

**Hawaii Department of Education  
Special Education Section  
Part B Six-Year State Performance Plan (2005-2010) and  
Annual Performance Report (2008-2009)**

**Overview**

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA), signed on December 3, 2004, became Public Law 108-446. Part A of IDEA describes the general provisions of the Act. Part B of IDEA describes Hawaii Department of Education (HIDOE)'s requirement to provide special education and related services to student between the ages of 3 and 20. Part C of IDEA describes the state's requirements to provide services to children between the ages of 0 and 3.

In accordance with IDEA, not later than one (1) year after the date of enactment of the IDEA, each State must develop a six-year performance plan that evaluates the State's efforts to implement the requirements and purposes of Part B and describe how the State will improve such implementation. This plan is called Part B State Performance Plan (Part B – SPP). In addition to Part B – SPP, states are required to report annually to the Secretary of the U.S. Department of Education (USDOE) on the performance and progress of the State under the State's Performance Plan. This report is called the Part B Annual Performance Report (Part B – APR). Part B APR requires the HIDOE to report on 20 indicators that examine a comprehensive array of compliance and performance requirements relating to the provision of special education and related services. HIDOE is required to publish the report for public review. After submittal to the Office of Special Education Programs (OSEP), the APR will be posted on the HIDOE Special Education homepage. The most current and previous reports can be viewed at:

<http://doe.k12.hi.us/reports/specialeducation/index.htm>

The following due dates pertain to the submission of the Part B – SPP and Part B – APR:

- Part B – SPP submission date – December 2, 2005 (Hawaii Department of Education (HIDOE) completed and submitted)
- Part B – APR submission dates – Annually on February 1, 2007 through 2012
  1. February 1, 2006— HIDOE completed and submitted. HIDOE met all federal requirements
  2. February 1, 2007— HIDOE completed and submitted. HIDOE was one of nine (9) states that met all federal requirements.
  3. February 1, 2008— HIDOE completed and submitted. HIDOE was one of four (4) states that met all federal requirements two (2) consecutive years.

4. February 1, 2009— HIDOE completed and submitted. HIDOE was one of three (3) states that met all federal requirements three (3) consecutive years.

Hawaii is unique in that the State Education Agency (SEA) and the Local Education Agency (LEA) function as one unitary system. For the Part B – SPP, Hawaii will be reporting as one SEA and LEA. Public charter schools are included in the Part B – SPP.

A stakeholder's meeting was convened on December 10, 2009. HIDOE invited representatives from various stakeholder groups to obtain broad input on the twenty (20) Part B – APR indicators. Members from HIDOE facilitated discussion in each of the workgroups. A variety of participants from stakeholder groups such as, public charter schools, the Special Education Advisory Council, Special Parent Information Network, the Community Children's Council Office (CCCO), HIDOE schools, and HIDOE district offices contributed toward a rich discussion, reviewing and analyzing the data for each indicator.

Part B – APR reflects data and activities that occurred during the Federal Fiscal Year (FFY) 2008 which is the equivalent to Hawaii's School Year (SY) 2008-2009.

Much of the data used to set baselines and targets for each indicator are based on 618 data, which is required by IDEA and is collected by the USDOE, OSEP. For the FFY 2008, the 618 data consisted of seven (7) reports which included:

- 1) Child Count
- 2) Personnel
- 3) Educational Environments
- 4) Exits
- 5) Discipline
- 6) Statewide Assessment
- 7) Dispute Resolution

Unless specified otherwise, data for the Part B – SPP and Part B – APR were taken from one or more of the 618 data reports. States were required to submit all seven (7) reports in a timely manner as noted in Indicator 20.

There are 11 results indicators and 9 compliance indicators. All compliance targets are set by USDOE, OSEP at either zero (0%) or one hundred percent (100%). HIDOE used the SPP/APR indicators as a framework to help focus on trends, exemplary practices, and root causes of noncompliance.

## Part B State Performance Plan (SPP) for 2005-2010

**Monitoring Priority: FAPE in the LRE**

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

**Measurement:**

Percent of students with IEPs graduating high school with a diploma = number of students with IEPs that graduate in the same school cohort ÷ number of students with IEPs in the same school cohort X 100.

“Graduating/graduate” refers to (students, including public charter school students) earning a high school diploma within four years.

“Same school cohort” refers to students who enter the 9<sup>th</sup> grade in a given school for the first-time and were enrolled in the same school four years later upon successfully completing high school.

**Overview of Issue/Description of System or Process:**

This is a third revision to the Part B State Performance Plan (SPP), Indicator 1, originally submitted to the U.S. Department of Education, Office of Special Education Programs (OSEP) in December 2005.

Per OSEP requirement (Part B Indicator Measurement Table), states must now use the methodology that Title I of the Elementary and Secondary Education Act (ESEA)/No Child Left Behind Act of 2001 (NCLB) applies to determine graduation rates of students with Individualized Education Programs (IEPs). In Hawaii, that method defines the graduation rate as the percentage of students who graduate from public high school with a regular diploma in the standard number of years (which is four). This methodology does not recognize students with IEPs who require five or more years to earn the high school diploma. Hawaii Department of Education (HIDOE), Systems Accountability Office (SAO) will be working with Hawaii's Special Education Section (SES) in providing the graduation data for future SPP/Annual Performance Report (APR) reports. According to the SAO, an Adjusted Cohort Graduation Rate will be applied to HIDOE's graduating class of 2010 and reported in 2011. For purposes of this reporting, data from the graduating class of 2007 is being used.

Requirements for the Hawaii *High School (HS) Diploma* for the graduating classes of 2007, 2008, 2009 include 22 credits---4 credits each in English and Social Studies; 3 credits each in Mathematics and Science, 1 credit in Physical Education, ½ credit each in Health and Personal Transition Plan, and 6 elective credits in any subject area. An optional *Board of Education (BOE) Diploma* requires 2 additional credits in one of the following, World Language, Fine Arts, or Career and Technical Education. A *Recognition Diploma* is awarded a student who earns a grade point average of 3.0 or higher, and it includes three categories: Cum Laude, Magnum Cum Laude, Summa Cum Laude. With the graduating class of 2010, the requirements for the HS Diploma increase from 22 to 24 credits and students earning the BOE Diploma must accumulate 25 credits and successfully complete a Senior Project.

Due to the changes in calculating a graduation rate, HIDOE has adjusted its Federal Fiscal year (FFY) 2008-2009 SPP/APR targets to reflect our ESEA/NCLB Annual Yearly Progress (AYP) targets. Targets for the remaining years of this SPP/APR are identified in the table below. More detail about the methodology for calculating graduation rates can be found at: <http://arch.k12.hi.us/school/nclb/nclb.html>

Students with an IEP also have the option to work toward a Certificate of Completion of an Individually Prescribed Program ("Certificate"). The "Certificate" is not a diploma, but represents student's successful completion of a program specially designed to meet that student's unique needs and learning challenges. While available, data on Certificates earned will not be provided in this report.

#### Baseline Data for FFY 2008 (2008-2009):

Data for school year (SY) 2007-2008, based on same school cohort, was used as baseline.

Number of students in Grade 12, SY 2007-2008	12,587	
Number of students with IEPs in Grade 12, SY 2007-2008	1,399	
Number and percent of all Grade 12 students earning a regular high school diploma	9,993	80.0%
Number and percent of students with IEPs earning a regular high school diploma	1,012	72.3%

#### Discussion of Baseline Data:

The graduation rate of 72.3% for SY 2007-2008 will be the new baseline for this indicator due to changes in determining the graduation rate for students with IEPs.

The targets (below) mirror Hawaii's AYP annual measurable objectives for graduation rates at the school and state levels. As required by OSEP these will also be the SPP/APR targets for reporting for FFY 2008 and forward.

FFY	Measurable and Rigorous Target (Revised 2/09)
<b>2008</b> (2008-2009)	The percent of students with IEPs graduating with regular diplomas (within four years) will be 80%. (Revised, 2/10)
<b>2009</b> (2009-2010)	The percent of students with IEPs graduating with regular diplomas (within four years) will be 80%. (Revised 2/10)
<b>2010</b> (2010-2011)	The percent of students with IEPs graduating with regular diplomas (within four years) will be 85%. (Revised 2/10)

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<p>Provide support to secondary schools that are not meeting the Adequate Yearly Progress (AYP) and are requesting assistance in identifying root causes for low student achievement. Provide data that may indicate the kinds of supports needed by IDEA students in order to be more successful in working toward and earning a high school diploma.</p>	<p>Fall 2005 and ongoing as schools are identified or request assistance</p>	<p>Special Education Section (SES) and resources of the various regional areas (specialists, resource teachers, student support teams, etc.)</p>
<p>Conduct data analysis of high schools identified as having high graduation rates for students with IEPs (approximately 79%) to determine reasons for high rates and provide recommendations, if any, to the school and regional area administrator for improving the graduation rates of students with IEPs. Activities may include:</p> <ul style="list-style-type: none"> <li>• Survey high schools with high graduation rates (79%+) for students with IEPs. Have schools rate their level of implementation of the 15 effective strategies that positively impact student graduation/ dropout rates. (Strategies identified by the National Dropout Prevention Center.)</li> <li>• Use information and data obtained from Hawaii's post-secondary transition survey to identify indicators of success that include supports for students who earned a diploma. Use information for future planning efforts.</li> <li>• Encourage and support high schools in providing more opportunities for all students, including students with IEPs, to earn the necessary 24 credits in order to meet the requirements of receiving a regular diploma. (i.e., expanded master schedules allow for more than six credits to be earned per school year: seven-period schedules, four-course/ semester block scheduling, summer school)</li> <li>• Provide professional development and technical assistance for schools that are creative inclusive programs/classes. Share research, strategies, and successful practices from other schools.</li> </ul>	<p>Spring 2006 and ongoing</p> <p>Fall 2007</p> <p>Fall 2007</p> <p>Spring 2006 and ongoing</p> <p>Fall 2006 and ongoing</p>	<p>IRMB; HIDOE Office of Human Resources; SES resources of the various regional areas</p> <p>SES, SPP/APR Stakeholder Group</p> <p>SES, regional area support teams</p>

Improvement Activities	Timelines	Resources
<p>Provide professional development for regular and special education teachers to ensure the delivery of a curriculum based on the HCPSIII and the use of instructional strategies that challenge all students to perform at high levels of expectation.</p> <p>Review Statewide Assessment Data to determine whether high expectations and student-centered instruction is supporting the success of students in our classrooms. Identify schools with high student achievement.</p>	<p>Ongoing as schools are identified or request assistance</p> <p>Fall 2008 and ongoing</p>	<p>SES State Educational Specialists, State Resource Teachers; Instructional Services Branch State Educational Specialists, State Resource Teachers</p>
<p>Work with Transition Teachers and school staff at high schools to promote activities that focus on planning for a successful high school experience and preparation for post high school. Encourage parent participation which is necessary to support the transition of a student with a disability.</p>	<p>Spring 2008 and ongoing</p>	<p>SES, regional transition coordinators, transition teachers at school level</p>
<p>Work with Positive Behavior Supports (PBS) Program and to analyze school and student data that may have implications for school, student support, and intervention. Determine impact of budget and program cuts, i.e., decrease in student supports, programs, interventions, and lower graduation rates.</p>	<p>Fall 2008 and ongoing</p>	<p>SES, Student Support Services Branch</p>
<p>Work with personnel from HIDOE Comprehensive School Alienation Program (CSAP)/Special Motivation Program to review current data regarding services to at-risk students, including students with disabilities. Purpose is to determine the impact of major service reductions (due to budget cuts) on students' return to general education programs and/or graduation from high school.</p>	<p>SY 2008-2009</p>	<p>HIDOE CSAP/Special Motivation/Alternative Learning Centers, etc.)</p>
<p>Review methods of collecting graduation data and opportunities to gather and report graduation rates that are more consistent with new regulations for NCLB.</p>	<p>SY 2008-2009</p>	<p>HIDOE SAO</p>

Improvement Activities	Timelines	Resources
<p><b>NEW</b> Provide regional areas and schools, with graduation and various other data (related to students with disabilities) that may help them to more strategically focus on school improvement efforts to increase the number of students with IEPS earning a high school diploma. Data may include: graduation, dropout, Least Restrictive Environment (LRE), disaggregated scores on the Hawaii State Assessment Program (HSAP) for the disability subgroup, transition planning, post-school outcomes, etc.</p>	SY 2009-2010	SES, SAO, regional support teams

## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

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

**Measurement:**

Percent of students with IEPs graduating high school with a diploma = number of students with IEPs that graduate in the same school cohort ÷ number of students with IEPs in the same school cohort X 100.

“Graduating/graduate” refers to (students, including public charter school students) earning a high school diploma within four years

“Same school cohort” refers to students who enter the 9<sup>th</sup> grade in a given school for the first-time and were enrolled in the same school four years later upon completing high school.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	The percent of students with an Individualized Education Program (IEP) who graduated with a diploma within four years is 80%.  (Target reflects Hawaii high schools' graduation target for calculating Adequate Yearly Progress.)

**Actual Target Data for FFY 2008 (2008-2009):**

Measurement	Raw Data
<b>Percent of students with an IEP graduating high school with a diploma</b> <b>(*Data to be used from school year 2007-2008.)</b>	FFY 2008*
A. Number of students with IEPs that graduate in the same school cohort	1,012
B. Number of students with IEPs in the same school cohort	1,399
Percent = (A ÷ B) X 100	72.3%



For purposes of comparison, the raw data and graduation rates for all students are also provided:

Measurement	Raw Data
<b>Percent of all students graduating high school with a diploma (*Data to be used from school year 2007-2008.)</b>	FFY 2008*
A. Number of students that graduate in the same school cohort	9,993
B. Number of students in the same school cohort	12,487
Percent = $(A \div B) \times 100$	80%

The U.S. Department of Education, Office of Special Education Programs (OSEP), now requires states to use the methodology approved by the Title I of the Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind Act of 2001 (NCLB), when calculating high schools' Adequate Yearly Progress (AYP) to determine graduation rates of students with IEPs. In Hawaii, that methodology determines the graduation rate as the percentage of students who graduate from public high school with a regular diploma in the standard number of years, which is four years. This methodology does not recognize students with IEPs who are entitled to and may need more years to earn the high school diploma. Hawaii Department of Education (HIDOE), Systems Accountability Office (SAO) will be working with Hawaii's Special Education Section (SES) in providing the graduation data for future State Performance Plan (SPP)/APR reports. According to the SAO, an Adjusted Cohort Graduation Rate will be applied to Hawaii's graduating class of 2010 and reported in 2011.

For purposes of this reporting, data from the graduating class of 2007 is being used.

Due to the required changes in determining the graduation rate, Hawaii has adjusted its SPP/APR Federal Fiscal Year (FFY) 2008 targets to reflect our state Title I/NCLB/AYP targets. Hawaii's previous APR targets were very similar to their AYP targets. More detail about the methodology for calculating graduation rates can be found at <http://arch.k12.hi.us/school/nclb/nclb.html>

Requirements for the Hawaii *High School (HS) Diploma* for the graduating classes of 2007, 2008, 2009 include 22 credits---4 credits each in English and Social Studies; 3 credits each in Mathematics and Science, 1 credit in Physical Education, ½ credit each in Health and Personal Transition Plan, and 6 elective credits in any subject area. An optional *Board of Education (BOE) Diploma* requires 2 additional credits in one of the following, World Language, Fine Arts, or Career and Technical Education. A *Recognition Diploma* is awarded a student who earns a grade point average of 3.0 or higher, and recognizes three levels of student performance: Cum Laude, Magnum Cum Laude, Summa Cum Laude. With the graduating class of 2010, the requirements for the HS Diploma will increase from 22 to 24 credits and students earning the BOE Diploma will need to accumulate 25 credits and successfully complete a Senior Project.

#### **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred during FFY 2007:**

The following activities are designed to take a closer look at the decreasing graduation rates, to target efforts with the greatest benefit to students, and to engage stakeholders and parents in supporting all students through and beyond high school.

A closer look at Positive Behavior Supports (PBS) and a comparison of nine (9) high schools, of which only five (5) had complex-wide PBS in place, did not yield conclusive data related to the effectiveness of school wide implementation. However, PBS data was reviewed relative to Individuals with Disabilities Education Act (IDEA) and regular education students': contributing to incidents requiring discipline, average incidents per day, and nature of "target behaviors." One indication (which would require further study) is that it appeared fewer IDEA-eligible students were contributing to incidences requiring discipline in schools where PBS was in place. A safe and supportive learning environment is among the critical factors identified by the National Dropout Prevention Center to reducing dropouts--and increasing the likelihood of students completing their high school education. The information will be shared with the PBS Program and schools and collaboration with them will continue.

Data collected from HIDOE's Comprehensive School Alienation Program (CSAP) from 2004-2008 show a decline in student performance indicators over the past two school years, which is consistent with data reported in previous APRs. Indicators include: courses passed, graduation rate, attendance, return to regular education programs and dropout rates. In school year (SY) 2007-2008 a total of 2,330 students from 59 secondary schools received academic, social, emotional, or behavior supports from CSAP programs in varied alternative school settings designed for secondary, alienated and at-risk students. Approximately 105 (4.5%) of the students served were students with IEPs.

Thirty-five percent of high schools responded to a survey/request for transition activities conducted to assist families and students in planning for post-high school goals. Responses indicate that high schools conducted very similar activities for and all students, including special education (SPED), such as: career/college exploration activities, career fairs, guest speakers from various educational/work sites, visitations to post secondary schools/training centers, and student and parent nights. Detailed results will be shared with all high and intermediate schools. Schools will be asked again to indicate activities they are conducting and activities they are considering for the near future.

Efforts continue to provide high school teachers with classroom instructional strategies, co-teaching and other approaches for inclusive classrooms, and effective use of paraprofessionals, educational assistants and other available supports. Hawaii's "Literacy for Learning," K-12, State-Complex-School (tri-level) initiative seeks to make literacy ("the ability to understand and use language and images to acquire knowledge, communicate and think critically in all content and contexts") a priority at every school. As requirements in mathematics increase for students, professional development for teachers link research-based instruction with content knowledge to increase students' conceptual and procedural knowledge. Exposure to and participation in technical and vocational education classes continues to be limited for many students as course offerings decline and graduation requirements in core content areas increase. The graduation rates of students with IEPs may continue to decline as academic requirements increase and become more rigorous and students pursue alternative educational/training experiences or employment opportunities.

In the APR for FFY 2007, Hawaii reported the graduation rate for youth with disabilities at 77.7%. In this APR for FFY 2008, the same set of data with the ESEA/NCLB calculations applied, the graduation rate for youth with IEPs is 72.3%. This is consistent with Hawaii's ESEA FFY 2008-2009 report of data collected in SY 2007-2008. A difference in the graduation rate was anticipated when the "same school cohort" and the standard number of years requirements were applied to the SY 2007-2008 data. For the next year, the same process will be used by Hawaii to calculate and report the graduation rate for youth with disabilities. However, in SY 2009-2010, an Adjusted Cohort Graduation Rate will be applied and changes reported at that time.

Improvement Activities	Timelines	Status
Include personnel from Positive Behavior Support (PBS) Program in stakeholder group meetings and activity planning sessions. Review data from PBS schools and compare with graduation, dropout, and completer rates at high schools. Identify relationships, if any.	SY 2008-2009 and ongoing	CONTINUING: Data from (9) nine schools reviewed; some implications noted. Will continue to review data and share findings with PBS Program.
Work with personnel from HIDOE CSAP/Special Motivation Program to review current data regarding services to at-risk students, including students with disabilities. Purpose is to determine the impact of major service reductions (due to budget cuts) on students' return to general education programs and/or graduation from high school.	SY 2008 2009	COMPLETED. Longitudinal data showed decrease in school completion and other outcomes; funding for CSAP programs going directly to schools, data collection/coordination may be discontinued.
Two staff members per high school - Transition Teacher and/or teacher/counselor were surveyed to identify activities (for students and/or parents) that focused on successful high school planning and preparation for post high school settings. Information/ideas to be shared among high schools and also to determine if a relationship might exist between parent/student involvement and graduation rates.	SY 2007-2008 and ongoing	CONTINUING. The results will be shared with the public and charter high schools and more information gathered.
Revisions to the graduation data collection/reporting methods and alignment with NCLB being considered.	SY 2007-2008 and ongoing	COMPLETED: States are now required by OSEP to use the NCLB graduation targets and calculations to report the graduation rate of students with disabilities.
Identify resources and activities that can assist schools with the challenges of equity, cultural sensitivity and parent involvement.	Spring 2007 and ongoing	CONTINUING: Resources provided, such as <i>Dropout Prevention and Youth with Disabilities: Strategies for Parents of High School Students</i> from the National Dropout Prevention Center Strategies, <i>High School Students with Disabilities in the General Education Curriculum</i> from the International Center for Leadership in Education.

Improvement Activities	Timelines	Status
AYP/Restructuring Response Teams (RRT) observed classes, interviewed school personnel, analyzed school and student data, and provided recommendations regarding the root causes and possible solutions to low performance of students.	SY 2005-2006 and ongoing	CONTINUING: SES will continue to participate in AYP/RRT activities as requested, offer recommendations, identify noncompliance when observed.

#### Longitudinal Data for Indicator 1

FFY	Percent of Youth with IEPs Graduating High School with a Diploma
<b>2004</b> (2004-2005)	79.3
<b>2005</b> (2005-2006)	79.6
<b>2006</b> (2006-2007)	80.1
<b>2007</b> (2007-2008)	77.0
<b>2008</b> (2008-2009)	72.3* (*Reflects 2007-2008 data calculated per NCLB Methodology)

#### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines/Resources for FFY 2009 (2009-2010):

Improvement Activities	Timelines	Resources	Revision/Justification
<b>NEW</b> Provide regional areas and schools with graduation and various other data (related to students with disabilities) that may help them to more strategically focus on school improvement efforts to increase the number of youth with IEPs earning a high school diploma. Data may include: graduation, dropout, Least Restrictive Environment (LRE), disaggregated scores on the Hawaii State Assessment Program (HSAP) for the disability subgroup, transition planning, post-school planning, etc.	SY 2009-2010	SES, SAO, regional support teams	New targets have been established that align with Title I/NCLB. The availability of various data can support the review and analysis of graduation rates of youth with IEPs.

## Part B State Performance Plan (SPP) for 2005-2010

**Monitoring Priority: FAPE in the LRE**

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

#### Measurement:

Data to be used will reflect Title I of the Elementary and Secondary and Education Act (ESEA) dropout data as applied to all students and follow the timeline established by the Department under the ESEA.

