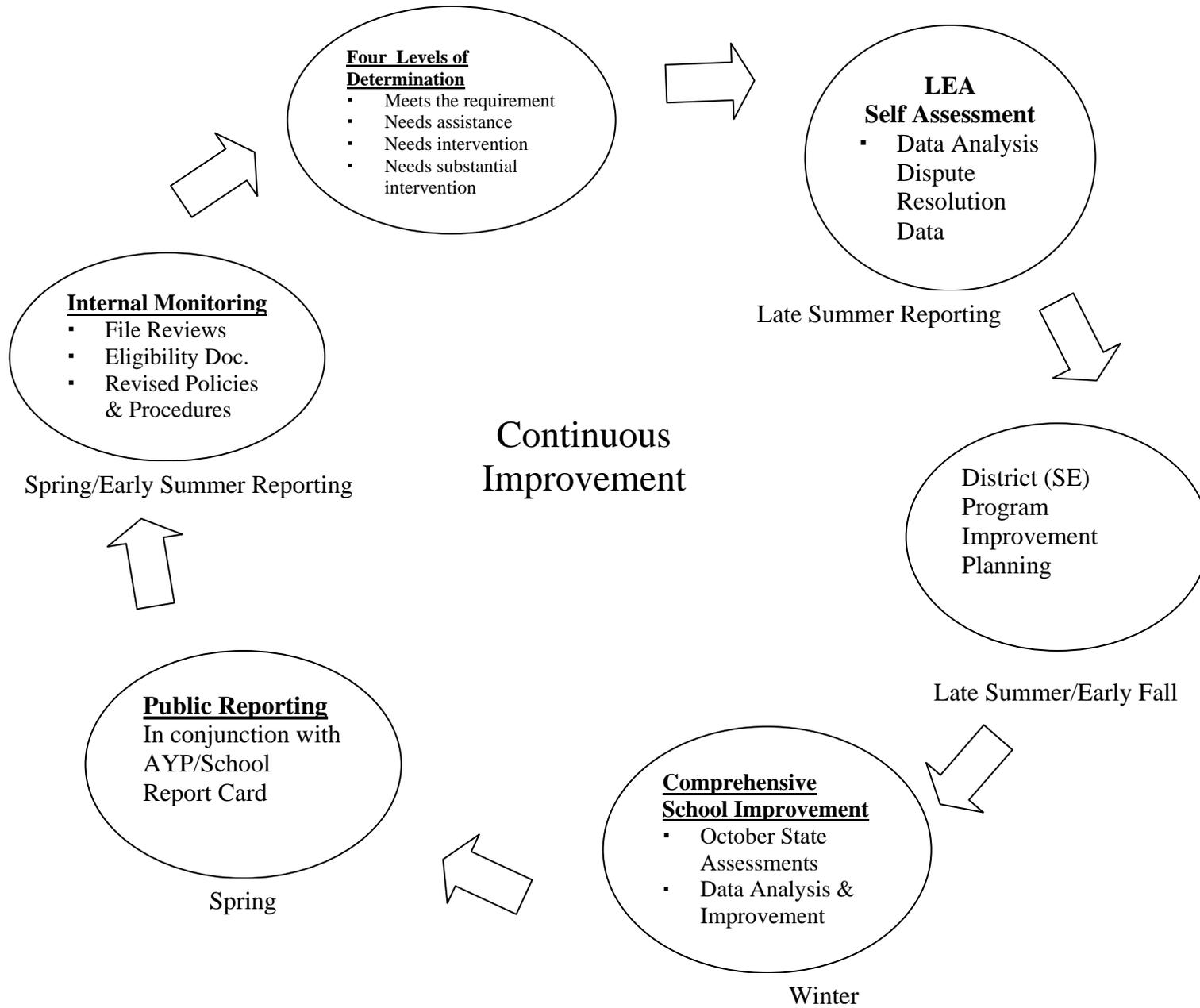
- **Analyze all available data to**
 - Identify invalid/unreliable data;
 - Identify compliers/non-performers;
 - Identify systemic issues (compliance and performance); and
 - Identify where it's working.