Percent of students with IEPs dropping out of high school = number of students in grades 9-12 who have IEPs and dropped out of school ÷ total number of students in grades 9-12 who have IEPs X 100.

#### Overview of Issue/Description of System or Process:

This is the third revision to the Part B State Performance Plan, Indicator 2, originally submitted to the U.S. Department of Education, Office of Special Education Programs (OSEP) in December 2005. Per OSEP requirement (Part B Indicator Measurement Table), dropout data reported in states' SPP/Annual Performance Report (APR) must now be the same as reported for Title I of the Elementary and Secondary Education Act (ESEA)/No Child Left Behind (NCLB). At this time, Hawaii uses one year dropout data (also known as an "event rate") for the Consolidated State Performance Report (CSPR) and it's SPP/APR. There is no data for reporting dropouts by subgroup.

Hawaii's Special Education Section (SES) will continue to use the data provided by Hawaii Department of Education's (HIDOE's) Information Resources Management Branch (IRMB) for students in Grades 9 through 12, which is consistent with data reported for CSPR. HIDOE has not yet determined annual NCLB targets for its dropout rate and, again, does not disaggregate dropouts into subgroups. HIDOE will continue to calculate and report an "annual dropout rate" (also known as an "event rate") as opposed to a "longitudinal" or "cohort" dropout rate. The dropout data is based on the schools' enrollment count at the beginning of the school year and includes any student who had expressed an "intent to return/enroll" the following school year. Dropout data are a subset of a larger "Completer/Leaver" report of the number of all students in Grades 7 through 12 who "complete, continue, transfer, or dropout" during the school year (SY). Completer/Leaver data are collected from school year to school year to capture any movement of students following summer breaks.

According to data collection sources from the HIDOE, students who "dropout" of school are classified as those who:

- Leave school between the ages of 15-18 years old (or age out) without earning a diploma;
- Withdraw from school to work or attend work readiness programs;
- Enroll in non-HIDOE alternative educational programs;
- Join the Armed Services;
- Are court ordered to a youth correctional facility;
- Are excluded from school due to zero-tolerance policies (for possession of guns, drugs);
- Are in-flight and school had no information or whereabouts;
- Reside on the mainland (and are not verified);
- Are married and not returning to school;
- Do not return/show up for school as expected; and
- Leave for "other" reasons.

**Baseline Data for FFY 2004 (2004-2005):**

Number of students in grade 9-12, SY 2003-2004	53,549	
Number of students with IEPs in grades 9-12, SY 2003-2004	7,119	
Number and % of students in grade 9-12 that dropped out, SY 2003-2004	2,537	4.7%
Number and % of students with IEPs in grade 9-12 that dropped out, SY 2003-2004	221	3.1%

**Discussion of Baseline Data:**

According to Blackorby & Wagner, in 1996 the dropout rate for students with disabilities was approximately twice that of general education students. Baseline data from Hawaii's public schools in SY 2003-2004 indicated that the dropout rate for students with disabilities in Hawaii was approximately 33% lower than their non-disabled peers. Because it is difficult to make comparisons across states due to the variations in data collection methods and definitions, Hawaii will continue to gather data through its current data systems and to increase our efforts to address the dropout rate of students with disabilities as well as their non-disabled peers.

Each of the previous APRs saw very little change in the dropout rate for students with IEPs and the targets were met or very close to being met. A sudden increase in the dropout rate of students with IEPs, has resulted in changes being made to targets for APRs for Federal Fiscal Year (FFY) 2008, FFY 2009, and FFY 2010. Revisions to the targets are highlighted in the table below.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	The percent of students with IEPs dropping out of high school will be 3.1%.
<b>2006</b> (2006-2007)	The percent of students with IEPs dropping out of high school will be 3.1%.
<b>2007</b> (2007-2008)	The percent of students with IEPs dropping out of high school will be 3.0%.
<b>2008</b> (2008-2009)	The percent of students with IEPs dropping out of high school will be 3.0% (revised 2/09).
<b>2009</b> (2009-2010)	The percent of students with IEPs dropping out of high school will be 3.0% (revised 2/09).
<b>2010</b> (2010-2011)	The percent of students with IEPs dropping out of high school will be 3.0% (revised 2/09).

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<p>Use data to identify schools with low dropout rates. Focus on the positive levels of student participation and engagement and work with schools to increase the number of students graduating with a diploma.</p> <p>Review and identify data from schools/complexes with extremely low dropout rates. Identify practices that are effectively keeping students in school and working toward completion of their high school program/curriculum. Support the widespread implementation of school level practices that are effectively keeping students in school and working toward their diploma or appropriate program/curriculum.</p>	<p>Beginning Fall 2005 and ongoing (Data review in Fall, contact and work with school through year.)</p>	<p>IRMB, Special Education Section and Student Support Services; District Support</p>
<p>Monitor and review data from schools (and complexes) to identify sites with drop out rates that exceed by the state's rate for drop outs among students with IEPs by 1.5% (or greater). Provide technical assistance to support the decrease of dropouts and increase student attendance and promotion/ completion of school. Activities may include the following as appropriate:</p> <ul style="list-style-type: none"> <li>• Provide information, research, and assistance to support implementation of school-wide policies and/or practices that increase the protective factors the lead to more resilient students.</li> <li>• Increase efforts for early identification and intervention with students at risk of dropping out, especially students with IEPs who may be characterized by multiple risk factors.</li> <li>• Involve all feeder schools within a complex in the discussion, planning, and actions to decrease the number of students who leave high school without a diploma.</li> <li>• Explore alternative learning opportunities that offer students a variety of options to earning a diploma.</li> <li>• Where indicated, examine disciplinary practices (including the reliance on and effectiveness of suspensions) and explore other consequences for misbehavior (including alternatives to suspension).</li> </ul>	<p>Beginning Fall 2005 and ongoing</p>	<p>IRMB, Special Education Section and Student Support Services; District Support</p>

Improvement Activities	Timelines	Resources
<p>Encourage parent participation in middle/secondary school-wide activities that focus on:</p> <ul style="list-style-type: none"> <li>• yearly academic planning/registration,</li> <li>• student participation in co-curricular activities (i.e., athletics, service organizations, performing arts ),</li> <li>• transitions to high school setting,</li> <li>• graduation requirements, and</li> <li>• transition to post-secondary activities (i.e., vocational school, college/university programs, and employment )</li> </ul>	<p>SY 2008-2009 and ongoing</p>	<p>Special Education Section Transition Program and District Coordinators; parent organizations (i.e., Community Children's Council, and Parent Training and Information Center)</p>
<p>Collaborate with various programs in Student Support Services Branch (i.e. Positive Behavior Support, Comprehensive School Alienation Program, and School Counselors) to identify the supports needed to increase graduation and decrease dropout rates. Strategies to be developed and incorporated into programs and State SPP/APR efforts.</p>	<p>SY 2008-2009 and ongoing</p>	<p>Educational Specialists and personnel from the Student Support Services Branch, complex/school-level PBS Teams</p>
<p>Use results and information from the post-secondary survey (used in Indicator 14) to gather feedback related to secondary supports, programs, services that had positive impact on students' program completion and successful transition to post-school activities/goals.</p>	<p>SY 2008-2009 and ongoing</p>	<p>Special Education Section Transition Program and District Coordinators</p>



## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

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

**Measurement:**

Data to be used will reflect Title I of the Elementary and Secondary and Education Act (ESEA) dropout data as applied to all students and follow the timeline established by the Department under the ESEA.

Percent of students with IEPs who dropout of high school = number of students in grades 9-12 who have IEPs and dropped out of school ÷ total number of students in grades 9-12 who have IEPs X 100.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	The percent of students with and Individualized Education Program (IEP) who dropout of high school will be 3.0% (or less).

Actual Target Data for FFY 2008 (2008-2009):

Measurement	Raw Data
<b>Percent of students with an IEP who dropout of high school</b> <b>(*Data to be used from school year 2007-2008.)</b>	FFY 2008*
A. Number of students in grades 9-12 who have IEPs and have dropped out of school.	403
B. Number of students in grades 9-12 who have IEPs.	6,874
Percent = (A ÷ B) X 100	<b>5.8%</b>

For purposes of comparison, the dropout rates for all students are provided:

Measurement	Raw Data
<b>Percent of students who dropout of high school</b> <b>(*Data to be used from school year 2007-2008)</b>	FFY 2008*
A. Number of students in grades 9-12 who have dropped out of school.	2,745
B. Number of students in grades 9-12.	54,205
Percent = (A ÷ B) X 100	<b>5.0%</b>

Per U.S. Department of Education, Office of Special Education Programs (OSEP) requirement, dropout data reported by states must be the same data reported by Title I of the Elementary and Secondary Education Act (ESEA)/No Child Left Behind (NCLB). For its State Performance Plan (SPP)/APR, Hawaii reports one year dropout data (also known as an “event rate”) for its Consolidated State Performance Report (CSPR) which is consistent with Title I of ESEA. No NCLB targets have been set for the dropout data and currently there is no disaggregation of subgroups.

The data used to calculate SPP/APR dropout rates for Hawaii's public schools will continue to be provided by the Hawaii Department of Education's (HIDOE) Information Resources Management Branch (IRMB). Using an “event method” to gather data, Hawaii's dropout data has been based on a schools' enrollment of students in grades 9-12 at the beginning of the school year and includes any student who expressed an “intent to return/enroll” the following school year. “Completer/Leaver” data include students who “complete, continue, transfer, or dropout” during a school year. This data are collected from one school year to the following school year, over approximately fifteen months, to capture completion of graduation requirements or movement of students during and immediately following summer breaks. The SPP/APR reports will continue to reflect the use of the event method to determine the rate of dropouts, IRMB will provide the raw data, and the System Accountability Office (SAO) will provide guidance regarding future NCLB targets for dropouts.

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

OSEP Measurement Table for the Federal Fiscal Year (FFY) 2008-2009 required Hawaii to report data from the school year (SY) 2007-2008. This is consistent with Hawaii's ESEA/NCLB FFY 2008-2009 reports that reflect data from the SY 2007-2008. Therefore, the data during this reporting period the data is a duplication of the data of the FFY 2007-2008 APR report. The HIDOE FFY 2007-2008 and FFY 2008-2009 dropout rate of 5.8% represents slippage from the SY 2006-2007 data of 2.95%. HIDOE did not meet its target of 3.0% for both reporting periods.

Factors believed to contribute to the increased rate of students leaving school without a diploma include:

- Increased challenge and difficulty of standards-based core curriculum, and credit requirements to earn a high school diploma.
- Decreased opportunities to participate in high-interest, hands-on elective courses such as music, fine arts, and vocational/tech; when electives are often study skills/remedial-type courses.
- An increase in alternative educational opportunities offered in the community.

A closer look at Positive Behavior Support (PBS) and a comparison of nine (9) high schools, of which only five (5) had complex-wide PBS in place, did not yield conclusive data related to the effectiveness of school wide implementation. However, PBS data was reviewed relative to Individuals with Disabilities Education Act (IDEA) and regular education students: contributing to incidents requiring discipline, average incidents per day, and nature of “target behaviors.” One indication (which would require further study) is that it appeared fewer IDEA-eligible students were contributing to incidences requiring discipline in schools where PBS was in place. A safe and supportive learning environment is among the critical factors identified by the National Dropout Prevention Center to reducing dropouts and increasing the likelihood of students completing their high school education. The information will be shared with the PBS program and schools and collaboration with them will continue.

Data collected from HIDOE's Comprehensive School Alienation Program from SY 2004-2008 show a decline during the past two school years in most indicators (courses passed, graduation rate, attendance, return to regular education programs and dropout rates). In SY 2007-2008, a total of 2,330 students from 59 secondary schools received academic, social, emotional, or behavior supports in varied alternative school settings designed for “secondary alienated and at-risk student.” Approximately 105 (4.5%) of the students served were students with IEPs.

Surveys returned from 35 percent of high schools (including public charter schools) indicated that varied and numerous activities are conducted yearly to encourage and involve parents and students in planning for post-high school educational/training/work options. Given the limited data, it is difficult to identify a distinct relationship between the activities and the dropout rates of students attending these schools. Communication with all high schools will continue and more information gathered to further explore the impact of parent involvement upon student completion/graduation rates.

The dropout rate reported in this APR is 5.8%, the same as reported in the previous APR. The data being reported is for SY 2007-2008, the graduation rate reported in Indicator I is for the same school year. The data for Indicators 1 and 2 will continue to reflect the outcomes of the same school year, which will allow for easier review and analysis of outcomes as well as impact of improvement activities. The data will also mirror the ESEA/NCLB reports submitted each year.

The following activities are part of ongoing efforts to increase parent engagement, create safe school environments, and support diverse learners. Schools will continue to be provided supports and resources to apply new strategies and to analyze various data and information to assist in making programming decisions.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
PBS program will be asked to collaborate with stakeholder group to review data on high schools with successful PBS systems and to identify any correlations between successful implementation of PBS and dropout rates.	SY 2008-2009 and ongoing	CONTINUING: Data gathered for multiple school years; will continue to review data and share findings with PBS program
Information to be gathered from Comprehensive School Alienation Program (CSAP) and other intervention programs regarding successful supports and services provided at-risk students and possible expansion of programs or sharing of information.	SY 2008-2009 and ongoing	COMPLETED: Data for SY 2004-2005 thru 2007-2008 reviewed; referred to in APR. CSAP Program has been restructured, future data may not be available as program and funding to be maintained by individual schools, no longer a statewide program
Post-secondary survey of special education students will be used to gather more information from recent IDEA graduates on effective supports, effective transition planning, and post secondary needs that can be met in high school.	Spring 2009	CONTINUING: Data collected for class of 2008, not yet reviewed or analyzed
Provide technical assistance to support the identification and development of supports to teachers and students in order to decrease the number of dropouts and increase student attendance, and promotion/ completion of school. Work includes: <ul style="list-style-type: none"> <li>Focus on student achievement and early intervention practices with students who are experiencing difficulty.</li> </ul>	SY 2006-2008 and ongoing	CONTINUING: <ul style="list-style-type: none"> <li>Supported high schools in six (of seven) districts to create more inclusive settings for the students, co-teaching is the model recommended</li> <li>ARRA funds will be used to build statewide capacity to support co-teaching</li> </ul>

Improvement Activities	Timelines	Status
<ul style="list-style-type: none"> <li>Identify and address (via school/regional support staff) barriers to student achievement and success in the classroom</li> <li>Work with all schools in the complex to review policies with respect to attendance, discipline, and retention practices; and</li> <li>Examine alternative learning opportunities inside and outside of the traditional classrooms that offer students a variety of options to learning and earning a diploma.</li> </ul> <p>Worked with high schools to create more inclusive settings that provide for the needs of all students.</p>		
<p>Assistance to focus on issues of equity, diversity and parent involvement in secondary schools. Follow up with survey of schools with low graduation rates and high dropout rates.</p>	<p>SY 2006-2008 and ongoing</p>	<p>CONTINUING:</p> <ul style="list-style-type: none"> <li>Issues of equity and diversity emphasized in work and resources provided schools on inclusive education.</li> <li>Parent involvement becomes the focus of many efforts and activities at secondary level.</li> <li>Equity and diversity continue to be emphasized in work on inclusive education.</li> </ul>
<p>Provide informational sessions for parents of secondary students (with focus on special education) emphasizing preparation of parents and students for the middle and/or high school environment, school organization and structure, co-curricular activities, and academic requirements. The organizations to continue the informational sessions.</p>	<p>Spring 2007 and ongoing</p>	<p>CONTINUING:</p> <ul style="list-style-type: none"> <li>Sixteen high schools responded to survey and indicated multiple activities related to college/career exploration provided for all students.</li> <li>Data and activities identified by schools to be share with all high schools.</li> </ul>

**Longitudinal Data for Indicator 2**

<b>FFY</b>	<b>Percent of youth with IEPs Dropping Out of High School</b>
<b>2004</b> (2004–2005)	3.1%
<b>2005</b> (2005–2006)	3.2%
<b>2006</b> (2006–2007)	2.9%
<b>2007</b> (2007–2008)	5.8%
<b>2008</b> (2008–2009)	5.8% (Same data reported FFY 2007–2008)

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009–2010):**

No changes to targets, activities or timelines.

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: FAPE in the LRE

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

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

#### Measurement:

A. AYP percent =  $\left[ \frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$ .

B. Participation rate percent =  $\left[ \frac{\text{(\# of children with IEPs participating in the assessment)}}{\text{(total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$ . The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent =  $\left[ \frac{\text{(\# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$ .

#### Overview of Issue/Description of System or Process

All students in grades 3, 5, 8, and 10 participate in the Hawaii State Assessment (HSA) or the Alternate Assessment (AA) administered each spring. The assessment results are used to determine students' progress toward meeting selected Hawaii Content and Performance Standards. The standards-based reading and mathematics sessions include multiple-choice questions and constructed response question. The constructed response questions enable students to show what they can do and measure their application of knowledge and skills.

A new AA based on alternate standards was administered in the spring of School Year (SY) 2005-2006. These students AA proficiency levels were aggregated with the HSA proficiency levels.

#### Baseline Data for Federal Fiscal Year (FFY) 2004 (2004-2005)

##### A. Percent

HIDOE is a unitary school district; therefore, data will not be reported for "A" Percent of districts meeting the State's Adequate Yearly Progress (AYP) objectives on statewide assessment.

B. Participation rate

Reading

- a. 6869 students with Individualized Education Programs (IEPs) in grades assessed.
- b. 3357 students with IEPs in regular assessment with no accommodations.
- c. 3203 students with IEPs in regular assessment with accommodations.
- d. 187 students with IEPs in grades assessed in the alternate assessment against grade level standards.

Math

- a. 6870 students with IEPs in grades assessed.
- b. 3343 students with IEPs in regular assessment with no accommodations.
- c. 3203 students with IEPs in regular assessment with accommodations.
- d. 185 students with IEPs in grades assessed in alternate assessment against grade level standards.

C. Proficiency rate

Reading

- a. 6869 students with IEPs in grades assessed.
- b. 329 regular assessment who are proficient or above with no accommodations.
- c. 161 regular assessment who are proficient or above with accommodations.
- d. 0 alternate assessment who are proficient or above against grade level standards.

Math

- a. 6870 students with IEPs in grades assessed.
- b. 135 regular assessment who are proficient or above with no accommodations.
- c. 58 regular assessment who are proficient or above with accommodations.
- d. 0 alternate assessment who are proficient or above against grade level standards.

B. Participation rate:

Overall % participation in reading (b + c + d divided by a)	96%
• regular assessment with no accommodations (percent = b divided by a times 100)	49%
• regular assessment with accommodations (percent = c divided by a times 100)	47%
• alternate assessment against grade level standards (percent = d divided by a times 100)	3%
Overall % participation in math	95%
• regular assessment with no accommodations (percent = b divided by a times 100);	49%
• regular assessment with accommodations (percent = c divided by a times 100);	47%
• alternate assessment against grade level standards (percent = d divided by a times 100)	3%

## C. Proficiency rate:

Overall % proficiency in reading (b + c + d divided by a)	7%
<ul style="list-style-type: none"> <li>regular assessment who are proficient or above with no accommodations (percent = b divided by a times 100)</li> </ul>	5%
<ul style="list-style-type: none"> <li>regular assessment who are proficient or above with accommodations (percent = c divided by a times 100;</li> </ul>	2%
<ul style="list-style-type: none"> <li>alternate assessment who are proficient or above against grade level standards (percent = d divided by a times 100)</li> </ul>	0%
Overall % proficiency in math (b + c + d divided by a)	3%
<ul style="list-style-type: none"> <li>regular assessment who are proficient or above with no accommodations (percent = b divided by a times 100)</li> </ul>	2%
<ul style="list-style-type: none"> <li>regular assessment who are proficient or above with accommodations (percent = c divided by a times 100)</li> </ul>	1%
<ul style="list-style-type: none"> <li>alternate assessment who are proficient or above against grade level standards (percent = d divided by a times 100)</li> </ul>	0%

**Discussion of Baseline Data**

Students taking the Hawaii State Alternate Assessment (HSAA) work on the same content standards as all students in his/her grade level. The IEP goals and objectives for each individual student were matched with the required Hawaii content strands and related standards for reading and mathematics. Although progress is measured, the overall achievement reflects progress that is below grade level expectations. Therefore, when the link is made from the HSAA to the HSA Proficiency Levels, all performance levels for the HSAA (No progress, Emerging, Progressing and Achieving), fall in the "Well Below Proficiency" level.

Two percent or one hundred thirty-four (134) of the students who were eligible to take the HSA/AA have letters of request to exempt their child's participation in the statewide assessment. The remaining 2-3% was due to absences on test/retest dates or in the case of the AA a few were deemed invalid.

**Baseline Data for FFY 2008 (2008-2009)**

A new baseline for proficiency rate of children with IEPs has been created as a result of the U. S. Department of Education, Office of Special Education Programs (OSEP) change in required measurement. The data used to measure Indicator 3C has changed from Table 6 of the 618 data collection to the AYP data used for accountability reporting under Title 1 of the Elementary and Secondary Education Act (ESEA).

<b>FFY 2008</b>	<b># of Students Tested</b>	<b># of Students Proficient</b>	<b>% of Students Proficient</b>
<b>Reading</b>	10,167	1,734	17%
<b>Math</b>	10,070	796	8%



Targets and activities to address Indicator 3 of the SPP were determined at a meeting by stakeholder groups on October 14, 2005. The Special Education Advisory Council (SEAC) and the Community Children's Council Office (CCCO) representatives attended. The group had a wide range of stakeholder participants that included parents and school, complex, and higher education personnel.

Targets were adjusted at the December 10, 2009 stakeholder meeting to meet OSEP's requirement to use the state's ESEA proficiency targets.

FFY	Measurable and Rigorous Target
<b>2006</b> (2006-2007)	Students with disabilities will have a 96% participation in reading Students with disabilities will have a 95% participation in math 7% of students with disabilities will meet proficiency in reading 3% of students with disabilities will meet proficiency in math
<b>2007</b> (2007-2008)	Students with disabilities will have a 96.5% participation in reading Students with disabilities will have a 95.5% participation in math 9% of students with disabilities will meet proficiency in reading 5% of students with disabilities will meet proficiency in math
<b>2008</b> (2008-2009)	<b>Revised February 2010</b> Students with disabilities will have a 95% participation in reading Students with disabilities will have a 95% participation in math <b>58%</b> of students with disabilities will meet proficiency in reading <b>46%</b> of students with disabilities will meet proficiency in math
<b>2009</b> (2009-2010)	<b>Revised February 2010</b> Students with disabilities will have a 95% participation in reading Students with disabilities will have a 95% participation in math <b>58%</b> of students with disabilities will meet proficiency in reading <b>46%</b> of students with disabilities will meet proficiency in math
<b>2010</b> (2010-2011)	<b>Revised February 2010</b> Students with disabilities will have a 95% participation in reading Students with disabilities will have a 95% participation in math <b>72%</b> of students with disabilities will meet proficient in reading <b>64%</b> of students with disabilities will meet proficient in math

**Improvement Activities/Timelines/Resources**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
<p>Deleted February 2008 Conduct data analysis to identify schools with high proficiency levels for students with disabilities: - Determine reasons for their success</p> <p>Provide technical assistance to those schools with low proficiency levels.</p>	<p>SY 2008 - 2009</p> <p>SY 2005 -2006 Ongoing</p>	<p>Instructional Services Branch and Testing, Evaluation Section, and Special Education Section</p> <p>Instructional Services Branch and Testing, Evaluation Section, and Special Education Section</p>
<p>Administer the Pilot Alternate Assessment based on alternate standards</p> <p>Administer the Alternate Assessment against alternate standards.</p> <p>Provide training for teachers in the administration of the new Alternate Assessments</p>	<p>SY 2005 - 2006</p> <p>SY 2005 - 2006 Ongoing</p> <p>SY 2005 - 2006</p>	<p>Testing and Evaluation Section</p> <p>Testing and Evaluation Section</p> <p>Testing and Evaluation Section</p>
<p>Deleted February 2008 Analyze HSA and develop materials for teachers to consider in their curriculum plans</p> <p>Provide training to teachers on the analysis of HSA results and the implications for curriculum planning.</p>	<p>SY 2008 - 2009</p> <p>SY 2008 - 2009 Ongoing</p>	<p>Instructional Services Branch and Testing, Evaluation Section, and Special Education Section</p> <p>Instructional Services Branch and Testing, Evaluation Section, and Special Education Section</p>
<p>Provide training for teachers on differentiating instruction and other strategies relative to standards.</p>	<p>SY 2008 - 2009 Ongoing</p>	<p>Instructional Services Branch and Special Education Section</p>

**Improvement Activities added February 2008**

Activities that support the targets of this indicator from Performance Indicator 5 were added.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Meet with partner programs and agencies to increase awareness of least restrictive environments (LRE) and inclusion.	SY 2006 - 2007 Ongoing	Special Education Services Branch
Provide professional development opportunities with a focus on inclusion & differentiated instruction to increase school level including stakeholder knowledge.	SY 2007-2008 Ongoing	Special Education Services Branch
Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.	January 2008 - June 2010	Special Education Section
Identify schools for HIDOE to use as a model for inclusion.	February 2008 - June 2008	Special Education Section
Host a State Inclusion Conference for all HIDOE employees and parents.	June 2008	Special Education Section

**Improvement Activities added February 2010**

One additional activity has been added to both Indicator 3 and Indicator 5 to support collaborative efforts to improve student achievement.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
<b>NEW</b> HIDOE American Recovery and Reinvestment Act of 2009 (ARRA) initiatives A. Participate with Curriculum and Instruction Branch in the development of the HIDOE Response to Intervention (RTI) initiative. B. Assist in the implementation, monitoring and evaluation of the HIDOE RTI initiative. C. Participate with Curriculum and Instruction Branch in the development of the HIDOE co-teaching initiative.	A. January 30, 2010 - June 30, 2010  B. January 30, 2010 - June 30, 2010  C. January 30, 2010 - June 30, 2010	Curriculum and Instruction Branch and Special Education Section

## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: FAPE in the LRE

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

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

**Measurement:**

A. AYP percent =  $\left[ \frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$ .

B. Participation rate percent =  $\left[ \frac{\text{(\# of children with IEPs participating in the assessment)}}{\text{(total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$ . The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent =  $\left[ \frac{\text{(\# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$ .

**Targets and Actual Target Data for FFY 2008 (2008-2009):**

FFY 2008	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)*		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)			
Targets for FFY 2008 (2008-2009)	N/A		Reading		Math		Reading		Math	
			95%		95%		58%		46%	
Actual Target Data for FFY 2008 (2008-2009)	N/A	N/A	10,167	96%	10,070	95%	1,734	17%	796	8%

**3.A** \*The Hawaii Department of Education (HIDOE) is a unitary system. The U.S. Department of Education, Office of Special Education Programs (OSEP) considers the HIDOE as one local education agency (LEA) and does not require reporting on Part A of this indicator.

### 3.B Actual Participation Target Data for FFY 2008 (2008-2009):

#### MEASURABLE AND RIGORIOUS TARGETS FOR PARTICIPATION:

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	Students with disabilities will have a 95% participation in reading. Students with disabilities will have a 95% participation in math.

#### TARGET DATA FOR PARTICIPATION:

##### Disaggregated Target Data for Math Participation:

Statewide Assessment 2008-2009		Math Assessment							
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Total
									# %
<b>a</b>	<b>Children with IEPs</b>	1,367	1,481	1,478	1,571	1,529	1,500	1,643	10,569
<b>b</b>	<b>IEPs in regular assessment with no accommodations</b>	293	308	352	403	496	542	910	3,304 31.26
<b>c</b>	<b>IEPs in regular assessment with accommodations</b>	914	1,033	1,009	1,025	879	812	564	6,236 59.00
<b>d</b>	<b>IEPs in alternate assessment against grade-level standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A
<b>e</b>	<b>IEPs in alternate assessment against modified standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A
<b>f</b>	<b>IEPs in alternate assessment against alternate standards</b>	90	87	72	74	82	65	60	530 5.02
<b>g</b>	<b>Overall (b+c+d+e) Baseline</b>	1,297	1,428	1,433	1,502	1,457	1,419	1,534	10,070 95.28
<b>Children included in a but not included in the other counts above</b>									
<b>Children with IEPs that were not participants</b>		See table below							

Students with IEPs that were not participants:

Mathematics, Spring 2009 (HSA, HSAA, HAPA, and Linapuni)							
GRADE LEVEL	STUDENTS NOT PARTICIPATING IN ACCORDANCE WITH NCLB					MEDICAL EMERGENCIES	TOTAL
	STUDENTS WHOSE ASSESSMENT RESULTS WERE INVALID*	STUDENTS WHO PARTICIPATED IN AN OUT OF LEVEL TEST	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT				
			PARENTAL OPT OUTS	ABSENT	DID NOT PARTICIPATE FOR OTHER REASONS**		
3	40	0	15	14	1	0	70
4	31	0	11	11	0	0	53
5	14	0	12	15	3	1	45
6	33	0	12	22	0	2	69
7	20	1	11	37	3	0	72
8	19	0	8	52	1	1	81
10	3	0	5	100	1	0	109
TOTAL	160	1	74	251	9	4	499

\*Not authorized to use Accommodations (2) or (9).

\*\*One Temporary Restraining Order (TRO); two took Hawaii State Alternate Assessment (HSAA) and four took Hawaii State Assessment (HSA) not per IEP; and two breached.

**Disaggregated Target Data for Reading Participation:**

Statewide Assessment 2008-2009		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Total	
									#	%
a	Students with IEPs	1,367	1,481	1,478	1,571	1,528	1,500	1,643	10,568	
b	IEPs in regular assessment with no accommodations	291	292	347	407	485	535	912	3,269	30.93
c	IEPs in regular assessment with accommodations	944	1,068	1,024	1,050	903	816	566	6,371	60.29
d	IEPs in alternate assessment against grade-level standards	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
e	IEPs in alternate assessment against modified standards	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
f	IEPs in alternate assessment against alternate standards	90	85	72	76	83	63	58	527	4.99
g	Overall (b+c+d+e) Baseline	1,325	1,445	1,443	1,533	1,471	1,414	1,536	10,167	96.21
Children included in a but not included in the other counts above										
Students with IEPs that were not participants		See table below								

Students with IEPs that were not participants:

Reading, Spring 2009 (HSA, HSAA, HAPA, and Linapuni)							
GRADE LEVEL	STUDENTS NOT PARTICIPATING IN ACCORDANCE WITH NCLB					MEDICAL EMERGENCIES	TOTAL
	STUDENTS WHOSE ASSESSMENT RESULTS WERE INVALID*	STUDENTS WHO PARTICIPATED IN AN OUT OF LEVEL TEST	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT				
			PARENTAL OPT OUTS	ABSENT	DID NOT PARTICIPATE FOR OTHER REASONS**		
3	12	0	14	15	1	0	42
4	9	0	11	16	0	0	36
5	5	0	11	15	3	1	35
6	5	0	11	20	0	2	38
7	8	1	11	34	3	0	57
8	21	0	8	55	1	1	86
10	3	0	5	98	1	0	107
TOTAL	63	1	71	253	9	4	401

\*Not authorized to use Accommodations (2) or (9).

\*\*One Temporary Restraining Order (TRO); two took Hawaii State Alternate Assessment (HSAA) and four took Hawaii State Assessment (HSA) not per IEP; and two breached.

**3.C Actual Performance Target Data for FFY 2008 (2008-2009):**
**MEASURABLE AND RIGORIOUS TARGETS FOR PERFORMANCE:**

FFY	Measurable and Rigorous Target
2008 (2008-2009)	58% of students with disabilities will meet proficiency in reading. 46% of students with disabilities will meet proficiency in math.

**TARGET DATA FOR PERFORMANCE:****Disaggregated Target Data for Math Performance:****# and % of students with IEPs that scored proficient or higher**

Statewide Assessment 2008-2009		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	#	%
<b>a</b>	<b>Children with IEPs</b>	185	144	124	111	115	72	45	796	
<b>b</b>	<b>IEPs in regular assessment with no accommodations</b>	63	40	41	32	31	21	23	251	31.53
<b>c</b>	<b>IEPs in regular assessment with accommodations</b>	66	51	35	41	37	19	6	255	32.04
<b>d</b>	<b>IEPs in alternate assessment against grade-level standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>e</b>	<b>IEPs in alternate assessment against modified standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>f</b>	<b>IEPs in alternate assessment against alternate standards</b>	56	53	48	38	47	32	16	290	36.43
<b>g</b>	<b>Overall (b+c+d+e) Baseline</b>	185	144	124	111	115	72	45	796	8.00

Out of the 10,070 students with IEPs that participated in the Hawaii State Math Assessment, 796 scored proficient.

**Disaggregated Target Data for Reading Performance:****# and % of students with IEPs that scored proficient or higher**

Statewide Assessment 2008-2009		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	#	%
<b>a</b>	<b>Children with IEPs</b>	205	194	205	251	254	250	375	1,734	
<b>b</b>	<b>IEPs in regular assessment with no accommodations</b>	73	58	69	77	93	99	234	703	40.54
<b>c</b>	<b>IEPs in regular assessment with accommodations</b>	81	84	83	124	105	107	110	694	40.02
<b>d</b>	<b>IEPs in alternate assessment against grade-level standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>e</b>	<b>IEPs in alternate assessment against modified standards</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>f</b>	<b>IEPs in alternate assessment against alternate standards</b>	51	52	53	50	56	44	31	337	19.43
<b>g</b>	<b>Overall (b+c+d+e) Baseline</b>	205	194	205	251	254	250	375	1,734	17.05

Out of the 10,167 students with IEPs that participated in the Hawaii State Math Assessment, 1,734 scored proficient.

Both Math and Reading proficiency data reported on this APR are slightly different from the data reported on the HIDOE Accountability Resource Center Hawaii website. The proficiency data reported in the above tables reflect proficiency rates of students with IEPs attending a HIDOE school for the full academic year *without* the AYP Determination Methodologies #10 (Standard Error Compared Against Proficiency Target) and #13 (Special Education [SPED] and SPED Exits Standard Error of the Proportion Rate) applied.

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

OSEP required measurement for this indicator has changed from Table 6 of the 618 data collection to the Adequate Yearly Progress (AYP) data used for accountability reporting under Title 1 of the Elementary and Secondary Education Act (ESEA). These are new data, creating a new baseline for this indicator, and, therefore, cannot be compared to previous year's data.

November 20, 2009, all stakeholder group members were provided a copy of this indicator data. A copy of the draft APR was also provided on December 5, 2009. The stakeholder group met face-to-face on December 10, 2009 to further discuss and review the data and to provide input.

The following activities, designed to support children with disabilities in the participation and performance on statewide assessments, were reviewed and updated. The narrative below the table provides a more detailed discussion of each activities status.

Improvement Activities	Timelines	Status
Provide technical assistance to those schools with low proficiency levels.	June 30, 2006 - June 30, 2010	Completed Ongoing
Provide training for teachers on differentiating instruction and other strategies relative to standards.	June 30, 2006 - June 30, 2010	Ongoing
Meet with partner programs and agencies to increase awareness of least restrictive environments (LRE) and inclusion.	June 30, 2008 - June 30, 2010	Completed Ongoing
Provide professional development opportunities with a focus on inclusion and differentiated instruction to increase school level including stakeholder knowledge.	June 30, 2008 - June 30, 2010	Ongoing
Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.	January 1, 2008 - June 30, 2010	Not completed Ongoing
Identify schools for HIDOE to use as a model for inclusion.	June 30, 2010	Not completed Ongoing



Provide technical assistance to those schools with low proficiency levels.

In July 2009, the Special Education Section (SES) instituted a revised general supervision process referred to as General Supervision and Support (GSS). Incorporated into this process is a system to review and track regional complex data on a quarterly basis with the intent to assist districts in data analysis and problem solving for program improvement.

The first quarter data for School Year (SY) 2009-2010 has been provided to each region, which includes information on both participation and proficiency rates disaggregated by region. The HIDOE SES is currently collaborating with their respective regional areas to help drill down the data, determine root causes (e.g., training needs, etc.), and develop next steps.

In addition, over the course of the next four years, each region will have an onsite GSS visit. These visitations will be designed to assist the regional areas in conducting an in-depth review of current practices, system core values, and areas needing improvement.

Provide training for teachers on differentiating instruction and other strategies relative to standards.

Unfortunately, both state and regional offices have postponed most training initiatives due to severe cuts in personnel, programs, and budgets. Training has been limited. The HIDOE is exploring alternative venues of professional development that require minimal cost.

Through the State Improvement Grant II for co-teaching and inclusionary practices, supports were provided to several schools throughout the state. These supports included contracted consultation/training and the provision of resource materials.

The HIDOE has recently launched a Literacy for Learning initiative supporting a statewide plan to deepen the understanding and teaching of literacy across all grades and curriculum. The Literacy for Learning initiative provides a system framework to promote evidence-based instruction that is data driven, aligned policies and resources, instructional leadership and professional learning, accountability, and partnerships. Through this initiative, school literacy leadership teams are developed to monitor and support implementation. School level literacy coaches are assigned to provide professional development and mentoring of staff. This initiative supports the learning of all students with the expectation that all students, including those with IEPs, will be reading at grade level by the end of 3<sup>rd</sup> grade.

Meet with partner programs and agencies to increase awareness of LRE and inclusion.

The HIDOE continues to fund outreach programs to parents and the community through Learning Disabilities Association of Hawaii (LDAH), The Community Children's Council Office (CCCO), and the Special Parent Information Network (SPIN). These programs and agencies provide information to various families and community members on procedural safeguards and assurances of LRE for their children with IEPs through parent support groups, workshops, informational meetings, trainings, and activities. The HIDOE will once again partner with SPIN to hold the annual SPIN Conference in April 2010. LRE and inclusionary practices are included as a session topic. Data, including pre and post evaluative information, will be requested from each agency.

Provide professional development opportunities with a focus on inclusion and differentiated instruction to increase school level including stakeholder knowledge.

Unfortunately, both state and regional offices have postponed most training initiatives due to severe cuts in personnel, programs, and budgets. Training has been limited. The HIDOE is exploring alternative venues of professional development that require minimal cost.

Electronic training modules will be developed to increase teacher knowledge of the Alternate Assessment criteria participation and appropriate accommodations for the HSA. These training modules will be made available to regional resource staff. Additional information will be provided to schools on the use and reporting of accommodations to ensure that the scores of all students participating are considered valid.

Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.

In a 2005 Memorandum of Understanding, *Supports for Inclusive Practices*, the State of Hawaii Board of Education and the Hawaii State Teachers Association agreed that a staffing study be conducted to determine whether adjustment to the staffing methodology was necessary when schools implement co-teaching and collaborative teaching models.

Twenty schools were selected to participate. These project schools were allocated additional positions in February 2009, which extends through SY 2009-2010. Many schools were unable to fill these additional positions until fall 2009. Evidence/data-based quarterly reporting is required. The first quarterly report was due and submitted in October 2009.

The SES has established LRE and student performance baseline data (October 2009) and will continue to track this data quarterly.

Identify schools for HIDOE to use as a model for inclusion.

To date, a model school for inclusionary practices has not been identified. It is the intent of the SES, through the inclusion school study and the GSS process, to begin discovering schools that can serve as models to the state.

Additionally, centers of excellence on evidence-based strategies (to include effective inclusionary practices) are being incorporated into the HIDOE's Response to Intervention (RTI) ARRA stimulus project.

#### **Public Reporting Information:**

Information on educational assessment and accountability can be found on the HIDOE Accountability Resource Center Hawaii website at <http://arch.k12.hi.us/>. For more detailed data on assessment accommodations and alternate assessments, please see the SPP/APR report at <http://doe.k12.hi.us/reports/specialeducation/index.htm>.

**Revisions, with Justification, to Improvement Activities / Targets / Timelines / Resources for FFY 2009 (2009-2010):**

All improvement activities will remain in place. In the narrative section, *Discussion of Improvement Activities . . . FFY 2008*, each activity is more clearly defined to allow for more measurability. One additional activity has been added to support collaborative efforts to improve student achievement.

Improvement Activities	Timelines	Status
<b>NEW</b> HIDOE America Recovery and Reinvestment Act of 2009 (ARRA) Initiatives A. Participate with Curriculum and Instruction Branch in the development of the HIDOE RTI initiative. B. Assist in the implementation, monitoring and evaluation of the HIDOE RTI initiative. C. Participate with Curriculum and Instruction Branch in the development of the HIDOE co-teaching initiative.	A. January 30, 2010 - June 30, 2010  B. January 30, 2010 - June 30, 2010  C. January 30, 2010 - June 30, 2010	Not implemented yet  Not implemented yet  Not implemented yet

Proficiency targets for both reading and math were revised to reflect the state's ESEA targets.

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: Suspension/Expulsion

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

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

#### Measurement:

- A. Percent =  $\left[ \frac{\text{(\# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs)}}{\text{(\# of districts in the State)}} \right] \times 100$ .
- B. Percent =  $\left[ \frac{\text{(\# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards)}}{\text{(\# of districts in the State)}} \right] \times 100$ .

Hawaii Department of Education (HIDOE) uses the "z" score to determine "significant discrepancy."

#### Overview of Issue/Description of System or Process:

Because of Hawaii's single school district and the inability to aggregate the student data into one single "z" score for the entire state, with the agreement of Mr. Larry Wexler, Hawaii will identify the number and percent of schools (including public charter schools) with significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year (SY) for Indicator 4.

Data on the number of unduplicated student suspensions for greater than 10 days are collected and analyzed to determine whether there are significant discrepancies in the rates of suspension between disabled and non-disabled students. The rate of suspension incidents per hundred students is determined and the differences between these rates are calculated. A statistical calculation using "z" scores was used to determine whether these differences were significant at the .01 level. To ensure the validity of the comparisons, the "z" score was not calculated if there were fewer than five suspensions in either group. These "z" scores were applied to each school.

The data used to complete this indicator comes from the Safe School Information System (SSIS), Table A: Number of Suspensions by Program, a database the state uses to collect information on all discipline incidents, including suspensions. We were unable to use the data from Section 618,

Table 5 as this system collects only data on students, and this data is not organized by schools. Also, the SSIS Table A collects data for a complete school year and uses the official enrollment count for the school year. Ms. Debra Jennings confirmed that using Table A as a data source met with her approval.

Monitoring efforts include monthly reports on the suspension rates of each school which are sent to the school principal, the complex area superintendent (CAS), and the state superintendent. The Hawaii Department of Education (HIDOE) also has an electronic database which monitors suspensions exceeding 10 days (cumulative) for students with disabilities and reminds principals and complex area staff to ensure and document that all procedural safeguards are followed. There is also a process in place for HIDOE staff to follow up with schools identified as having significant differences in their suspension rates.

**Baseline Data for FFY 2004 (2004-2005):**

	<b>Total number of schools</b>	<b>Number of schools with significant rates of suspensions for &gt; 10 days</b>	<b>Rate (per hundred) (%)</b>
<b>TOTAL</b>	258	*5	2%

\*Number includes four high schools and one intermediate/high school

**Discussion of Baseline Data:**

The data reveals very few schools as having a significant discrepancy in the rates of suspensions of greater than 10 days between students with and without disabilities; most of the schools involved were high schools. There were no elementary schools with significant suspension rates.

**Targets:**

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	No more than 5% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.
<b>2006</b> (2006-2007)	No more than 4% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.
<b>2007</b> (2007-2008)	No more than 4% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.
<b>2008</b> (2008-2009)	No more than 3% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.
<b>2009</b> (2009-2010)	No more than 2% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.
<b>2010</b> (2010-2011)	No more than 1% of all schools will have a significant difference between the rates of long-term suspensions for students with and without disabilities.

**Improvement Activities / Timelines / Resources:**

<b>Improvement Activities</b>	<b>Timeline</b>	<b>Resources</b>
Continue to examine the disaggregated baseline data to determine whether there are any significant differences in the rates of suspension.	School Year (SY) 2006-2010	Special Education Services Branch (SESB)
<b>REVISED</b> Continue monthly monitoring of significant suspension rates in all schools. For 2009-2010, significant suspension rates in all schools will be monitored <b>quarterly</b> .	SY 2006-2010	SESB
<b>DELETED (INDICATOR 4B)</b> Examine the disaggregated baseline data based on ethnicity to determine whether there are any significant differences in the rates of suspension.	SY 2006-2007	SESB
<b>COMPLETED</b> SESB will continue to track those schools who have significant differences (as identified by "z" scores) in their suspension rates based on incidents and report to the CAS. Two worksheets will be developed to guide schools as they analyze their data: <ul style="list-style-type: none"> <li>Guiding Questions for the Analysis of School Systems (Attachment 1)</li> <li>Guiding Questions for the Analysis of Individual Students (Attachment 2)</li> </ul>	SY 2006-2010	SESB and Student Support Services Branch (SSSB)
Follow-up with identified schools that have significant differences in their suspension rates. These schools are required to complete both worksheets (see #4) for the SES staff and the CAS to review as the schools examine whether their significant suspension rates are due to inappropriate practices, policies, or procedures related to the development of individualized education programs, the lack of use of positive behavioral supports, or compliance with the Individuals with Disabilities Education Act (IDEA).	SY 2006-2010	SESB and SSSB
<b>NEW</b> Examine discipline data regarding long-term removals of 45 days to determine accuracy.	SY 2009-2010	Special Education Section

## Part B State Annual Performance Report (APR) for FFY 2008

**Monitoring Priority: FAPE in the LRE**

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

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and**
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

#### **Measurement:**

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Hawaii Department of Education (HIDOE) uses the "z" score to determine "significant discrepancy."