- B. The next required common element of the internal monitoring process is a **district self assessment**. This will allow a school district to summarize areas of noncompliance specific to special education and plan strategies to correct those areas of noncompliance within one year. The results of the district's self assessment must be reported to NDDPI on the *Internal Monitoring Self Assessment form (Appendix C)*.

The form will require the district to record the date that noncompliance was identified based on supporting documentation and the date noncompliance was corrected within a one year period. This form will be used by NDDPI to verify and report correction of local noncompliance issues to OSEP. This information should then be further analyzed by a school district in the context of the consolidated monitoring of federal education programs process for school improvement planning purposes.

- C. The NDDPI's process for IDEA monitoring is dependent on a variety of data that encompasses performance and compliance. Some of the performance data are determined by other units within the state education agency. Statewide assessments and School Report Cards are examples of this. A major goal of the IDEA monitoring process is to have schools use assessment and achievement data in an integrated manner for improvement planning. The NDDPI is developing the Comprehensive School Improvement Process (CSI), which will include all of the information gathered and summarized through the IDEA Internal Monitoring Procedures. A possible "Sequence and Timeframe for IDEA Monitoring Activities" is described in the following illustration. Using this illustration local administrators can begin collecting internal monitoring data in January 2007 for reporting to the NDDPI by June 30, 2007.

**Possible Sequence and Timeframe for IDEA Monitoring Activities with the DPI
Comprehensive School Improvement Process**



D. The district self assessment will be reviewed by NDPPI. NDDPI verification of correction of noncompliance will be based on an analysis of multiple sources of data (*including district AYP and IDEA dispute resolution data*) and may include one or more of the following activities:

- Targeted NDDPI supported technical assistance and professional development to correct noncompliance;
- Using routine data and off-site processes;
- Discretionary grant support for improvement planning;
- Federally supported technical assistance center training and materials;
- Onsite visitation;
- Utilization of NDDPI's state enforcement authority, including sanctions or written timelines;

IDEA '04 includes a new requirement for state education agencies to use the targets in the State Performance Plan to analyze the performance of each school district. NDDPI must determine the status of local school districts within four **levels of determination**:

- Meets requirements
- Needs Assistance
- Needs Interventions
- Needs Substantial Intervention.

The consequences for each status level are prescribed by OSEP under 34 CFR 300.603 (b)(1)(iii) and (b)(1)(iv).

Levels of Determination

Meet Requirements

Factors the Department of Public Instruction will consider in determining whether a LEA meets the requirements and the purpose of IDEA, including the following:

- The LEA demonstrates substantial compliance on all compliance indicators, which can include, as appropriate, a demonstration through quantitative and qualitative data that the LEA timely corrects identified noncompliance for indicators that are not "new" or where noncompliance was previously identified by the NDDPI, and, for "new" indicators for which noncompliance was not previously identified by the NDDPI, that the LEA has improvement activities to timely correct identified noncompliance.
- All indicators, including performance indicators, have valid and reliable data as required by the SPP/APR (actual target data, baseline data, etc.)
- The LEA demonstrates that it timely corrects noncompliance identified by the NDDPI through monitoring or other means.

Needs Assistance

Factors the NDDPI will consider in determining whether a LEA needs assistance in implementing the requirements of IDEA include the following:

- The LEA does not demonstrate substantial compliance on one or more of the compliance indicators. Evidence related to substantial compliance can include,

as appropriate, a demonstration through quantitative and qualitative data that the LEA timely corrects identified noncompliance for indicators that are not “new” or where noncompliance was previously identified by the NDDPI, and, for “new” indicators for which noncompliance was not previously identified by the NDDPI, that the LEA has improvement activities to timely correct identified noncompliance.

- One or more indicators, including performance indicators, do not have valid and reliable data as required by the SPP/APR (actual target data, baseline data, etc.).
- The LEA does not demonstrate that it timely corrects any noncompliance identified by the NDDPI through monitoring or other means.