With agreement from Mr. Larry Wexler, HIDOE identifies the number and percent of schools (including public charter schools) with significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year (SY) for Indicator 4. As a single school district, HIDOE is unable to aggregate the student data into one single "z" score for the entire state.

The data for this indicator is from Table A: Number of Suspensions by Program in the electronic Comprehensive Student Support System (eCSSH). The database collects information on all discipline incidents, including suspensions. Table A uses the official enrollment count, and the data is for a complete school year. Special Education Section (SES) does not use the data from Section 618, Table 5 as this data is not organized by schools.

Monitoring efforts in suspension included monthly reports on the suspension rates of each school, which were sent to the school principal, the complex area superintendent (CAS), and the state superintendent. HIDOE also has an electronic database which monitors suspensions exceeding 10 days (cumulative) for students with disabilities and reminds principals and regional area staff to ensure and document that all procedural safeguards are followed.

#### **Definition of Significant Discrepancy and Methodology**

Data on the number of unduplicated student suspensions for greater than 10 days are collected and analyzed to determine whether there are significant discrepancies in the rates of suspension between

disabled and non-disabled students. The rate of suspension incidents per hundred students is determined and the differences between these rates are calculated. A statistical calculation using “z” scores was used to determine whether these differences were significant at the .01 level. To ensure the validity of the comparisons, the “z” score was not calculated if there were fewer than five suspensions in either group. The “z” scores were applied to each school.

**Actual Target Data for FFY 2007 (2007-2008):**

FFY	Measurable and Rigorous Target
<b>2007</b> (2007-2008)	A. No more than 4% of all schools will have a significant difference between the rates of long-term suspensions and expulsions for students with and without disabilities.

**Schools with Significant Discrepancy in Rates for Suspension and Expulsion:**

FFY	Total Number of Schools	Number of Schools with Significant Rates of Suspensions for > 10 days	Rate (per hundred) (%)
<b>2007</b> (2007-2008)	285 (includes charter schools)	4	4/285 = 1.4%

The HIDOE, with a rate of 1.4%, met the target set for Federal Fiscal Year (FFY) 2007-2008 of 4%.

**Review of Policies, Procedures, and Practices:**

In FFY 2007, four schools were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for students with IEPs, as compared to general education students. The SES conducted a review of policies, procedures, and practices in the four schools. The SES also reviewed all suspensions and expulsions of greater than 10 days in FFY 2007 at the four schools through eCSSS. As a result of the review, the four schools were notified in December 2008, that manifestation determination meetings were not held within 10 school days of a decision to change the placement of a student with a disability because of a violation of a code of student conduct. The noncompliance at the four schools represented one finding of noncompliance in untimely manifestation determination meetings, in accordance with 34 CFR §300.530(e). Discussions and training on HIDOE policies and procedures were held with the leadership and regional personnel at each of the four schools. The SES required these schools to review and revise practices to be consistent with HIDOE policies and procedures.

The schools were required to complete a self-study using two worksheets (Guiding Questions for the Analysis of School Systems and Guiding Questions for the Analysis of Individual Students) to examine their data and practices. Regional area personnel were also required to review information for each of the four schools. The responses to the worksheets provided guidance to schools in revising and/or adding activities to improve their behavioral support/intervention programs. The schools were required to ensure their practices were consistent with HIDOE policies and procedures. In addition, the schools were required to communicate the disciplinary policy, procedures, and practices with school personnel. In the case of one school, a flow chart of the procedures, including personnel positions, was required.



**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2007:**

Progress in the percentage and number of schools with significant differences in their rates of suspension exceeded the target.

Improvement Activities	Timelines	Status
Continue to examine the disaggregated baseline data to determine whether there are any significant differences in the rates of suspension.	SY 2006-2010	Ongoing
<b>REVISED</b> Continue monthly monitoring of significant suspension rates in all schools. For 2009-2010, significant suspension rates in all schools will be monitored <b>quarterly</b> .	SY 2006-2009 SY 2009-2010	Completed Ongoing
<b>COMPLETED</b> SES will continue to track those schools who have significant differences (as identified by "z" scores) in their suspension rates based on incidents and report to the CAS. Two worksheets will be developed to guide schools as they analyze their data: <ul style="list-style-type: none"> <li>• Guiding Questions for the Analysis of School Systems</li> <li>• Guiding Questions for the Analysis of Individual Students</li> </ul>	SY 2006-2010	Completed
Follow up with identified schools that have significant differences in their suspension rates. These schools are required to complete both worksheets (Guiding Questions) for the SES staff and the CAS to review as the schools examine whether their significant suspension rates are due to inappropriate practices, policies, or procedures related to the development of IEPs, the lack of use of positive behavioral supports, or compliance with the IDEA.	SY 2007-2010	Ongoing

**Correction of FFY 2007 Findings of Noncompliance**

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

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

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

**Actions Taken if Noncompliance Not Corrected:**

N/A

**Verification of Correction (either timely or subsequent):**

The SES verified the correction of the noncompliance reported in the FFY 2007 APR by using two verification tests that are consistent with U.S. Department of Education, Office of Special Education Programs Memorandum 09-02 (OSEP Memo 09-02):

(1) The SES verified that the one finding of noncompliance related to suspension identified during the SY 2007-2008 was corrected and met the requirements in accordance with 34 CFR §300.170(b). The SES verified that the schools correctly implemented the specific regulatory requirement relating to timely manifestation determination meetings in accordance with 34 CFR §300.530(e). The SES verified that the one finding of noncompliance that represented the four schools was corrected within one year of its notification to the schools.

The schools completed a self-study using two worksheets (Guiding Questions for the Analysis of School Systems and Guiding Questions for the Analysis of Individual Students) to examine their data and practices. Regional area personnel also reviewed information for each of the four schools. The responses to the worksheets provided guidance to schools in revising and/or adding activities to improve their behavioral support/intervention programs. The schools revised their practices, consistent with HIDOE policies, procedures, and practices and communicated the information with school personnel. In the case of one school, a flow chart of the procedures, including personnel positions, was required. Regional area personnel and the SES monitored discipline data on the eCSSS to ensure that the four schools adhered to all procedural safeguards for suspensions greater than 10 cumulative days, consistent with HIDOE policies and procedures. Data was analyzed monthly to specifically follow-up with the four identified schools with significant suspension differences in FFY 2007.

In September 2009, the SES verified that the practices for suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, procedural safeguards, and specifically, timely manifestation determination meetings, consistent with §300.170(b) and §300.530(e). The correction took place within one year of issuing the finding of noncompliance.

(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDOE was implementing the specific regulatory requirement correctly. In November 2009, the SES looked at subsequent data from the four schools through the eCSSS and verified that all suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and the procedural safeguards consistent with §300.170(b). Manifestation determination meetings for suspensions and expulsions of greater than 10 days were timely, consistent with 34 CFR 300.530(e). The analysis of these data indicated that the schools were implementing the regulatory requirements correctly.

Based on guidance from OSEP Memo 09-02, the SES considered that HIDOE corrected the noncompliance identified in FFY 2007 in accordance with 34 CFR §300.170(b) because HIDOE passed the two verification tests as specified in OSEP's FFY 2007 response table.

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

N/A

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

N/A

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
<p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must describe the results of the State's examination of data from FFY 2007 (2007-2008).</p> <p>In addition, the State must describe the State's review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for schools, including public charter schools, identified with significant discrepancies in FFY 2007, as required by 34 CFR §300.170(b).</p>	<p>The SES verified the correction of the noncompliance reported in the FFY 2007 APR by using two verification tests that are consistent with OSEP Memo 09-02:</p> <p>(1) The SES verified that the one finding of noncompliance related to suspension identified during the SY 2007-2008 was corrected and met the requirements in accordance with 34 CFR §300.170(b). The SES verified that the schools correctly implemented the specific regulatory requirement relating to timely manifestation determination meetings in accordance with 34 CFR §300.530(e). The SES verified that the one finding of noncompliance that represented the four schools was corrected within one year of its notification to the schools.</p> <p>The schools completed a self-study using two worksheets (Guiding Questions for the Analysis of School Systems and Guiding Questions for the Analysis of Individual Students) to examine their data and practices. Regional area personnel also reviewed information for each of the four schools. The responses to the worksheets provided guidance to schools in revising and/or adding activities to improve their behavioral support/intervention programs. The schools revised their practices, consistent with HIDOE policies, procedures, and practices and communicated the information with school personnel. In the case of one school, a flow chart of the procedures, including personnel positions, was required. Regional area personnel and the SES monitored discipline data on the eCSSS to ensure that the four schools adhered to all procedural safeguards for suspensions greater than 10 cumulative days, consistent with HIDOE policies and procedures. Data was analyzed monthly to specifically follow-up with the four identified schools with significant suspension</p>

	<p>differences in FFY 2007.</p> <p>In September 2009, the SES verified that the practices for suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, procedural safeguards, and specifically, timely manifestation determination meetings, consistent with §300.170(b) and §300.530(e). The correction took place within one year of issuing the finding of noncompliance.</p> <p>(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDOE was implementing the specific regulatory requirement correctly. In November 2009, the SES looked at subsequent data from the four schools through the eCSSS and verified that all suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and the procedural safeguards consistent with §300.170(b). Manifestation determination meetings for suspensions and expulsions of greater than 10 days were timely, consistent with 34 CFR 300.530(e). The analysis of these data indicated that the schools were implementing the regulatory requirements correctly.</p> <p>Based on guidance from OSEP Memo 09-02, the SES considered that HIDOE corrected the noncompliance identified in FFY 2007, in accordance with 34 CFR §300.170(b), because HIDOE passed the two verification tests as specified in OSEP's FFY 2007 response table.</p>
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**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):**

Activities	Timelines	Resources	Revision/Justification
<p><b>REVISED</b></p> <p>Continue monthly monitoring of significant suspension rates in all schools. For 2009-2010, significant suspension rates in all schools will be monitored <b>quarterly</b>.</p>	SY 2006-2010	Special Education Section	Stakeholder input to monitor significant suspension rates quarterly

Activities	Timelines	Resources	Revision/Justification
<b>NEW</b> Examine discipline data regarding long-term removals of 45 days to determine accuracy.	SY 2009-2010	Special Education Section	Stakeholder input

## Part B State Performance Plan (SPP) for 2005-2010

**Monitoring Priority: FAPE in the LRE**

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

- A. Inside the regular class 80% or more of the day**
- B. Inside the regular class less than 40% of the day**
- C. In separate schools, residential facilities, or homebound/hospital placements**

**Measurement:**

- A. Percent =  $\left[ \frac{\text{\# of children with IEPs served inside the regular class 80\% or more of the day}}{\text{total \# of students aged 6 through 21 with IEPs}} \right] \times 100$ .
- B. Percent =  $\left[ \frac{\text{\# of children with IEPs served inside the regular class less than 40\% of the day}}{\text{total \# of students aged 6 through 21 with IEPs}} \right] \times 100$ .
- C. Percent =  $\left[ \frac{\text{\# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements}}{\text{total \# of students aged 6 through 21 with IEPs}} \right] \times 100$ .

**Overview of Issue/Description of System or Process:**

Indicator #5 addresses the issue of free appropriate public education (FAPE) in the Least Restrictive Environment (LRE).

According to Hawaii's Board of Education Policy on Inclusion, Statute #2280 (approved 12/95):

"All decisions regarding the appropriate education for students with disabilities shall be based upon their Individualized Education Program (IEP) consistent with applicable federal and state laws. The appropriate inclusion of students with disabilities in regular classroom environments requires:

1. The participation of all members of the child's educational team.
2. Appropriate staffing and adequate planning time.
3. The development and dissemination of teaching techniques and strategies that accommodate individual student's strengths and needs and which promote relevant learning experiences, meaningful relationships and mutual respect.
4. Recognition of the needs of all children in the classroom.
5. Maximum possible cooperation between the home and the school."

The appropriate level of inclusion for each child is based on the IEP developed for each child. The child's educational team decides the level of inclusion. For one child, the LRE may be a fully inclusive setting. For another child, the LRE may be a separate facility.

**Baseline Data for FFY 2004 (2004-2005):**

Least Restrictive Environment	Hawaii's # of Students Aged 6-21 with IEPs	% of Students Aged 6-21 with IEPs	National % (2003)	Difference
Remove from regular class less than 21% of the day.	4,785	24%	49.9%	+/-26.36%
Removed from regular class greater than 60% of the day.	6,559	32%	18.5%	+/-13.69%
Served in public/private separate schools, residential placements, or homebound/hospital placements.	551	3%	3.9%	+/-0.93%
Total	20,357			

National data from December 2003 count of 50 States, D.C. & P.R. (Source: IDEA Part B Educational Environment 2003 Table AB2)

**Discussion of Baseline Data:**

*Data comparisons:*

- For students "Removed from the regular class less than 21% of the day," the National average is close to 50%. Hawaii is far removed from the National average at 24%. For this measurement, a higher percentage is ideal.
- When comparing the percent of students "Removed from regular class greater than 60% of the day," Hawaii has a higher percent (32%) than the National average (18.53%). For this measurement, a lower percentage is ideal.
- Only in the category of "Served in public/private separate schools, residential placements, homebound/hospital placements," does the State have a less restrictive environment.

*Possible reasons for disparity:*

- It is the Hawaii Department of Education's (HIDOE's) Comprehensive Student Support (CSS) policy to keep students on a school campus. This may mean that the student receives services in a fully self-contained environment, which is an ideal situation when the alternative is for the student to be serviced in a separate facility. In other words, the percentage of students removed from regular class greater than 60% being inflated could actually be a positive aspect when the percentage for students served in separate facilities is also comparatively low.
- Hawaii's LRE percentages have stayed consistent over the last two years, even though the data shows that the number of students aged 6 through 21 with IEPs "Removed from regular class less than 21% of the day" is up 3% and number of students "Removed from regular class greater than 60% of the day" is up 3%. The number of students "Served in public separate schools, private separate schools, residential placements, and homebound/hospital placements," is up 1% from School Year (SY) 2003-2004.

## Longitudinal Data

## Comparison of Percentages for SY 2003 and SY 2004

% of Students with IEPs aged 6 through 21:	SY 2003	SY 2004	Difference
Remove from regular class less than 21% of the day.	24%	24%	0%
Removed from regular class greater than 60% of the day.	31%	32%	-1%
Served in public/private separate schools, residential placements, or homebound/hospital placements.	3%	3%	0%

## Comparison of Total Numbers SY 2003 and SY 2004

LRE in State Totals	SY 2003	SY 2004	Difference	Increase/ Decrease in %
Total # of Students aged 6 through 21 with IEPs.	20,982	20,357	625	3%
Remove from regular class less than 21% of the day.	4,943	4,785	158	3%
Removed from regular class greater than 60% of the day.	6,606	6,559	47	1%
Served in public/private separate schools, residential placements, or homebound/hospital placements.	567	551	16	3%

## Measurable and Rigorous Targets

At the stakeholders meeting held on November 14, 2008, it was decided that additional activities were not needed; however, the stakeholders recommended revising the targets to more realistic percentages. The revised measurable and rigorous targets are reflected in the table below. The end target still reflects progress from HIDOE's baseline.

The stakeholder group once again reviewed the targets at the December 10, 2009 stakeholders meeting at which time they decided to adjust the 5B category target for Federal Fiscal Year (FFY) 2010 from 29% to 23%. This target was adjusted based on the declining trend of the last three years. All other targets remained the same.

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	A. Served inside regular class 80% or more - remain at 24% B. Served inside regular class less than 40% - same at 32% C. Served in separate placements - remain at 3%



FFY	Measurable and Rigorous Target
<b>2006</b> (2006-2007)	A. Served inside regular class 80% or more - increase from 24% to 25% B. Served inside regular class less than 40% - decrease from 32% to 29% C. Served in separate placements - remain at 3%
<b>2007</b> (2007-2008)	A. Served inside regular class 80% or more - increase from 25% to 30% B. Served inside regular class less than 40% - decrease from 32% to 29% C. Served in separate placements - remain at 3%
<b>2008</b> (2008-2009)	A. Served inside regular class 80% or more - increase from 18% to 25% B. Served inside regular class less than 40% - decrease from 32% to 29% C. Served in separate placements - remain at 3%
<b>2009</b> (2009-2010)	A. Served inside regular class 80% or more - increase from 25% to 27% B. Served inside regular class less than 40% - decrease from 29% to 26% C. Served in separate placements - remain at 3%
<b>2010</b> (2010-2011)	A. Served inside regular class 80% or more - increase from 27% to 30% B. Served inside regular class less than 40% - decrease from 29% to 23% C. Served in separate placements - remain at 3%

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Review and analyze data and target schools for technical assist through the State's monitoring process (See Indicator 15).</li> </ul>	June 30, 2006	State Educational Officers, State Resource Teachers, DOE website
<ul style="list-style-type: none"> <li>Meet with partner programs and agencies to increase awareness of LRE and Inclusion.</li> <li>Provide professional development opportunities with a focus on inclusion, to increase school level including stakeholder knowledge.</li> <li>Implement new <u>electronic Comprehensive Student Support System (eCSSS)</u> training for Individualized Education Programs to ensure LRE data is accurately documented.</li> </ul>	June 30, 2007 and ongoing through June 2010	State Educational Officers, School Administrators, State Resource Teachers, school administrators at identified schools, regular and special education teachers at each identified school, parents if need is identified.
Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.	January 2008 through June 2010	State Educational Officers, State Resource Teachers
Identify schools for HIDOE to use as a model for inclusion.	February through June 2008	State Educational Officers

Improvement Activities	Timelines	Resources
Host a State Inclusion Conference for all HIDOE employees and parents.	June 2008	State Educational Officers, State Resource Teachers

**Improvement Activities/Timelines/Resources added February 2010:**

The stakeholder group recommended three new improvement activities.

Improvement Activities	Timelines	Resources
<b>NEW</b> A memorandum from the superintendent to the field, outlining the following: <ul style="list-style-type: none"> <li>• correct eCSSS documentation.</li> <li>• summary analysis of the state's LRE data to include Specific Learning Disability (SLD) %.</li> <li>• resources available to staff.</li> </ul>	June 30, 2010	State Educational Officers
<b>NEW</b> Conduct a study of state(s) with similar demographics to learn about various methods of reporting LRE.	June 30, 2010	State Educational Officers, State Resource Teachers
<b>NEW</b> HIDOE American Recovery and Reinvestment Act of 2009 (ARRA) initiatives: <ul style="list-style-type: none"> <li>A. Participate with Curriculum and Instruction Branch in the development of the HIDOE Response to Intervention (RTI) initiative.</li> <li>B. Assist in the implementation, monitoring and evaluation of the HIDOE RTI initiative.</li> <li>C. Participate with Curriculum and Instruction Branch in the development of the HIDOE co-teaching initiative.</li> </ul>	<ul style="list-style-type: none"> <li>A. January 30, 2010-June 30, 2010</li> <li>B. January 30, 2010-June 30, 2010</li> <li>C. January 30, 2010-June 30, 2010</li> </ul>	Curriculum and Instruction Branch, Special Education Section

## Part B State Annual Performance Report (APR) for FFY 2008

**Monitoring Priority: FAPE in the LRE**

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

- A. Inside the regular class 80% or more of the day**
- B. Inside the regular class less than 40% of the day**
- C. In separate schools, residential facilities, or homebound/hospital placements**

**Measurement:**

- A. Percent =  $\left[ \frac{\text{(\# of children with IEPs served inside the regular class 80\% or more of the day)}}{\text{(total \# of students aged 6 through 21 with IEPs)}} \times 100 \right]$
- B. Percent =  $\left[ \frac{\text{(\# of children with IEPs served inside the regular class less than 40\% of the day)}}{\text{(total \# of students aged 6 through 21 with IEPs)}} \times 100 \right]$
- C. Percent =  $\left[ \frac{\text{(\# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements)}}{\text{(total \# of students aged 6 through 21 with IEPs)}} \times 100 \right]$

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	A. 25% B. 29% C. 3%

**Actual Target Data for FFY 2008 (2008-2009):**

The December 1, 2008 Child Count reported the number of students with Individualized Education Programs (IEPs) aged 6 through 21:

- A. 15%. This indicates a slippage of 3% from the Federal Fiscal Year (FFY) 2007 data of 18%. Hawaii Department of Education (HIDOE) did not meet its target.
- B. 27%. This is progress from the FFY 2007 data of 32%. HIDOE met and exceeded its target.
- C. 2%. This remains unchanged from the FFY 2007 data. HIDOE met and exceeded its target.

FFY	Total # of Students with IEPs aged 6 through 21	A. # Inside the regular class 80% or more of the day	B. # Inside the regular class less than 40% of the day	C. # In separate schools, residential facilities, or homebound/hospital placements
<b>2008</b> (2008-2009)	17,629	2,691	4,775	322

FFY	A. % Inside the regular class 80% or more of the day	B. % Inside the regular class less than 40% of the day	C. % In separate schools, residential facilities, or homebound/hospital placements
2008 (2008-2009)	15%	27%	2%

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

November 20, 2009, all stakeholder group members were provided a copy of student data relative to least restrictive environment (LRE). A copy of the draft APR was also provided to the group on December 5, 2009. The stakeholder group met face to face on December 10, 2009 to further discuss and review the data, improvement activities, and to provide input.

The following activities, designed to support students with disabilities access free appropriate public education (FAPE) in the LRE, were reviewed and updated. The narrative below the table provides a more detailed discussion of each activity.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Status
Review and analyze data to target schools for technical assist through the state's monitoring process. (See Indicator 15)	June 30, 2006-June 30, 2010	Completed Ongoing
Meet with partner programs and agencies to increase awareness of LRE and inclusion.	June 30, 2006-June 30, 2010	Completed Ongoing
Provide professional development opportunities with a focus on inclusion and differentiated instruction to increase school level including stakeholder knowledge.	June 30, 2007-June 30, 2010	Completed Ongoing
Implement new electronic Comprehensive Student Support System (eCSSS) training for IEPs to support schools in documenting LRE.	February 1, 2007-June 30, 2010	Completed Ongoing as new teachers are hired
Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.	January 1, 2008-June 30, 2010	Not completed Ongoing
Identify schools for HIDOE to use as a model for inclusion.	June 30, 2010	Not completed Ongoing

Improvement Activities	Timelines	Status
Host a State Inclusion Conference for all HIDOE employees and parents.	June 10, 2008-June 30, 2010	Held on June 10, 2008 and will be repeated annually

Review and analyze data to target schools for technical assist through the state's monitoring process.  
(Also see Indicator 15)

In July 2009, the Special Education Section (SES) instituted a revised general supervision process referred to as General Supervision and Support (GSS). Incorporated into this process is a system to review and track regional data on a quarterly basis with the intent to assist regions in data analysis and problem solving for program improvement. For school year (SY) 2009-2010, LRE data has been identified as one of two focus areas statewide.

The first quarter data for SY 2009-2010 has been provided to each region. HIDOE SES staff is currently collaborating with their respective regional areas to help drill down the data, determine root causes (e.g., documentation errors, training needs, etc.), and develop next steps.

In addition, over the course of the next four years, each region will have an onsite GSS visit. These visitations will be designed to assist the regions in conducting an in-depth review of current practices, system core values, and areas needing improvement.

Meet with partner programs and agencies to increase awareness of LRE and inclusion.

HIDOE continues to fund outreach programs to parents and the community through the Learning Disabilities Association of Hawaii (LDAH), the Community Children's Council Office (CCCO), and the Special Parent Information Network (SPIN). These programs and agencies provide information to various families and community members on procedural safeguards and assurances of LRE for their students with IEPs through parent support groups, workshops, informational meetings, training sessions, and activities. HIDOE will once again partner with SPIN to hold the annual SPIN Conference on April 24, 2010. LRE and inclusionary practices are included as a session topic. Data, including pre and post evaluative information, will be requested from each agency.

Provide professional development opportunities with a focus on inclusion and differentiated instruction to increase school level including stakeholder knowledge.

Unfortunately, both state and regional offices have postponed most training initiatives due to severe cuts in personnel, programs, and budgets. Training has been limited. HIDOE is exploring alternative venues of professional development that require minimal cost.

Through the State Improvement Grant II for co-teaching and inclusionary practices, supports were provided to several schools throughout the state. These supports included contracted consultation/training and the provision of resource materials.

HIDOE has recently launched a Literacy for Learning initiative supporting a statewide plan to deepen the understanding and teaching of literacy across all grades and curriculum. The Literacy for Learning initiative provides a system framework to promote evidence-based instruction that is data driven, aligned policies and resources, instructional leadership and professional learning, accountability, and partnerships. Through this initiative, school literacy leadership teams are developed to monitor and support implementation. School level literacy coaches are assigned to provide professional development and staff mentoring. This initiative supports the learning of all students with the expectation that students, including those with IEPs, will be reading at grade level by the end of 3<sup>rd</sup> grade.

Implement new eCSSS training for IEPs to support schools in documenting LRE.

HIDOE trained all special education teachers in the documentation of IEPs. Ongoing training occurs as new teachers are hired. FFY 2008-2009 trainers emphasized the importance of correctly identifying the LRE tab when documenting their students' IEPs.

A November 2008 staffing audit completed on three schools revealed continued discrepancies in documentation of LRE information in eCSSS.

Conduct a study to determine whether special education staffing positions, as currently allocated, are appropriate to support inclusion.

In a 2005 Memorandum of Understanding, Supports for Inclusive Practices, the State of Hawaii Board of Education and the Hawaii State Teachers Association agreed that a staffing study be conducted to determine whether adjustment to the staffing methodology was necessary when schools implement co-teaching and collaborative teaching models.

Twenty schools were selected to participate. These project schools were allocated additional positions in February 2009, which extends through the SY 2009-2010. Many schools were unable to fill these additional positions until fall 2009. Evidence/data-based quarterly reporting is required. The first quarterly report was due and submitted in October 2009.

The SES has established LRE and student performance baseline data (October 2009) and will continue to track this data quarterly.

Identify schools for HIDOE to use as a model for inclusion.

To date, a model school for inclusionary practices has not been identified. It is the intent of the SES, through the inclusion school study and the GSS process, to begin discovering schools that can serve as models to the state.

Additionally, centers of excellence on evidence-based strategies (to include effective inclusionary practices) are being incorporated into HIDOE's RTI ARRA stimulus project.

Host a State Inclusion Conference for all HIDOE employees and parents.

Due to severe budget cuts, HIDOE was unable to host a State Inclusion Conference.

**Explanation of Progress or Slippage:**

There was a 3% slippage in students served inside the regular class 80% or more of the day. For students served inside the regular class less than 40% of the day, the positive trend of decreasing percentage continued and exceeded the target of 29%. The percent of students served in separate schools, residential facilities, or homebound/hospital placements remained at 2% exceeding the state target.

HIDOE's goal is to provide appropriate educational environments necessary to meet student needs. Per the Individual with Disabilities Improvement Education Act of 2004 (IDEA), the type of setting in which a student is placed is determined by the IEP Team according to the unique needs of the student.

The stakeholder group reviewed various configurations of the December 2008 child count data to determine trends or patterns in the LRE data. There were no notable patterns in regional area, grade placement, or gender configurations.

However, there was a significantly low percentage of students eligible as Specific Learning Disability (SLD) served inside the regular class 80% or more of the day. This suggests that appropriate supplemental aides/supports and inclusionary practices for some reason may not be available inside the regular classroom.

Additionally, it was noted that a higher percent of students with IEPs, placed inside the regular class 80% or more of the day, scored proficient on the Hawaii State Assessment than those students in more restrictive environments. This suggests that students may have greater access to standards-based education inside the regular classroom.

These analyses support the continued need for on-going targeted training in both awareness and implementation of effective standards-based inclusionary practices for all students. It is the intent of the SES to meet this need through existing HIDOE initiatives (e.g., Literacy for Learning) and the GSS system of targeted support.

November 2008 staffing audit of three schools revealed discrepancies between eCSSS child count reporting and student daily schedules. All three schools showed a high percentage of reporting errors (17%, 41%, and 62%). This information leads to the conclusion that there is some degree of error in the documentation of a student's LRE in eCSSS.

Indicator 5 does not look at the population of students who are served inside the regular class 40%-79% of the day. This category has increased from 48% in 2007 to 55% in 2008. For some students, this may indicate movement toward a less restrictive environment.

#### Longitudinal Data for Indicator 5 LRE in State Totals

FFY	Total # of Students with IEPs aged 6 through 21	A. # Inside the regular class 80% or more of the day	B. # Inside the regular class less than 40% of the day	C. # In separate schools, residential facilities, or homebound/hospital placements
<b>2004</b> (2004-2005)	20,357	4,785	6,559	551
<b>2005</b> (2005-2006)	19,540	4,463	6,555	503
<b>2006</b> (2006-2007)	18,640	3,986	6,564	410
<b>2007</b> (2007-2008)	17,960	3,295	5,707	338
<b>2008</b> (2008-2009)	17,629	2,691	4,775	322

#### LRE in Percentages

FFY	A. Inside the regular class 80% or more of the day	B. % Inside the regular class less than 40% of the day	C. % In separate schools, residential facilities, or homebound/hospital placements
<b>2004</b> (2004-2005)	24%	32%	3%
<b>2005</b> (2005-2006)	23%	34%	3%
<b>2006</b> (2006-2007)	21%	35%	2%
<b>2007</b> (2007-2008)	18%	32%	2%
<b>2008</b> (2008-2009)	15%	27%	2%

**Revisions with Justification, to Proposed Targets / Improvements Activities / Timelines / Resources for FFY 2009 (2009-2010):**

All improvement activities will remain in place. In the narrative section, Discussion of Improvement Activities . . . FFY 2008, each activity is more clearly defined to allow for more measurability.

The stakeholder group recommended three new improvement activities.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
<b>NEW</b> A memorandum from the superintendent to the field, outlining the following: <ul style="list-style-type: none"> <li>• correct eCSSS documentation</li> <li>• summary analysis of the state's LRE data to include SLD %</li> <li>• resources available</li> </ul>	June 30, 2010	Not implemented yet
<b>NEW</b> Conduct a study of state(s) with similar demographics to learn about various methods of reporting LRE.	June 30, 2010	Not implemented yet
<b>NEW</b> HIDOE American Recovery and Reinvestment Act of 2009 (ARRA) initiatives. <ul style="list-style-type: none"> <li>A. Participate with Curriculum and Instruction Branch in the development of the HIDOE Response to Intervention (RTI) initiative.</li> <li>B. Assist in the implementation, monitoring, and evaluation of the HIDOE RTI initiative.</li> <li>C. Participate with Curriculum and Instruction Branch in the development of the HIDOE co-teaching initiative.</li> </ul>	A. January 30, 2010 - June 30, 2010  B. January 30, 2010 - June 30, 2010  C. January 30, 2010 - June 30, 2010	Not implemented yet  Not implemented yet  Not implemented yet

The stakeholder group reviewed the FFY 2010 target which was revised February 2009. The target for 5B category will be changed from 29% to 23%. This target was adjusted based on the declining trend of the last three years.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2010 (2010-2011)</b>	A. 30% B. 23% C. 3%



## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: **Preschool Outcomes**

**Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:**

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

#### **Measurement:**

##### **Outcomes:**

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

##### **Progress categories for A, B and C:**

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

**Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):**

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:**

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

**Overview of Issue/Description of System or Process:** (revised to include current updates)

The Hawaii Department of Education's (HIDOE) Preschool Outcomes Measurement System (POMS) pilot project was carried out in two districts during February through May of 2006. The POMS was phased in statewide beginning in school year (SY) 2006-2007. Implementation of POMS was expanded during SY 2007-2008 to include a minimum of four children per Early Childhood Special Education (ECSE) teacher. Full implementation (for all applicable children) of POMS began during SY 2008-2009. The foundation for the POMS is the Child Outcomes Summary Form (COSF) developed by the Early Childhood Outcomes (ECO) Center and the recommended practices for assessment from the Division of Early Childhood of the Council for Exceptional Children. POMS ratings (identical to COSF ratings) are based on three sources of information: the Brigance Inventory of Early Development II (Brigance), service provider observations and data, and parent report of their child's skills and behaviors at home and in the community.

All ECSE teachers are provided training on the use and scoring of the Brigance as well as training on the POMS process and documentation. Brigance and POMS training is provided at the beginning of every school year for new ECSE teachers, and technical assistance is available throughout the year from the regional 619 Coordinators. After receiving training, teachers complete a POMS rating for each child within two months of entry into the program and again prior to exiting the program.

ECSE teachers are responsible for administering the Brigance, obtaining parent input and gathering information from all service providers in order to determine the POMS rating. A complete description of the requirements, process, forms and resources is available to the school personnel on the HIDOE's website "Recommended Practices for Early Childhood Special Education." Teachers submit copies of the POMS Summary Form, the Family Input Form and the Brigance Scoring Sheet to the regional 619 Coordinators. The data is reviewed for accuracy and quality by the regional 619 Coordinator, and then aggregated into an Excel file that is forwarded to the Special Education Section (SES) at the end of every school year. At this time, the SES converts the entry and exit data for each child into the OSEP reporting categories.

HIDOE originally elected to conduct a POMS rating for each child annually, but based on input from teachers and the SPP stakeholder group, POMS ratings are now required only when a child enters a Part B program and either exits HIDOE or transitions to kindergarten. Teachers are still encouraged to conduct the POMS process two months prior to each child's annual IEP conference to facilitate the generation and inclusion of current assessment data and family input into the statement of the present levels of academic achievement and functional performance in the IEP. However,

measurement and reporting of baseline to the SES and subsequent reporting to OSEP will be based on entry and exit ratings only.

#### **Baseline Data for FFY 2008 (2008-2009):**

Baseline data was obtained for children who exited 619 services during Federal Fiscal Year (FFY) 2008 and participated in the program for at least six months. Children with ratings of six or seven on the POMS Summary Form (COSF) were considered to be functioning at a level comparable to their same-age peers. Children with ratings of five or below were considered to be functioning at a level below their same-age peers.

#### **Progress Data for Preschool Children Exiting 2008-2009**

<b>A. Positive social-emotional skills (including social relationships):</b>	<b>Number</b>	<b>Percentage</b>
a – Percent of children who did not improve functioning	6	1%
b – Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	42	8%
c – Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	222	43%
d – Percent of children who improved functioning to reach a level comparable to same-aged peers	207	40%
e – Percent of children who maintained functioning at a level comparable to same-aged peers	39	8%
<b>Total</b>	<b>516</b>	<b>100%</b>

<b>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):</b>	<b>Number</b>	<b>Percentage</b>
a – Percent of children who did not improve functioning	6	1%
b – Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	45	9%
c – Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	211	41%
d – Percent of children who improved functioning to reach a level comparable to same-aged peers	211	41%
e – Percent of children who maintained functioning at a level comparable to same-aged peers	43	8%
<b>Total</b>	<b>516</b>	<b>100%</b>

<b>C. Use of appropriate behaviors to meet their needs:</b>	<b>Number</b>	<b>Percentage</b>
a – Percent of children who did not improve functioning	7	1%
b – Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	34	7%
c – Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	163	32%
d – Percent of children who improved functioning to reach a level comparable to same-aged peers	246	48%
e – Percent of children who maintained functioning at a level comparable to same-aged peers	66	13%
<b>Total</b>	<b>516</b>	<b>*100%</b>

\*Percents when rounded are greater than 100%.

**Baseline Data for Preschool Children Exiting 2008-2009**

<b>Summary Statements</b>		<b>% of children</b>
<b>Outcome A: Positive social-emotional skills (including social relationships)</b>		
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.		83.1%
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.		47.7%
<b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>		
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.		81.8%
2. The percent of children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program.		49.2%
<b>Outcome C: Use of appropriate behaviors to meet their needs</b>		
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.		79.3%
2. The percent of children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program.		60.5%

**Discussion of Baseline Data:**

All schools with ECSE programs have been collecting POMS data for an increasing portion of children entering their programs since SY 2006-2007.

SY 2008-2009 was the first year that ECSE programs were required to collect POMS data on all entering children. The progress data submitted with this report represents all children who exited the programs statewide. Not all exiting children, however, had an entry POMS rating, so progress data was not generated for these children. The number of exiting children with complete progress data should increase during SY 2009-2010. The progress data in the tables above was generated from all ECSE programs across the state.

The SPP stakeholder discussion centered on improving the quality of the data. There is concern that not all teachers have sufficient knowledge of child development when they are rating the functioning of children with disabilities in comparison to same-age peers. Regional 619 staff has noted variations in POMS ratings by staff at different schools for children who transferred from school to school. Anecdotal observations suggest that teachers working in integrated early childhood/early childhood special education sites generally rated children's functioning as lower than teachers who work only with children with disabilities (not integrated with typically developing peers). While specific predictions were not made, community and HIDOE stakeholders had expected the progress data to show more children in category "b," those who had improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.

Stakeholders decided to focus improvement activities on additional training for service providers responsible for the POMS ratings to increase knowledge about child development and improve inter-rater reliability. It was also felt that disaggregating the baseline data by disability category and educational environment would provide additional information about data accuracy and possible areas for program improvement. Based on the issues and improvement activities, stakeholders decided to keep the targets for FFY 2009 at the same level as baseline and increase the targets only slightly for FFY 2010. The target for FFY 2010 will be reconsidered the following year in light of the FFY 2009 data.

**Measurable and Rigorous Target:****Targets for Preschool Children Exiting in FFY 2009 (2009-2010) and FFY 2010 (2010-2011)  
and Reported in February 2011 and February 2012**

Summary Statements	Targets FFY 2009 (% of children)	Targets FFY 2010 (% of children)
<b>Outcome A: Positive social-emotional skills (including social relationships)</b>		
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	83.1%	83.6%
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.	47.7%	48.2%
<b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>		
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	81.8%	82.3%
2. The percent of children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program.	49.2%	49.7%
<b>Outcome C: Use of appropriate behaviors to meet their needs</b>		
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	79.3%	79.8%
2. The percent of children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program.	60.5%	61.0%

**Improvement Activities/Timelines/Resources:**

Activities	Timeline	Resources
Measurement system formulation: <ul style="list-style-type: none"> <li>Selection of standardized assessment and design of professional development roll-out.</li> <li>Participation in Part C design team for "What Counts." Selection and coordination of child outcomes and measurement process.</li> <li>Adoption of ECO Center outcomes measurement system.</li> </ul>	Completed-May 2005  Completed-September 2006  Completed-May 2006	SES/regional 619 Coordinators  SES 619 Staff  SES/regional 619 Staff and Stakeholders
Selection and purchase of the Brigance Inventory of Early Development (Early Brigance) statewide.	Completed-August 2005	IDEA 619 Funds

Activities	Timeline	Resources
Training of all ECSE teachers and other interested stakeholders (related service personnel, Part C, and Parent Groups) on the Early Brigrance and the POMS.	SY 2005-2006: Completed teacher training SY 2006-2007: Completed teacher training SY 2007-2008: Completed teacher training	Contracted Trainer and SES Staff
Annual training of new ECSE teachers and technical assistance provided for all other ECSE teachers and related services providers.	SY 2007-2008 SY 2008-2009 SY 2009-2010 SY 2010-2011	Contracted Trainer and SES Staff
<p>Phase-in and initial data collection</p> <ul style="list-style-type: none"> <li>Pilot project to assess and collect entry data in at least two districts</li> <li>Entry data collection</li> <li>Assessment and data collection on entering students to be phased in over a three-year period.</li> <li>Assessment and collection of progress data on children from the pilot project cohort and September 2006 cohort who have participated in the program for at least six months.</li> <li>Assessment and collection of exit data on all children exiting to kindergarten and who have participated in the program for at least six months.</li> </ul>	<p>Completed</p> <p>February-June 2005</p> <p>Completed-June 2005</p> <p>SY 2006-2007-SY 2008-2009 Completed-June 2007 Completed-June 2008</p> <p>June 2008-June 2011</p>	<p>ECSE teachers</p> <p>School, regional and SES personnel</p> <p>School, regional and SES personnel</p> <p>School, regional and SES personnel</p> <p>School, regional and SES personnel</p>
<p>Explore additional assessment tools to improve:</p> <ul style="list-style-type: none"> <li>Assessment of children with more severe disabilities for whom the Early Brigrance is inappropriate.</li> <li>Assessment of social/emotional development.</li> </ul>	<p>February-December 2008</p> <p>Completed December 2009</p>	<p>SES and regional 619 Coordinators</p>
Compare Part C exit ratings with Part B entry ratings on children who transitioned to Part B from Part C.	<p>October 2009 October 2010</p>	<p>Early Intervention and SES 619 personnel</p>

Activities	Timeline	Resources
<b>NEW</b> Develop and implement "Level 2" POMS training for service providers responsible for POMS ratings.	December 2010 through June 30, 2011	SES and regional 619 Coordinators
<b>NEW</b> Disaggregate baseline data by disability category and educational environments and disseminate information to SPP stakeholders.	June 30, 2010	SES and regional 619 Coordinators

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: Parent Involvement

**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.**

#### 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:

All parents of children with disabilities (including parents of pre-school students) in the state were mailed the National Center for Special Education Accountability Monitoring Parent Survey-Special Education Survey (survey attached). Surveys had a self-addressed, postage paid envelope to return the survey. The surveys were sent to a private company for analysis and a report was sent back to the Hawaii Department of Education (HIDOE).

A notice was placed in the Special Parent Information Network (SPIN) newsletter before the survey was sent home to families as pre-mailing publicity.

The state Community Children's Council Office (CCCO) also encouraged parents to complete the surveys at their monthly meetings between March 2006 and June 2006.

HIDOE held a stakeholders meeting on October 13, 2006 and November 15, 2006 to analyze the data and set measurable rigorous targets, develop improvement activities, and discuss refinements to the survey and/or distribution of the survey. Members of the stakeholders committee included representatives from a foster parenting organization, a private provider, the Department of Health Child and Adolescent Mental Health Division, parent advocacy organizations, the Hawaii Special Education Advisory Committee, the HIDOE Family Support Educational Specialist, the CCCO, and HIDOE State Special Education personnel. At the October 13 meeting, HIDOE did not have complete data back from the agency conducting the Rasch analysis, therefore, the stakeholders could not fully set the targets and fully develop improvement activities. At the November 15, 2006 stakeholders meeting, the level of understanding of the complete data hampered the decision-making process for the improvement activities. HIDOE has since had lengthy conversations with the agency conducting the Rasch analysis and also the Western Regional Resource Center in order to fully understand the data analysis.

#### Baseline Data for FFY 2004 (2004-2005):

Percent at or above Indicator 8 standard:	34%	(SE of the mean = 0.9%)
Number of Valid Responses:	2,848	
Measurement reliability:	0.91	
Mean Measure:	554	
Measurement SD:	143	



### Discussion of Baseline Data:

In order to meet the U.S. Department of Education, Office of Special Education Programs' (OSEP's) new reporting requirements, baseline data was collected during the 2005-2006 school year for *Indicator 8: Parent Involvement*. The HIDOE utilized the survey developed and validated by the National Center for Special Education Accountability Monitoring (NCSEAM) to determine the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. The baseline data collection process gave every parent of a child identified as Individuals with Disabilities Education Act (IDEA) eligible in Hawaii the opportunity to complete the survey and be included in the state's baseline data. Given the fact that the first year's data collection efforts are meant to establish a baseline, HIDOE decided to use all the returned surveys as each response is so valuable in painting the overall picture.

The HIDOE's performance on Part B, Indicator #8 was calculated based on data from all parents who responded to the HIDOE survey. In its SPP, HIDOE proposed a methodology for sample adjustment in the case of discrepancies in response rates of groups defined by the child's ethnicity or disability. This methodology was designed to yield a sample that matched the distribution of respondents in the sample to the relevant distributions in the state.

Further consideration has led us to revise our data analysis plan in the direction of including all parents who responded to the survey. The survey was sent to all 20,393 parents whose children were receiving special education services in Hawaii. A total of 2,848 parents returned the survey for a response rate of approximately 14%. To match the distribution of the sample to the 2004 Child Count figures, the proposed methodology required the random deletion of cases from overrepresented groups. However, given the particular distribution of cases in the returned sample, following this method would require the removal of a large number of records from the data set. Our judgment is that this would result in an inordinate amount of data that would not be utilized, and would be antithetical to our position that the opinion of each and every respondent is valuable in terms of capturing the perceptions of parents regarding schools' efforts to facilitate parent involvement.