If the DPI determines, for 2 consecutive years, that the LEA needs assistance, the NDDPI shall take one or more of the following enforcement actions, consistent with section 616(e)(1):

- Advise the LEA of available sources of technical assistance.
- Direct the use of State-level funds under section 611(e) on area(s) in which the LEA needs assistance.
- Identify the LEA as a high-risk grantee and impose special conditions on the State’s grant.

Needs Intervention

Factors the NDDPI will consider in determining whether a school district needs intervention in implementing the requirements of IDEA including the following:

- The LEA does not demonstrate substantial compliance on one or more of the compliance indicators and has not made significant progress in correcting noncompliance previously identified by the NDDPI on those indicators. Evidence related to substantial compliance can include, as appropriate, a demonstration through quantitative and qualitative data that the LEA timely corrects identified noncompliance for indicators that are not “new” or where noncompliance was previously identified by the NDDPI, and, for “new” indicators for which noncompliance was not previously identified by the NDDPI, that the LEA has improvement activities to timely correct identified noncompliance.
- One or more indicators, including performance indicators, are missing valid and reliable data as required by the SPP/APR (actual target data, baseline data, etc.), and the LEA has not made significant progress in correcting previously identified data problems.
- The LEA does not demonstrate that it corrects noncompliance identified by the NDDPI through monitoring or other means, and has not made significant progress in correcting that noncompliance.

If, the NDDPI determines, for 3 consecutive years that the LEA needs intervention, the NDDPI may take any of the actions described under needs assistance and shall take one or more of the following enforcement actions, consistent with section 616(e)(2):

- Require the LEA to prepare a corrective action plan or improvement plan if the NDDPI determines that the LEA should be able to correct the problem within 1 year.
- Require the LEA to enter into a compliance agreement if the NDDPI has reason to believe that the LEA cannot correct the problem within 1 year.
- Implement corrective actions and sanctions under General Authority: NDCC 15.1-02-11, 15.1-32-09.
- Refer the matter for appropriate enforcement action.

Needs Substantial Intervention

If the NDDPI determines, at any time, that a LEA needs substantial intervention in implementing the requirements of this part or that there is a substantial failure to comply with any condition of a local educational agency’s eligibility under this part, the NDDPI will designate the LEA as in need of substantial intervention. Among the factors that the NDDPI will consider are:

- The failure to substantially comply significantly affects the core requirements of the program, such as the delivery of services to children with disabilities or LEA exercise of general supervision; and/or
- The LEA has informed the NDDPI that it is unwilling to comply.

If the NDDPI determines, at any time, that the LEA needs substantial intervention, the NDDPI shall take one or more of the following enforcement actions, consistent with section 616(e)(3) and provide an opportunity for a hearing:

- Recover funds.
- Implement corrective actions and sanctions under General Authority: NDCC 15.1-02-11, 15.1-32-09
- Refer the matter for appropriate enforcement action.

Appendix: *Internal Monitoring Common Elements* required Forms

- A. Individual Student File Review
- B. District IDEA Tally Form
- C. Internal Monitoring Self Assessment Form - SAMPLE

APPENDIX H

Documents Relating to Indicator 16 AND 17

OFFICE OF SPECIAL
EDUCATION

AND REHABILITATIVE
SERVICES

REPORT OF DISPUTE RESOLUTION UNDER PART
B, OF THE

OMB NO.: 1820-0677

OFFICE OF SPECIAL
EDUCATION

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

PROGRAMS

2005-06

FORM EXPIRES:
08/31/2009

STATE: North Dakota

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	8
(1.1) Complaints with reports issued	8
(a) Reports with findings	6
(b) Reports within timeline	7
(c) Reports within extended timelines	1
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0
SECTION B: Mediation requests	
(2) Mediation requests total	7
(2.1) Mediations	
(a) Mediations related to due process	0
(i) Mediation agreements	0
(b) Mediations not related to due process	4
(i) Mediation agreements	3
(2.2) Mediations not held (including pending)	3
SECTION C: Hearing requests	
(3) Hearing requests total	2
(3.1) Resolution sessions	1
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	2
(a) Decisions within timeline	1
(b) Decisions within extended timeline	1

(3.3) Resolved without a hearing	0
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	0
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0