Therefore, in an effort to increase our confidence in the data and include the maximum possible amount of parent input in our baseline data results for this first year, the data analyses utilized the full respondent data set. For the next round of data collection and analysis, Hawaii will consult with statistician consultants to find a methodology that will allow every respondent's opinion to be counted through weight assignments rather than record removal to obtain a representative sample.

The standard NCSEAM survey was modified slightly, including adding the HIDOE logo to the header and adding complex areas to the survey (item #102); these changes were implemented in order to customize the survey with visual cues and information that are familiar to parents. Cover letters as well as postage-paid business reply envelopes were included with the surveys. To protect student confidentiality, no child information was tied to the identifiers. Demographic information used in the analyses was taken strictly from responses provided by parents to the last seven surveys items (items 96-102).

In order to provide every parent of a child with disabilities in the state of Hawaii the opportunity to participate in the survey, 20,393 English paper-based surveys were distributed. The overall return rate was 14%, with 2,848 surveys submitted. There were 574 undeliverable surveys that were returned due to bad or missing addresses. Surveys were distributed in June 2006 and a cut-off of date of August 25, 2006 was made to allow parents sufficient time to respond.

Per the HIDOE's contractor who analyzed the survey results, normally mailed, paper-based surveys with no follow-up activities will yield a 10-15% return rate; the overall return rate for Hawaii falls into the upper end of this range. Interpretation of return rates and survey item results require careful attention to detail. For example, a state that disseminates only 1,000 surveys to parents may have a higher return rate (since lower sampling quantities may allow for hand-distribution of surveys) than states that mail surveys to parents' homes. This does not mean that a state with a higher return rate will have significant results. The number of required returned surveys depends on the quantities necessary to get results that reflect

the target population as closely as possible. For a population of 20,393, the number of returned surveys required to have a high degree of confidence in the results is 377 (confidence interval of 5 and 95% confidence level) or a return rate of 1.8%. In comparison, a population size of 1,000 requires 278 returned surveys or a 27.8% return rate (confidence interval of 5 and 95% confidence interval). These required figures vary depending on plans for disaggregating data but provide a general indication of the most basic requirements.

The data from the survey has been analyzed using a Rasch analysis to produce a measure for the HIDEOE. The average of these 2,848 individual family Part B Partnership Efforts measures is 554 with a standard deviation of 143.

The percents reported for indicator 8 in the SPP/Annual Performance Report (APR) are calculated as the percent of families whose measures are at or above a standard cutoff value. In these analyses, the standards applied were those recommended by a nationally representative stakeholder group convened by NCSEAM. This group identified items that most closely represented the content of each of the indicators and recommended the level of agreement that should be required on these items. For Part B indicator 8, the recommended standard was operationalized as a measure of 600 since this is the calibration of the item chosen by the stakeholder group as the minimum amount of partnership effort that can reasonably be said to have met the terms for indicator 8 in the SPP/APR. Thus, the percent reported is the percent of families with measures on the Partnership Efforts scale that are at or above these levels.

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	Baseline data gathered. HIDEOE results overall are 34%.
<b>2006</b> (2006-2007)	Increase from baseline .4% to 34.4%.
<b>2007</b> (2007-2008)	Increase .4% from 2006 data to 34.8%.
<b>2008</b> (2008-2009)	Increase .4% from 2007 data to 35.2%.
<b>2009</b> (2009-2010)	Increase .4% from 2008 data to 35.6%.
<b>2010</b> (2010-2011)	Increase .4% from 2009 data to 36%.

#### Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
Further analysis/understanding of baseline data to determine appropriate improvement activities. Incorporate into FFY 2006 SPP.	February 2007-May 2007	Stakeholder committee members
Translate survey into appropriate languages.	January 2007-June 2007	HIDEOE

Improvement Activities	Timelines	Resources
Investigate the impact of distributing survey at Individualized Education Program (IEP) meetings to increase return rate.	January 20-June 2007	HIDOE/Schools
<b>DISCONTINUED</b> The CCCO area with the highest percent of returned surveys will receive a monetary prize.	July 2007 ongoing to June 2010	HIDOE
<b>DISCONTINUED</b> In collaboration with the team responsible for Indicators 1 and 2, convene meeting with partner programs and agencies, including the CCCO, the Learning Disabilities Association of Hawaii (LDAH), SPIN, Hawaii Families As Allies (HFAA), the Developmental Disabilities Council (DD), and the program manager for the Comprehensive School Alienation Program to develop a mechanism to increase the awareness of and involvement of parents and families on issues involving the post-secondary transition plan, graduation, retention, and dropout.	2006-2007 and ongoing	HIDOE and partner programs/agencies
Inform partner programs and agencies of the HIDOE's Parent Community Networking Centers' emails/phone numbers to facilitate dissemination of parent workshop/training information.	2007-ongoing to 2010	HIDOE
HIDOE will distribute the parent survey at annual IEP meetings.	July 2008-ongoing to 2010	HIDOE/Schools
Report to the HIDOE complexes results of the survey.	2008-ongoing to 2010	HIDOE
Contract with LDAH (or other appropriate agency) through the state CCCO to provide trainings to parents of children with special needs to gain the knowledge and skills necessary to more effectively participate in their child's education.	2008-ongoing to June 2010	HIDOE
Pilot the National Center for Special Education Accountability Monitoring	January 2009 to December 2009	HIDOE

Improvement Activities	Timelines	Resources
<i>Improving Relationships &amp; Results: Building Family School Partnerships Series</i> materials.		
Provide technical assistance to complexes around specific items on the survey.	January 2009 to June 2010	HIDOE
Investigate weighting race/ethnicity and disabilities to ensure data is proportional based on race/ethnicity and disabilities per HIDOE's population.	January 2009 to August 2009	HIDOE
<b>NEW</b> Develop a fact sheet for parents outlining the purpose and importance of the survey, assurances of confidentiality, contact information, and a website reference. This fact sheet will be distributed with the survey at IEP meetings.	School Year (SY) 2009-2010	HIDOE
<b>NEW</b> Post the survey results on the HIDOE website.	SY 2009-2010	HIDOE
<b>NEW</b> Develop a verification process to confirm schools' receipt of surveys at the beginning of the school year and distribution at the end of the school year.	SY 2009-2010	HIDOE
<b>NEW</b> Create a workgroup to partner in the development of parent training and determine the feasibility of including this training as an improvement activity for the 2011 submittal.	SY 2000-2010	Community agencies

## Part B State Annual Performance Report (APR) for FFY 2008

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.**

**Measurement:**

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	35.2% (an increase of .4 percentage points from baseline).

**Actual Target Data for FFY 2008 (2008-2009):**

The Hawaii Department of Education (HIDOE) used the Schools' Efforts to Partner with Parents Scale (SEPPS) developed and validated by the National Center for Special Education Accountability Monitoring (NCSEAM). Eight hundred and seventy-four (874) out of 1,902 or forty-six percent (46%) of the returned surveys reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. The following table presents statistical information relevant to the percentage of respondents at or above the standard of 600.

Percent of Parents at or above the Standard		
Percent at or above the Standard Value of 600	Standard Error of the Census Percentage	95% Confidence Interval for Population Percentage
874/1,902 = 46%	1.1%	43.7% - 48.2%

The U.S. Department of Education, Office of Special Education Programs (OSEP) requires the state's performance be reported at the percent of parents who reported that schools facilitated their involvement. Deriving a percent from a continuous distribution requires application of a standard or cut score. The HIDOE elected to apply the standard recommended by a nationally representative stakeholder group convened by NCSEAM. This standard determined that only responses that indicated the categories "Very Strongly Agree" or "Strongly Agree" would be used to determine whether the school facilitated parental involvement. The NCSEAM recommended standard was operationalized as a measure of 600. Thus, the percent of parents, including parents of preschool and public charter school students, was calculated as the percent of parents with a measure of 600 or above on the SEPPS who reported that schools facilitated their involvement.

## Measurement

Batya Elbaum, Ph.D., and Randall D. Penfield, Ph.D., on behalf of Piedra Data Services analyzed HIDOE data from the rating scale through the Rasch measurement framework. The analysis produced a measure for each survey respondent (parent) on a scale from 0 to 1,000. Each measure reflects the extent to which the parent indicated that schools facilitated their involvement. Parents whose survey responses scored 600 or more are considered to agree that schools facilitated their involvement. The measures of all respondents were averaged to yield a mean measure reflecting the overall performance of the state in regard to schools' facilitation of parent involvement.

The following points represent the results related to Indicator 8:

1. *Statewide Mean Measure on the SEPPS*

The state's mean measure on the SEPPS is 595 with a standard deviation of 159. The standard error of the census mean is 3.7. The 95% confidence interval for the sample mean is 588.2 - 602.6, which indicates there is a 95% likelihood that the true value of the state mean is within this range.

2. *Statewide Percent on Indicator 8*

The percent of parents reporting that schools facilitated parent involvement, including parents of preschool and public charter school students, was 46%. The standard error of the census percentage is 1.1%. The 95% confidence interval for the census percentage is 43.7% - 48.2%, which means that there is a 95% likelihood that the true value of the state percentage is between 43.7% - 48.2%.

3. *Analysis of the Representativeness of the Response Group*

The obtained mean value of SEPPS is representative of the population as a whole with respect to key demographic variables, including race/ethnicity and primary disability groups. In order to eliminate possible bias on the estimate of the population mean, a weighted mean calculation was used. The mean value of SEPPS measures was weighted with respect to the race/ethnicity and the primary disability groups of the population being surveyed.

## Survey Administration

The survey administered by the HIDOE consisted of a 25-item rating scale, SEPPS, developed and validated by NCSEAM. The survey used last year was also used again this year. The survey was given by the school to the parents of every student in the state receiving special education services, including parents of preschool and public charter school students, at the annual Individualized Education Program (IEP) meeting, which gave all parents of students receiving special education services (aged 3-20) the opportunity to complete the survey. This process differed from last year when surveys were mailed to parents; there was a higher level of confidence that the parents actually received the survey. In total, 19,930 surveys were distributed; 1,907 were returned for a response rate of 9.57%. Five of those surveys were not valid because they had incomplete data. The number of valid responses exceeded the minimum number required for an adequate confidence level based on established survey sample guidelines (e.g., <http://www.surveysystem.com/sscalc.htm>).

The surveys were printed on standard 8.5" x 11" paper in English. Translations were available in the following languages: Cebuano-Visayan, Chinese, Chuukese, Ilokano, Japanese, Korean, Lao, Marshallese, Samoan, Spanish, Tagalog, Tongan, and Vietnamese.

A cover letter and a postage-paid business reply envelope were included with the survey. To protect student confidentiality, no child information was tied to the identifiers; demographic information used in the analysis was taken strictly from responses provided by parents to the last five survey item

numbers 26-30. Parents mailed the survey directly to Piedra Data Services, HIDOE's contracted data analysis company, in the postage-paid business reply envelope provided.

### Survey Responses

The following Table 5 shows the percentage of responses in the "Agree," "Strongly Agree," and "Very Strongly Agree" categories and the percentage of responses in the "Strongly Agree" and "Very Strongly Agree" categories for each item number (question) on the survey. The table also includes a value for each item that is referred to as the item's calibration. An item's calibration indexes the amount of the attribute being measured that is required in order to elicit an "Agree" response. The items with lower calibrations are items that parents tend to agree with most. The items with higher calibrations are items that parents tend to agree with least. The following table shows that HIDOE schools are facilitating parent involvement at a greater percent, per individual item, if the "Agree" category is included.

<b>Table 5: SEPPS Item Calibrations, Observed Percentage of Responses in the Strongly Agree (SA)/Very Strongly Agree (VSA) Categories, and Observed Percentage of Responses in Any Agree (A) Category</b>				
<b>Item #</b>	<b>Item Calibration</b>	<b>% SA/ VSA</b>	<b>% A/SA/ VSA</b>	<b>Item</b>
4	490	62%	93%	At the IEP meeting, we discussed accommodations and modifications that my child would need.
11	492	65%	93%	Teachers are available to speak with me.
16	504	57%	93%	Teachers and administrators respect my cultural heritage.
9	505	60%	91%	My child's evaluation report is written in terms I understand.
10	505	58%	91%	Written information I receive is written in an understandable way.
1	507	64%	91%	I am considered an equal partner with teachers and other professionals in planning my child's program.
12	511	64%	91%	Teachers treat me as a team member.
5	513	61%	90%	All of my concerns and recommendations were documented on the IEP.
18	523	56%	92%	The school has a person on staff who is available to answer parents' questions.
15	526	58%	90%	Teachers and administrators encourage me to participate in the decision-making process.
17	528	61%	92%	Teachers and administrators ensure that I have fully understood the Procedural Safeguards.
14	533	58%	90%	Teachers and administrators show sensitivity to the needs of students with disabilities and their families.
13	544	55%	87%	Teachers and administrators seek out parent input.
19	550	51%	84%	The school communicates regularly with me regarding my child's progress on IEP goals.
22	561	50%	86%	The school offers parents a variety of ways to communicate with teachers.

<b>Table 5: SEPPS Item Calibrations, Observed Percentage of Responses in the Strongly Agree (SA)/Very Strongly Agree (VSA) Categories, and Observed Percentage of Responses in Any Agree (A) Category</b>				
<b>Item #</b>	<b>Item Calibration</b>	<b>% SA/ VSA</b>	<b>% A/SA/ VSA</b>	<b>Item</b>
3	564	46%	81%	At the IEP meeting, we discussed how my child would participate in statewide assessments.
20	570	50%	82%	The school gives me choices with regard to services that address my child's needs.
6	573	44%	78%	Written justification was given for the extent that my child would not receive services in the regular classroom.
23	581	48%	85%	The school gives parents the help they may need to play an active role in their child's education.
8	591	51%	79%	I have been asked for my opinion about how well special education services my child receives are meeting my child's needs.
25	600	44%	80%	The school explains what options parents have if they disagree with a decision of the school.
24	634	38%	69%	The school provides information on agencies that can assist my child in the transition from school.
7	647	39%	70%	I was given information about organizations that offer support for parents of students with disabilities.
21	653	35%	66%	I was given information about options my child will have after high school.
2	663	33%	60%	The school offers parents training about special education issues.

In reviewing Table 5, the report summarized that schools facilitated parent involvement in various ways as described by the indicators below: (Indicates the % where there was strong or very strong agreement.)

- Accommodations and modifications were discussed at the IEP meeting and information that parents received was written in an understandable way (58% - 62%).
- Teachers and administrators sought parent input and the school communicated regularly with parents regarding their child's progress on IEP goals (51% - 55%).
- The schools gave parents the help they needed to play an active role in their child's education (48%).
- The schools provided information about agencies that could assist children in the transition from school and also offered parents training about special education issues. Parents were given information about options their child would have after high school (33% - 38%).



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

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
Further analysis/understanding of baseline data to determine appropriate improvement activities. Incorporate into Federal Fiscal Year (FFY) 2006 State Performance Plan (SPP).	February 2007-May 2007	Completed. The stakeholder committee met on November 15, 2006 and March 16, 2006.
Translate survey into appropriate languages.	January 2007-June 2007	Completed
Investigate the impact of distributing survey at IEP meetings to increase return rate.	January 2007-June 2007	Completed. The surveys will be distributed at annual IEP meetings beginning July 2008 for reporting in FFY 2008 and ongoing.
<b>DISCONTINUED</b> The Community Children's Council Office (CCCO) area with the highest percent of returned surveys will receive a monetary prize.	July 2007-June 2010	Completed and ongoing.
<b>DISCONTINUED</b> In collaboration with the team responsible for Indicators 1 and 2, convene meeting with partner programs and agencies, including the CCCO, the Learning Disabilities Association of Hawaii (LDAH), Special Parent Information Network (SPIN), Hawaii Families As Allies (HFAA), the Developmental Disabilities Council (DD), and the program manager for the Comprehensive School Alienation Program (CSAP), to develop a mechanism to increase the awareness and involvement of parents and families on issues involving the post-secondary transition plan, graduation, retention, and dropout.	2006-2007 and ongoing	A number of meetings were held with teacher, parent, and agency representatives. The need for informational sessions, availability of school and community resources and preliminary plans were discussed.
Inform partner programs and agencies of the HIDOE's Parent Community Networking Centers email/phone number to facilitate dissemination of parent workshop/training information.	2007-2010	Completed and ongoing.

Improvement Activities	Timelines	Status
HIDOE will distribute the parent survey at annual IEP meetings.	July 2008-June 2010	Completed and ongoing.
Report survey results to complex areas.	2008-2010	Completed and ongoing.
Contract with LDAH (or other appropriate agency) through the state CCCO to provide training sessions to parents of children with special needs to gain the knowledge and skills necessary to more effectively participate in their child's education.	2008-2010	Completed and ongoing. Contract executed on July 1, 2008. Extended on July 1, 2009 to June 30, 2010.
Pilot the National Center for Special Education Accountability Monitoring <i>Improving Relationships &amp; Results: Building Family School Partnerships</i> series materials.	January 2009-December 2009	Kealakehe Complex completed training using multiple modules. Surveys collected for the school year (SY) 2009-2010 (reported on the February 2011 APR submittal) will be the data used to determine the effectiveness of this activity.
Provide technical assistance to complexes around specific items on the survey.	January 2009-June 2010	Ongoing. Provided technical assistance, as requested.
Investigate weighting race/ethnicity and disabilities to ensure data is proportional based on race/ethnicity and disabilities per HIDOE's population.	January 2009-August 2009	Completed and used this year. Eliminated the bias found due to disproportional representation in selected race/ethnic and disability groups.

Forty-six percent of parents reported that schools facilitated parent involvement, which exceeded the target percentage (35.2%) by almost 10%. As we examined the table of "Observed Percentage of Responses in the Strongly Agree/Very Strongly Agree Categories, and Observed Percentage of Responses in Any Agree Category," and compared the percentages to last year's results, we found that there were increases in every category listed, many by double-digit increases. Parents, via the responses, expressed that the schools have definitely improved their services to families and students with disabilities.

However, even if the number of valid responses exceeded the minimum number required for an adequate confidence level based on established survey sample guidelines, the response rate decreased from 14.7% in 2007 to 9.57% this year. This was unexpected as parents were given the surveys at the annual IEP meeting and it was anticipated that more parents would be likely to return them when the purpose was explained in person rather than via a letter.

As the areas with the least positive results were examined, Items 24 and 21 addressed the area of secondary transition. Elementary and middle/intermediate schools would not usually provide information on “agencies that could assist a child in their transition from school” or “options a child would have after high school.” This may have resulted in parents marking their survey with a “Disagree” or a “Strongly Disagree” for these items. In addition, Item 2 which refers to the school offering parents “training about special education issues” might be perceived by parents as formal group training sessions rather than the “conferencing-type” of training that schools do with individual parents regarding their child’s individual needs. This may have resulted in parents selecting “Disagree” or “Strongly Disagree” to this item as well.

Improvement Activities in Indicators 1, 2, 11, 13, 15, 18, and 19 support parental involvement as a means of improving services and results for children with disabilities.

#### Longitudinal Data for Indicator 8

FFY	Percent of parents reporting that schools facilitated parent involvement
<b>2005</b> (2005-2006)	34%
<b>2006</b> (2006-2007)	33%
<b>2007</b> (2007-2008)	30%
<b>2008</b> (2008-2009)	46%

#### Revisions, with Justification, to Proposed Targets/Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):

After meeting with our stakeholder group, the target for this indicator was adjusted for the FFY 2009 to 40.0% and for the FFY 2010 to 40.4%. In making the recommendation to adjust the targets, the group considered the past years’ trend data, which exhibited a decrease in the percentage of parents who reported that schools facilitated parent involvement. The group would like to continue to collect and examine data to determine the possible reasons for the current improved survey results.

The purpose for the development of the fact sheet and posting the survey results on the website is to increase parental and other stakeholders’ awareness and knowledge of the intent and purpose of the survey. As a possible means of increasing the response rate, a verification process will be developed to ensure that all schools receive and distribute the surveys to parents.

Improvement Activities	Timelines	Resources
<b>NEW</b> Develop a fact sheet for parents outlining the purpose and importance of the survey, assurances of confidentiality, contact information, and a website reference. This fact sheet will be distributed with the survey at IEP meetings.	SY 2009-2010	HIDOE

Improvement Activities	Timelines	Resources
<b>NEW</b> Post the survey results on the HIDOE website.	SY 2009-2010	HIDOE
<b>NEW</b> Develop a verification process to confirm schools' receipt of surveys at the beginning of the SY and distribution at the end of the SY.	SY 2009-2010	HIDOE
<b>NEW</b> Create a workgroup to partner in the development of parent training and determine the feasibility of including this training as an improvement activity for the 2011 submittal.	SY 2009-2010	Community Agencies

## Part B State Performance Plan (SPP) for 2005-2010

### 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.**

#### 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.

#### State definition of disproportionate representation (Tier I):

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

#### State description of disproportionality determination (Tier II):

For over and under-identification, Special Education Section analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over or under identified through a file review for each student.

(0 districts/1) times 100% = 0 %

#### Overview of Issue/Description of System or Process:

Hawaii Department of Education (HIDOE) is a unitary educational system; therefore the analysis of disproportionality will represent the state as a single district. As such, disproportionate representation resulting from inappropriate identification is recorded as either 0% or 100%.

#### HIDOE Process for Identifying Disproportionality

HIDOE's process for identifying disproportionality involves a two-tier method of analysis applied to 618 data, as reported to U.S. Department of Education, Office of Special Education Programs (OSEP) on the Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act (IDEA) consistent with 34 CFR §300.173. This process of analysis helps to identify disproportionate representation that may be the result of inappropriate identification.

The first tier is a statistical analysis of disproportionate representation based on racial and ethnic groups in special education and related services. In the statistical analysis of disproportionate representation, risk ratios are calculated based on the racial and ethnic groups in a special education and related services with respect to all racial and ethnic groups in Hawaii. The risk ratios are then compared to a confidence interval based on disability and group size.

The second tier consists of a two prong analysis, a review relating to over-identification and under-identification. For over and under-identification, the racial and ethnic groups receiving special education and related services identified in Tier I, a representative sample of student files are reviewed following the Analysis of Identified Procedures and Practices (AIPP) to determine if students were appropriately identified in accordance with 34 CFR §300.173, 300.111 and 300.301 through 300.311. Policies, practices and procedures are reviewed as necessary, with identified noncompliance inappropriate practices addressed under HIDOE's general supervision process. In addition for under-identification, the racial and ethnic groups identified in Tier I as being under-identified, their risk ratios are compared against national risk ratio averages for that ethnic and racial group receiving special education and related services.

### **Tier I: Confidence Interval and Disproportionate representation**

The first tier is a statistical analysis of disproportionate representation based on risk ratios of racial and ethnic group receiving special education and related services. The risk ratios are then compared to a confidence interval based on disability and group size.

#### **Risk ratio:**

The equation for the risk ratio is:

Risk ratio = Risk for racial/ethnic group/ Risk for comparison group.

For more details see:

<http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

#### **Confidence interval:**

Using the Child Count data from School Year (SY) 2003-2004, 2004-2005 and 2005-2006, the distribution of incidence rates for specific disabilities of concern were statistically modeled with the average incidence rates used as "expected values of risk" for all racial and ethnic groups.

Since the three year data indicates that there has been no significant variance in the population size by disability, the confidence interval rates established will continue to be utilized for the duration of this State Performance Plan (SPP). The rates will be re-examined and re-calculated if warranted (i.e., due to a significant change in the population size of a disability category and/or reviewed after three years to address fluctuations in the student population).

Derived from the incidence rates were the confidence intervals for the disability risk ratios. Hawaii has adopted the 90% confidence intervals as the criteria for disproportionate representation. See Table 9.2 below.

**\*Table 9.2. 90% Confidence Intervals for Disability Risk Ratios**

	Group Size				
	100	500	1,000	5,000	10,000
<b>All Special Education (14 categories)</b>	0.51 to 2.05	.75 to 1.33	.82 to 1.22	0.91 to 1.09	0.94 to 1.07

*\*Determining the Likelihood of Risk Ratios for Disabilities among Racial or Ethnic Groups Report by Thomas Gans, Ph.D.*

By using the 90% confidence intervals for risk ratios of particular racial and ethnic groups, any groups that occur outside the confidence interval are unlikely to have occurred by chance and are “free” from the effects of random error. Disproportionate representation is defined as any group which falls outside the 90% confidence interval.

## **Tier II – Appropriate identification**

### **1) Over and Under-identification - Analysis of Identification Procedures and Practices (AIPP):**

Ethnic groups with risk ratios over or under the confidence interval for their respective group sizes are reviewed in greater detail as part of the second tier of analysis in order to determine if a group identified in Tier I may be the result of inappropriate identification.

If a specific racial and ethnic group receiving special education and related services was found to be over the confidence interval, then a statewide representative sample of student files from that school year, based on race and ethnicity is selected for further analysis to determine if those students were appropriately identified.

HIDOE designed a disproportionality tool called the AIPP monitoring tool specifically focused on five areas of consideration in the determination of eligibility:

- 1) the statement of concern and evidence of appropriate instruction,
- 2) assessment procedures,
- 3) variety of assessment tools and strategies,
- 4) cultural/linguistic factors and
- 5) the eligibility determination.

A rubric is used to rate each of the five areas of consideration, and each file must meet minimum score in order to earn an overall rating of appropriate identification.

In Federal Fiscal Year (FFY) 2007, the AIPP monitoring tool and rubric was revised. To emphasize the need for evidence of appropriate instruction and strengthen alignment with 34 CFR §300.306(b) (1) (i-ii), “evidence of appropriate instruction” became a separate area of consideration in the determination of eligibility, while remaining consistent with the requirements of 34 CFR §300.173, 300.111, 300.201 and 300.301 through 300.311 (**see Attachment 1**).

In FFY 2007, the review process to assess appropriateness for ethnic groups identified in Tier I as under-identified was revised to better address under-identification. A representative sample of student files for the ethnic group(s) identified in Tier I and found ineligible for special education and related services were reviewed.

Any noncompliance identified will be corrected. Policies, practices and procedures are reviewed as necessary. Identified inappropriate practices will be addressed under HIDOE's general supervision process. All activities are to take place and be completed within one year of the identification of noncompliance.

### **2) Under-identification:**

To investigate under-identification, HIDOE will also compare state risk data with national risk data for the same groups relating to ethnicity receiving special education and related services.

Beginning FFY 2008, the analysis of under-identification will follow the AIPP review process (noted above) to assess appropriateness.

**Baseline Data for FFY 2005 (2005-2006):**

For the FFY 2005, the HIDOE utilized the WESTAT method of determining risk ratio as the criterion for disproportionate representation of racial and ethnic groups in special education and related services. In 2007, HIDOE revised its process for determining disproportionality and applied it to FFY 2005.

Using the two-tier process, the baseline data for FFY 2005 was established. In the table on the next page, the numbers in bold and italics represent disproportionate representation below the 90% confidence interval for the ethnic group in special education and related services.

<b>The racial/ethnic disproportionality risk ratio data for all children with disabilities, ages 6-21</b>					
<b>2005-2006</b>	<b>American Indian/ Alaskan native</b>	<b>Asian/ Pacific Islander</b>	<b>Black (Non-Hispanic)</b>	<b>Hispanic</b>	<b>White (Non-Hispanic)</b>
<b>All Disabilities</b>	1.15	<b><i>0.88</i></b>	1.08	1.23	1.10

**Discussion of Baseline Data:****SY 2005-2006**

The SY 2005-2006 data was reviewed in relation to the 90% Confidence Interval table. All racial and ethnic groups had risk ratios within the confidence interval based on their group size, with the exception of Asian/Pacific Islander. The Asian/Pacific Islander risk ratio fell below the confidence interval at 0.88.

Hawaii's risk of 9.47% is nearly double the national risk of 4.74. This variance may be due to the state's unique racial and ethnic composition of the Asian/Pacific Islander group which is 61.9% of the total population as compared to the national average of 4.61%. (U.S. Census Bureau 2006: American Community Survey) As such, the under identification of Asian/Pacific Islanders is not inappropriate. Therefore, for the SY 2005-2006, HIDOE had 0% disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification.  
 $[(0 \text{ districts}/1) \times 100\% = 0\%]$

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005 (2005-2006)</b>	0%
<b>2006 (2006-2007)</b>	0%
<b>2007 (2007-2008)</b>	<u>0%</u>
<b>2008 (2008-2009)</b>	0%
<b>2009 (2009-2010)</b>	0%
<b>2010 (2010-2011)</b>	0%



**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Hold SPP stakeholder meetings to further analyze disproportionality data.	October 2006-April 2007 and ongoing	Special Education Section (SES), Special Education Advisory Council (SEAC) and the Community Children's Council Office (CCCO)
Establish workgroup to review policies and procedures and develop amendments to current policies and procedures as appropriate.	November 2006 -March 2007 and ongoing	SES, SEAC and the CCCO
Using monitoring data, review policies, practices and procedures to determine if the disproportionality could be the result of inappropriate identification practices.	March 2006- Ongoing to 2011	SES
Provide training on evaluation and eligibility determination procedures.	January 2007-2011	SES
Continue to collect, disaggregate 618 data.	January 2007-2011	SES
<b>REVISED</b> Develop eligibility tools (i.e. electronic resources) related to eligibility/evaluation/related services.	January 2007-June 2010	SES
Provide follow up technical assistance and/or sanctions based on identification of policies, procedures and practices that lead to inappropriate identification.	January 2007-2011	SES, district educational specialists, complex area superintendents
Provide professional development activities statewide on differentiating instruction to support diverse learner needs prior to consideration of referral for special education.	January 2008-2009; annually as needed	SES

Improvement Activities	Timelines	Resources
Investigate feasibility of identifying ethnic and racial composition of students receiving CSSS System services to enhance data collection and improve systems administration and monitoring.	January 2008-2009	SES, Student Support Section

## Part B State Annual Performance Report (APR) for FFY 2008

### Overview of the Annual Performance Report Development:

#### Monitoring Priority: Disproportionality

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

#### 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.

#### State definition of disproportionate representation (Tier I):

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

#### State description of disproportionality determination (Tier II):

For over and under-identification, Special Education Section analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over or under identified through a file review for each student.

(0 districts/1) times 100% = 0 %

Hawaii Department of Education (HIDOE) is a unitary educational system; therefore the analysis of disproportionality will represent HIDOE as a single district. As such, disproportionate representation resulting from inappropriate identification is recorded as either 0% or 100%.

Consistent with 34 CFR§300.173, 300.600(d)(3) and 300.602(a), a two-tiered analysis was established and applied to 618 data as reported to the U.S. Department of Education, Office of Special Education Programs (OSEP) on the Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), specifically, Table 1- Child Count – December 1, 2008 and HIDOE's Official Enrollment Count - School Year (SY) 2008-2009.

#### Definition of "Disproportionate Representation" and Methodology HIDOE Definition of Disproportionate Representation (Tier I):

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

#### HIDOE Description of Disproportionality Determination (Tier II):

For over and under-identification, Special Education Section (SES) analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over or under identified through a file review for each student.

**HIDOE methodology:**

The first tier is a statistical analysis of disproportionate representation based on racial and ethnic group receiving special education and related services. In the statistical analysis of disproportionate representation, risk ratios are calculated based on the racial and ethnic group receiving special education and related services with respect to all racial and ethnic groups in Hawaii. The risk ratios are then compared against its respective confidence interval based on disability and group size.

The second tier consists of a two prong analysis, a review relating to over-identification and under-identification. For over and under-identification, the racial/ethnic groups by disability category identified in Tier I, a representative sample of student files are reviewed following the Analysis of Identified Procedures and Practices (AIPP) to determine if students were appropriately identified in accordance with 34 CFR §300.173, 300.111 and 300.301 through 300.311. Policies, practices and procedures are reviewed as necessary, with identified noncompliance inappropriate practices addressed in accordance with the OSEP memo 09-02, under HIDOE's general supervision process. Additional methodology information can be found in the Hawaii State Performance Plan - 2005-2010, Indicator 9.

Using the criteria established above, for Federal Fiscal Year (FFY) 2008, HIDOE determined that the Asian/Pacific Islander group in special education and related services was identified as meeting the data threshold for disproportionate representation (under-representation). Tier II analysis resulted in 0% disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification.

**Actual Target Data for FFY 2008:**

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	By FFY 2008, HIDOE will have no (0%) disproportionate representations of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

**Tier I Analysis**

The Tier I Table below, the Tier I analysis indicated the risk ratios for students receiving special education and related services fell within their respective confidence interval. The "90% Confidence Intervals for Disability Risk Ratios" table noted in the State Performance Plan for Indicator 9 was used for comparison. The Asian/Pacific Islanders group fell below the established 90% confidence interval, suggesting under-identification; noted below in bold and italic in the Table below.

**FFY 2008 - 2009 Tier I Table**

Eligibility/ Disability	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black (Non-Hispanic)	Hispanic	White (Non- Hispanic)
<b>Receiving Special Education and related services</b>	1.39	<b><i>0.90</i></b>	1.24	1.23	1.02

**Tier II Analysis – Under-identification**

The Asian/Pacific Islander group, identified as below its confidence interval was reviewed to determine whether disproportionate under-identification was due to inappropriate identification. A representative sampling, of Asian/Pacific Islander students referred for initial evaluations and found ineligible for special

education in FFY 2008 was reviewed to determine if policies and procedures were in compliance with the requirements of 34 CFR §300.111, §300.201 and §300.301 through §300.311.

The practices of HIDOE were investigated through a review process using HIDOE's Analysis of Identification Procedures and Practices (AIPP) monitoring tool (**see Attachment 1**). Student files of Asian/Pacific Islander students found to be ineligible for special education services and related services were reviewed and practices were found to be consistent with 34 CFR §300.111, §300.201 and §300.301 through §300.311.

For FFY 2008, HIDOE had 0 % disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.

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

FFY	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
2008 (2008-2009)	1	1	0	0%

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

To avoid misidentification, multiple statewide efforts aimed at supporting effective classroom instruction in the general education setting to all students and avoid misidentification were implemented in the school year. In FFY 2008, public schools were encouraged to apply for participation in a co-teaching project to promote best practices, teaching supports and inclusive education. Twenty schools were selected. These schools received materials, resources (i.e. training, professional development) and additional personnel (special and general education teachers and paraprofessionals) to provide support to address diverse learner needs in the general education classroom.

In FFY 2008, Maui region, consisting of thirty-two schools, spearheaded a region-wide initiative to promote co-teaching and inclusive practices. Co-teaching teams worked to support special education students and their peers in the general education setting while providing interventions for students experiencing difficulty.

Additionally, two public schools participated in a site-study promoting differentiated instruction in the classroom. Participating schools received training on progress monitoring, data review and interpretation and differentiated instruction to enhance current instructional practices. The second year of implementation is to continue in FFY 2009 with the adoption of a core reading curriculum and related professional development activities.

In January 2009, George Sugai, Ph.D. conducted training for HIDOE on a model of positive behavioral intervention and support as it relates to response to intervention and the improvement of student performance.

Other statewide improvement activities not indicated in the APR for FFY 2007 – Indicator 9, included the following for FFY 2008: 1) a response to intervention (RTI) educational specialist position was created to promote early intervention in response to No Child Left Behind (NCLB) and IDEA in FFY 2008; 2) to strengthen child find practices, the "Operation Search" brochure, distributed statewide, was in the process of being revised to include three additional Asian/Pacific Islander languages: Visayan, Marshallese and Chuukese for release in FFY 2009 and 3) the use of American Recovery and Reinvestment Act of 2009 funds to promote Response to Intervention practices and foster appropriate referrals.

**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
Hold SPP stakeholder meetings to further analyze disproportionality data.	October 2006-ongoing to 2011	Completed and ongoing
Establish workgroup to review policies and procedures and develop amendments to current policies and procedures as appropriate.	November 2006-ongoing to 2011	Completed and ongoing
Using monitoring data, review policies, practices and procedures to determine if the disproportionality could be the result of inappropriate identification practices.	March 200 -ongoing to 2011	Completed and ongoing
Provide training on evaluation and eligibility determination procedures.	January 2007 2011	Completed and ongoing
Continue to collect, disaggregate 618 data.	January 2007-2011	Completed and ongoing
<b>REVISED</b> Develop eligibility tools (i.e. electronic resources) related to eligibility/evaluation/ related services.	January 2007-June 2011	Ongoing, completion date extended
Provide follow up technical assistance and/or sanctions, based on identification of policies, procedures and practices that lead to inappropriate identification.	January 2007-2011	Completed and ongoing
Provide professional development activities statewide on differentiating instruction to support diverse learner needs prior to consideration of referral for special education.	January 2008-2009; annually, as needed	Completed

Improvement Activities	Timelines	Status
Investigate feasibility of identifying ethnic/racial composition of students receiving CSSS System services to enhance data collection and improve systems administration and monitoring.	January 2008-2009	Completed

**Correction of FFY 2007 Findings of Noncompliance (if State reported more than 0% compliance):**

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

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

N/A

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

N/A

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

N/A

**Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):**

Eligibility tools (i.e. electronic resource), continue to be developed; therefore, the proposed targeted timeline for this activity has been extended to June 2011.

## Part B State Performance Plan (SPP) for 2005-2010

### 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.**

#### **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.

$(0 \text{ districts} / 1) \times 100\% = 0\%$

#### **State definition of disproportionate representation (Tier I):**

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

#### **State description of disproportionality determination (Tier II):**

For over and under-identification, Special Education Section analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over-identified through a file review for each student.

#### **Overview of Issue/Description of System or Process:**

Hawaii Department of Education (HIDOE) is a unitary educational system; therefore the analysis of disproportionality will represent the state as a single district. As such, disproportionate representation resulting from inappropriate identification is recorded as either 0% or 100%.

#### **HIDOE Process for Identifying Disproportionality**

HIDOE's process for identifying disproportionality involves a two-tier method of analysis applied to 618 data, as reported to U.S. Department of Education, Office of Special Education Programs (OSEP) on the Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act (IDEA) consistent with 34 CFR §300.173. This process of analysis helps to identify disproportionate representation that may be the result of inappropriate identification.

The first tier is a statistical analysis of disproportionate representation based on racial and ethnic group by disability category. In the statistical analysis of disproportionate representation, risk ratios are calculated based on the racial and ethnic group in a specific disability category with respect to all racial/ethnic groups in Hawaii. The risk ratios are then compared against its respective confidence interval based on disability and group size.

The second tier consists of a two prong analysis, a review relating to over-identification and under-identification. For over and under-identification, the racial/ethnic groups by disability category identified in Tier I, a representative sample of student files are reviewed following the Analysis of Identified Procedures and Practices (AIPP) to determine if students were appropriately identified in



accordance with 34 CFR §300.173, 300.111 and 300.301 through 300.311. Policies, practices and procedures are reviewed as necessary, with identified noncompliance inappropriate practices addressed under HDOE's general supervision process.

### **Tier I: Confidence Interval and Disproportionate Representation**

The first tier is a statistical analysis of disproportionate representation based on risk ratios of racial/ethnic groups receiving special education and related services in a disability category. The risk ratios are then compared to a confidence interval based on disability and group size.

#### **Risk Ratio:**

The equation for the risk ratio is:

Risk ratio = Risk for racial and ethnic group for disability category/ Risk for comparison group for disability category.

For more details

see: <http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

#### **Confidence Interval:**

Using the Child Count data from School Years (SY) 2003-2004, 2004-2005 and 2005-2006, the distribution of incidence rates for specific disabilities of concern were statistically modeled with the average incidence rates used as "expected values of risk" for all racial/ethnic groups.

Since the three year data indicates that there has been no significant variance in the population size by disability, the confidence interval rates established will continue to be utilized for the duration of this State Performance Plan (SPP). The rates will be re-examined and re-calculated if warranted (i.e., due to a significant change in the population size of a disability category and/or reviewed after three years to address fluctuations in the student population).

Derived from the incidence rates were the confidence intervals for the disability risk ratios. Hawaii has adopted the 90% confidence intervals as the criteria for disproportionate representation. See table below.

**90% Confidence Intervals for Disability Risk Ratios**

Disability	Group Size				
	100	500	1,000	5,000	10,000
<b>Mental Retardation</b>	N/A	N/A	0.45 to 2.21	0.73 to 1.37	0.79 to 1.27
<b>Specific Learning Disabilities</b>	N/A	0.65 to 1.54	0.74 to 1.35	0.87 to 1.15	0.91 to 1.10
<b>Emotional Disturbance</b>	N/A	N/A	0.33 to 3.03	0.77 to 1.31	0.82 to 1.22
<b>Speech or Language Impairments</b>	N/A	N/A	N/A	0.65 to 1.53	0.73 to 1.38
<b>Other Health Impairments</b>	N/A	N/A	0.52 to 1.96	0.76 to 1.33	0.83 to 1.21
<b>Autism</b>	N/A	N/A	N/A	0.56 to 1.70	0.71 to 1.41
<b>All Special Education (14 categories)</b>	0.51 to 2.05	0.75 to 1.33	0.82 to 1.22	0.91 to 1.09	0.94 to 1.07
N/A = not applicable (The expected numbers of cases for these cells are less than 10. No probability tests are justified.)					

*\*Determining the Likelihood of Risk Ratios for Disabilities among Racial or Ethnic Groups Report by Thomas Gans, Ph.D.*

By using the 90% confidence interval for risk ratios of particular racial and ethnic groups, groups that occur outside the confidence interval are unlikely to have occurred by chance and are “free” from the effects of random error. Disproportionate representation is defined as any group which falls outside the 90% confidence interval.

Note that confidence intervals are not used for groups with cases of ten (10) or less since the incidence rates and risk ratios become questionable due to their small group size.

## **Tier II - Appropriate Identification**

### **1) Over and Under-identification - Analysis of Identification Procedures and Practices (AIPP):**

Ethnic groups with risk ratios over the confidence interval for their respective group sizes are reviewed in greater detail as part of the second tier of analysis in order to determine if a group identified in Tier I may be the result of inappropriate identification.

If a specific racial/ethnic group by disability category was found to be over the confidence interval, then, a statewide representative sample of student files from that school year, based on ethnicity and disability, is selected for further analysis to determine if those students were appropriately identified.

HIDOE designed a disproportionality tool called the AIPP monitoring tool specifically focused on five (5) areas of consideration in the determination of eligibility:

- 1) the statement of concern and evidence of appropriate instruction,
- 2) assessment procedures,
- 3) variety of assessment tools and strategies,
- 4) cultural/linguistic factors and
- 5) the eligibility determination.

A rubric is used to rate each of the five areas of consideration, and each file must meet minimum score in order to earn an overall rating of appropriate identification.

In FFY 2007, the AIPP monitoring tool and rubric was revised. To emphasize the need for evidence of appropriate instruction and strengthen alignment with 34 CFR §300.306(b) (1) (i-ii), “evidence of appropriate instruction” became a separate area of consideration in the determination of eligibility, while remaining consistent with the requirements of 34 CFR §300.173, 300.111, 300.201 and 300.301 through 300.311 (**see Attachment 1**).

In FFY 2007, the review process to assess appropriateness for ethnic groups identified in Tier I as under-identified was revised to better address under-identification. A representative sample of student files for the ethnic group(s) identified in Tier I and found ineligible for special education and related services were reviewed.

Any noncompliance identified will be corrected. Policies, practices and procedures are reviewed as necessary. Identified inappropriate practices will be addressed under HIDOE's general supervision process. All activities are to take place and be completed within one year of the identification of noncompliance.

### **2) Under-identification:**

For under-identification, HIDOE will also compare state risk data with national risk data for the same groups relating to ethnicity receiving special education and related services.

Beginning FFY 2008, the analysis of under-identification will follow the AIPP review process (noted on the previous page) to assess appropriateness.

**Baseline Data for FFY 2005 (2005-2006):**

In 2007, HIDOE revised its process for determining disproportionality and applied it to FFY 2005. Using the second tier process, the baseline data for FFY 2005 was established. In the Tier I analysis below, risk ratios above the 90% confidence interval are bolded and underlined; risk ratios below the 90% confidence interval are bolded and italicized.

**Tier I analysis revealed the following:**

<b>The racial/ethnic disproportionate risk ratios data for all children with disabilities, ages 6-21 SY 2005-2006</b>					
<b>Eligibility/Disability</b>	<b>American Indian/ Alaskan Native</b>	<b>Asian/ Pacific Islander</b>	<b>Black (Non-Hispanic)</b>	<b>Hispanic</b>	<b>White/ (Non-Hispanic)</b>
<b>Mental Retardation</b>	<b><i>0.42</i></b>	1.68	<b><i>0.49</i></b>	0.96	<b><i>0.58</i></b>
<b>Specific Learning Disability</b>	1.11	0.97	0.99	1.41	0.95
<b>Emotional Disturbance</b>	1.28	<b><i>0.77</i></b>	1.06	1.22	1.32
<b>Speech or Language Impairment</b>	1.75	<b><i>0.52</i></b>	1.70	1.34	1.89
<b>Other Health Impairments</b>	1.63	<b><i>0.65</i></b>	1.53	0.91	1.57
<b>Autism</b>	0.00	<b><i>0.54</i></b>	1.13	<b><i>0.87</i></b>	2.15

The AIPP review was conducted for the SY 2005-2006 for the groups' bolded and underlined for the students that are over identified in the table above. The AIPP review revealed the following:

<b>Eligibility Category</b>	<b>Race/Ethnic Group</b>	<b>Percent of files with inappropriate identification procedures &amp;/or practices</b>
<b>Mental Retardation</b>	Asian/Pacific Islander	24%
<b>Emotional Disturbance</b>	White	17%
<b>Speech/Language Impairment</b>	White	8%
<b>Other Health Impairments</b>	White	10%
<b>Autism</b>	White	7%
<b>Specific Learning Disability</b>	Hispanic	12%

To address the under-identification, the Asian/Pacific Islander group and Whites were compared to national averages. When compared to the Asian/Pacific Islander national percentage rate based on ethnicity and eligibility categories, as reported on <https://www.ideadata.org/tables29th/ar 1-18.xls>, Hawaii's Asian/Pacific Islander group was over the national average for Emotional Disturbance and Other Health Impairments and on par for Autism. The group fell below the national average for Speech or

Language Impairment. Hawaii's White group was under the national average for Mental Retardation. All of these variances may be due to the unique cultural composition of Hawaii's Asian/Pacific group.

Asian/Pacific Islanders				
State	Emotional Disturbance (%)	Speech or Language Impairments	Other Health Impairments (%)	Autism (%)
Hawaii	1.09	0.38	1.11	0.34
50 States & D.C.	0.20	1.29	0.30	0.37

Whites	
State	Mental Retardation (%)
Hawaii	0.23
50 States & D.C.	0.65

To address the noncompliance, HDOE focused with the District Educational Specialists on the implementation with fidelity of the policies, practices and procedures relating to child find, evaluation and eligibility and noted checklist concerns.

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	Establish baseline.
<b>2006</b> (2006-2007)	100%
<b>2007</b> (2007-2008)	0%
<b>2008</b> (2008-2009)	0%
<b>2009</b> (2009-2010)	0%
<b>2010</b> (2010-2011)	0%

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
Hold SPP stakeholder meetings to further analyze disproportionality data.	October 2006-April 2007 and ongoing	Special Education Section (SES), Special Education Advisory Council (SEAC) and the Community Children's Council Office (CCCO)

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Establish workgroup to review policies and procedures and develop amendments to current policies and procedures as appropriate.	November 2006-March 2007 and ongoing	SES, SEAC and the CCCO
Using monitoring data, review policies, practices and procedures to determine if the disproportionality could be the result of inappropriate identification practices.	March 2006-ongoing to 2011	SES
Provide training on evaluation and eligibility determination procedures.	January 2007-2011	SES
Continue to collect, disaggregate 618 data.	January 2007-2011	SES
Develop evaluation/eligibility tools (i.e. electronic resource).	January 2007-June 2010	SES
Provide follow up technical assistance and/or sanctions, based on identification of policies, procedures and practices that lead to inappropriate identification.	January 2007-2011	SES, district educational specialists, complex area superintendents
Provide professional development activities statewide on differentiating instruction to support diverse learner needs prior to consideration of referral for special education.	January 2008-2009; annually, as needed	SES
Review 618 data to determine if there are any trends/patterns.	January 2008-ongoing to 2011	SES
Conduct AIPP review of those randomly identified students which were the results of inappropriate identification to further assess appropriateness of eligibility.	January 2008	SES, district educational specialists, complex area superintendents

Improvement Activities	Timelines	Resources
Investigate feasibility of identifying ethnic/racial composition of students receiving CSSS services to enhance data collection and improve systems administration and monitoring.	January 2008-2009	SES, Student Support Section
Incorporate disproportionality checklist with the Special Education Student File Review-Focused Checklist.	January 2008-2011	SES, district educational specialists, complex area superintendents

## Part B State Annual Performance Report (APR) for FFY 2008

### Overview of the Annual Performance Report Development:

#### Monitoring Priority: Disproportionality

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

#### 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.

(0 districts/1) x 100% = 0 %

#### State definition of disproportionate representation (Tier I):

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

#### State description of disproportionality determination (Tier II):

For over and under-identification, Special Education Section analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over-identified through a file review for each student.

Hawaii Department of Education (HIDOE) is a unitary educational system; therefore the analysis of disproportionality will represent HIDOE as a single district. As such, disproportionate representation resulting from inappropriate identification is recorded as either 0% or 100%.

Consistent with 34 CFR§300.173, 300.600(d)(3) and 300.602(a), a two-tiered analysis was established and applied to 618 data, as reported to the U.S. Department of Education, Office of Special Education Programs (OSEP) on the Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), specifically, Child Count – December 1, 2008 and HIDOE's Official Enrollment Count -School Year (SY) 2008-2009.

#### Definition of “Disproportionate Representation” and Methodology

##### HIDOE Definition of Disproportionate Representation (Tier I):

Any group whose risk ratio falls outside a 90% confidence interval for its respective disability and group size signifies disproportionate representation.

##### HIDOE Definition of Inappropriate Identification (Tier II):

For over and under-identification, Special Education Section (SES) analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over or under-identified through a file review for each student.

##### HIDOE methodology:

The first tier is a statistical analysis of disproportionate representation based on racial/ethnic group by disability category for the following disability categories: mental retardation, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments and autism. In the

statistical analysis of disproportionate representation, risk ratios are calculated based on the racial and ethnic group in a specific disability category with respect to all racial and ethnic groups in Hawaii. The risk ratios are then compared against its respective confidence interval based on disability and group size.

The second tier consists of a two prong analysis, a review relating to over-identification and under-identification. For over and under-identification, the racial and ethnic groups by disability category identified in Tier I, a representative sample of student files are reviewed following the Analysis of Identified Procedures and Practices (AIPP) to determine if students were appropriately identified in accordance with 34 CFR §300.173, 300.111 and 300.301 through 300.311. Policies, practices and procedures are reviewed as necessary, with identified noncompliance inappropriate practices addressed in accordance with the OSEP memo 09-02, under HIDOE's general supervision process. Additional methodology information can be found in the Hawaii State Performance Plan (SPP) – 2005-2010, Indicator 10.

Using the criteria established above, for Federal Fiscal Year (FFY) 2008, HIDOE determined that 1 school district was identified as meeting the data threshold for disproportionate representation of racial and ethnic groups in specific disability categories.

#### Actual Target Data for FFY 2008:

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	By FFY 2008, HIDOE will have no (0%) disproportionate representations of racial and ethnic groups in a specific eligibility category due to inappropriate identification.

#### Tier I Analysis

The Tier I analysis identified disproportionate representation for its group size for ethnicities by eligibilities compared to the "90% Confidence Intervals for Disability Risk Ratios" table noted in the SPP for Indicator 10. Ethnic groups by eligibility identified as over or under-represented were flagged for Tier II review to determine if disproportionate representation was the result of inappropriate identification. In the Table below, risk ratios above the 90% confidence interval are bolded and underlined, notating over-representation. Risk ratios below the 90% confidence interval are bolded and italicized, notating under-representation.

FFY 2008 Tier I Table

The racial/ethnic disproportionality risk ratios data for all children with disabilities, ages 6-21 FFY 2008-2009					
Eligibility/Disability	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black (Non- Hispanic)	Hispanic	White (Non- Hispanic)
<b>Mental Retardation</b>	0.87	<b><u>1.29</u></b>	0.95	1.21	<b><i>0.66</i></b>



The racial/ethnic disproportionality risk ratios data for all children with disabilities, ages 6-21 FFY 2008-2009					
Eligibility/Disability	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black (Non- Hispanic)	Hispanic	White (Non- Hispanic)
Specific Learning Disability	1.18	1.05	1.09	<u>1.30</u>	<i>0.84</i>
Emotional Disturbance	1.78	0.84	1.02	1.15	1.16
Speech or Language Impairment	Group size too small	<i>0.51</i>	Group size too small	<u>1.57</u>	<u>1.80</u>
Other Health Impairments	1.77	<i>0.64</i>	1.67	1.21	<u>1.47</u>
Autism	Group size too small	<i>0.50</i>	Group size too small	1.08	<u>2.17</u>

### Determining if Disproportionate Representation is the Result of Inappropriate Identification

#### Tier II Analysis – Over-identification

The identified ethnic groups by eligibility category, with risk ratios greater than their respective confidence intervals, were analyzed for appropriateness by conducting an Analysis of Identification Procedures and Practices (AIPP) as established in Tier II. The AIPP monitoring tool and rubric, which specifically focused on six areas of consideration in the determination of eligibility, consistent with the requirements in 34 CFR §300.173, 300.111, 300.201 and 300.301 through 300.311, was used (**see Attachment 1**).

A total of 1,214 student files for the ethnic groups by eligibility category identified in Tier I were reviewed. The student files reviewed for the following racial/ethnic group by eligibility categories included: Asian/Pacific Islander (Mentally Retarded), Hispanic (Specific Learning Disability and Speech or Language Impairment), and White (Speech or Language Impairment, Other Health Impairments and Autism). Eligibility practices were found to be consistent with 34 CFR §300.111, 300.201 and 300.301 through 300.311 for 96% of the student files reviewed; noncompliance associated with inappropriate identification was found in 4% of student files reviewed.

Noncompliance associated with inappropriate identification was identified in 50 out of the 1,214 student files reviewed. This included student files of White students transferring in with an out-of-state Individualized Education Program (IEP) and found eligible under Autism or Speech Language Impairment. Noncompliance identified included:

- Insufficient data or evidence to support the use of a variety of assessment tools and strategies to gather relevant student information (34 CFR§300.304(b)(1)) and/or
- Insufficient data or evidence that a review of existing evaluation data was conducted to determine eligibility determination (34CFR §300.305).

In addition, there was a lack of data or evidence to support eligibility in some files of White and Hispanic students under Speech or Language Impairment, as there were no adverse affects noted related to the student's educational performance, which is inconsistent with 34 CFR §300.8(c)(11).

Any noncompliance identified will be corrected. Policies, practices and procedures will be reviewed as necessary and identified inappropriate practices will be addressed in accordance with the OSEP memo 09-02, under HIDOE's general supervision process. All activities are to be completed within one year of the identification of noncompliance.

Tier II data analysis also revealed that two out of the 42 regional areas which comprise the HIDOE, have the highest number of referrals for special education statewide. These two regional areas service a high number of military families and experience a large number of students that enter/exit the school system compared to the other regional areas. This may contribute to the disproportionate representation of racial/ethnic students in specific eligibility categories identified in the Tier I analysis.

### **Tier II Analysis – Under-identification**

As noted in the FFY 2008 Tier I Table, the following race/ethnic groups by eligibility category were noted to be under-identified: Asian/Pacific Islanders (Speech or Language Impairments, Other Health Impairments and Autism) and White (Mental Retardation and Specific Learning Disability).

The Asian/Pacific Islander and White groups were reviewed to determine if there was disproportional representation was due to inappropriate identification. A representative sampling of Asian/Pacific Islander and White students referred for initial evaluations and found ineligible for special education in FFY 2008 were reviewed to determine if policies and procedures were in compliance with the requirements of 34 CFR §300.111, §300.201 and §300.301 through §300.311.

The practices of HIDOE were investigated through a review process using the state's Analysis of Identification Procedures and Practices (AIPP) monitoring tool. Student files of Asian/Pacific Islander and White students found ineligible for special education in FFY 2008 were reviewed and practices were found to be consistent with 34 CFR §300.111, §300.201 and §300.301 through §300.311.

To summarize, the Tier II- Analysis for Over-identification, disproportional representation due to inappropriate identification was identified; HIDOE did not meet its target of 0%.

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

<b>FFY</b>	<b>Total Number of Districts</b>	<b>Number of Districts with Disproportionate Representation</b>	<b>Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification</b>	<b>Percent of Districts</b>
<b>2008 (2008-2009)</b>	1	1	1	<b>100.00%</b>

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

To avoid misidentification, multiple statewide efforts aimed at supporting effective classroom instruction in the general education setting to all students and avoid misidentification were implemented in the school year. In FFY 2008, public schools were encouraged to apply for participation in a co-teaching project to promote best practices, teaching supports and inclusive education. Twenty schools were selected. These schools received materials, resources (i.e. training, professional development) and additional

personnel (special and general education teachers and paraprofessionals) to provide support to address diverse learner needs in the general education classroom.

In FFY 2008, Maui region, consisting of thirty-two (32) schools, spearheaded a region-wide initiative to promote co-teaching and inclusive practices. Co-teaching teams worked to support special education students and their peers in the general education setting while providing interventions for students experiencing difficulty.

Additionally, two public schools participated in a site-study promoting differentiated instruction in the classroom. Participating schools received training on progress monitoring, data review and interpretation and differentiated instruction to enhance current instructional practices. The second year of implementation is to continue in FFY 2009 with the adoption of a core reading curriculum and related professional development activities.

In January 2009, George Sugai Ph.D. conducted training for HDOE on a model of positive behavioral intervention and support as it relates to response to intervention and the improvement of student performance.

Other statewide improvement activities not indicated in the APR for FFY 2007 – Indicator 10, included the following for FFY 2008: 1) a response to intervention (RTI) educational specialist position was created to promote early intervention in response to No Child Left Behind (NCLB) and IDEA in FFY 2008; 2) to strengthen child find practices, the “Operation Search” brochure, distributed statewide, was in the process of being revised to include three additional Asian/Pacific Islander languages: Visayan, Marshallese and Chuukese for release in FFY 2009 and 3) the use of American Recovery and Reinvestment Act of 2009 funds to promote Response to Intervention practices and foster appropriate referrals.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
Hold SPP stakeholder meetings to further analyze disproportionality data.	October 2006-April 2007 and ongoing	Completed and ongoing
Establish workgroup to review policies and procedures and develop amendments to current policies and procedures as appropriate.	November 2006-March 2007 and ongoing	Completed and ongoing
Using monitoring data, review policies, practices and procedures to determine if the disproportionality could be the result of inappropriate identification practices.	March 2006-ongoing to 2011	Completed and ongoing
Provide training on evaluation and eligibility determination procedures.	January 2007-2011	Completed and ongoing

Improvement Activities	Timelines	Status
Continue to collect, disaggregate 618 data.	January 2007-2011	Completed and ongoing
<b>REVISED</b> Develop evaluation handbook related to eligibility/evaluation/related services.	January 2007-June 2011	Ongoing, completion date extended
Provide follow up technical assistance and/or sanctions, based on identification of policies, procedures and practices that lead to inappropriate identification.	January 2007-2011	Completed and ongoing
Provide professional development activities statewide on differentiating instruction to support diverse learner needs prior to consideration of referral for special education.	January 2008-2009; annually, as needed	Completed
Review 618 data to determine if there are any trends/patterns.	January 2008-ongoing to 2011	Completed and ongoing
Conduct AIPP review of those randomly identified students which were the results of inappropriate identification to further assess appropriateness of eligibility.	January 2008-2010	Completed and ongoing
<b>REVISED</b> Incorporate disproportionality checklist with the Special Education Student File Review – Focused Checklist.	January 2008-2011	Ongoing

**Correction of FFY 2007 Findings of Noncompliance (if State reported more than 0% compliance):**Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 0%**Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable):**

N/A

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

N/A

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

N/A

**Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):**

Eligibility tools (i.e. electronic resource), continue to be developed; therefore, the proposed targeted timeline for this activity has been extended to June 2011.

With regard to incorporating the disproportionality checklist with the special education student file review – focused checklist, the training/process has been extended to provide technical assistance to regional areas to ensure practices are consistent with 34 CFR §300.173, 300.111, 300.201 and 300.301 through 300.311.

## Evaluation-Eligibility Rubric

### Statement of concern & evidence of appropriate instruction (One score for the entire section - bullets reflect areas covered) (10)

A presenting concern was stated in the referral

There was evidence that appropriate gened instruction occurred

There was evidence that the presenting concern affected progress in the gened curriculum (preschool- participate in age appropriate activities)

There was evidence that TARGETED intervention was attempted to address area of concern

Comments

### Assessment Procedures: Did the concern guide the selection of assessment tools? (20)

Qualified professionals administered assessments (e.g. school psych or psych ex - cognitive; SLP - speech-lang.; ed eval)

Did the selected standardized test directly address the concern

### Descriptive/Functional assessment (Language sampling, behavior sampling, portfolio assessment, checklists, etc

The functional assessment was focused on gathering relevant information about the presenting concern

Was at least one example of the described behavior stated to support the statement of concern (e.g. student has difficulty w/ reading as evidenced by...)

Was the behavior observed/documentd in more than one context?

Did the assessment allow one to measure abilities in a natural setting

### Variety of assessment tools and strategies (20)

For a **re-eval** with no assessments, was a comprehensive review of student's attendance, academic history,(report cards, curriculum exposure, progress in comparison to typically developing peers/general education peers, (themselves) health, hearing & current status was conducted

Classroom performance & student work was used to assess skills in the area of concern

Observations were completed in the context of the area related to the concern

A teacher interview was completed and relevant information was gathered related to the area of concern

A parent interview was completed and relevant information was gathered related to the student's strengths & needs

A student interview was completed and relevant information was gathered related to the area of concern

There were multiple data samples collected in a variety of contexts to verify the area of concern

Was information collected from multiple data sources?

### CULTURAL/LINGUISTIC/ENVIRONMENTAL FACTORS (20)

**ELL:** an interview with someone knowledgeable about the student & his/her cultural background was completed to help compare the student's development with that of typically developing peers from the same cultural

**ELL:** someone knowledgeable about the culture & language assisted with the assessment

**ELL:** Family history, school experience, developmental & language history were documented

**ELL:** Results of language proficiency tests were consistent with teacher and parent report

**ELL:** A "Fully English proficient"score was not used as the **only** indicator of English proficiency (this label only tells one of social language skills)

**ELL/Creole:** standardized test(s) was administered; scores were reported but discounted; test performance was described

**ELL/Creole:** standardized test(s) findings complemented informal measures to gain information about strengths & weaknesses of individual

## Evaluation-Eligibility Rubric

<b>ELL:</b> Non-standard learning patterns are consistent across both languages
<b>Non-verbal/preschool:</b> an interview with someone knowledgeable about the student was completed
<b>Non-verbal speakers:</b> observations were completed in the student's <b>natural environment</b> to assess communication skills
<b>Non-verbal/preschool:</b> observations were completed by <b>multiple personnel</b>
<b>Non-verbal/non proficient English speakers:</b> Reliance on non-verbal measures were used to infer cognitive abilities
<b>Preschool students:</b> an interview with someone knowledgeable about the student was completed
<b>Preschool students:</b> observations were completed by multiple personnel
<b>Preschool students:</b> observations and assessments were completed in the student's natural environment
A lack of exposure to a literate environment was NOT used to identify a student as disabled

### Eligibility Determination (30)

The presenting (initial) concern(s) was addressed
There is evidence that cultural/environmental/linguistic/ factors were ruled out
Strengths were noted
Strengths were verified by multiple sources
Weaknesses verified concerns with regards to educational progress
Weaknesses were verified by multiple sources
Standardized measures validated descriptive findings
Weaknesses are explained in terms of disability vs difficulty (worksheets utilized correctly?)/Essential conditions addressed
There is a stated reason that the student's performance is impacting educational progress
concern statement does not match
Did the multiple sources of data converge across settings? (i.e. home, community, school)

<b>Mental Retardation</b>
<b>Evidence of the following (All must be met)</b>
Sub-average IQ (2 or more SD below mean)
Deficits in 2 adaptive skill areas (i.e.activities of daily living including eating, mobility, toileting, dressing; communication, reading, writing, money concepts, self direction, social)
Manifested during developmental period
<b>Essential conditions - all must be met</b>
Was info gathered from a variety of sources (intellectual functioning should NOT be determined through the use of one intellectual tool)
Was appropriate instruction provided prior to referral
Was ELL ruled out
Was there an adverse effect on educational performance
Was there a need for SPED and related service
<b>Autism</b>
<b>Evidence of the following (All must be met)</b>
Significant verbal or non-verbal communication disability generally before age 3
Significant social interaction disability generally before age 3
<b>Evidence of the following at least one must be met</b>
Engagement in <b>repetitive</b> activities or <b>stereotyped</b> movements
<b>Resistance</b> to environmental <b>change</b> or change in daily routines
<b>Unusual</b> responses to <b>sensory</b> experiences
<b>Essential conditions - all must be met</b>
Was info gathered from a variety of sources
Was appropriate instruction provided prior to referral
Was ELL ruled out
Was there an adverse effect on educational performance
Was there a need for SPED and related service
<b>Emotional Disturbance</b>
Evidence of <b>one or more</b> of the following over a <b>LONG</b> period of time to a marked degree adversely affecting ed
For a <b>long period of time</b> inability to learn - no intellectual, sensory or health factors
For a <b>long period of time</b> : Inability to build or maintain satisfactory relationships with peers and teachers - evidence of isolation, lack of friends, withdrawal, inappropriate social interactions, avoidance of adults
For a <b>long period of time</b> : inappropriate types of behavior or feelings under normal circumstances - avoidance aggressiveness in play, anxiety
For a <b>long period of time</b> : general pervasive mood of unhappiness or depression
For a <b>long period of time</b> : Tendency to develop physical symptoms or fears associated with personal or school problems
<b>Essential conditions - all must be met</b>
Was info gathered from a variety of sources
Was appropriate instruction provided prior to referral
Was ELL ruled out
Was there an adverse effect on educational performance
Was there a need for SPED and related service



<b>Speech or Language Impairment</b>
Evidence of the following (Both <b>MUST</b> be met)
<b>Significant problem</b> in comprehension and/or production of oral communication system which is <b>below expectation</b> based on developmental or cognitive abilities
Evidence of a problem in one or more of the following areas
Articulation and/or phonological condition
Voice condition
Fluency condition
language condition: multiple sources of data; discrepancy of 1.5 between cognitive and performance on 2 standardized measures
<b>Essential conditions - all must be met</b>
Was info gathered from a variety of sources
Was appropriate instruction provided prior to referral
Was ELL ruled out
Was there an adverse effect on educational performance
Was there a need for SPED and related service
<b>Other Health Impairment</b>
Was there evidence of limited strength, vitality or alertness (heightened alertness to environmental stimuli) resulting in limited alertness in the educational environment. Must be chronic, acute health problem or medically fragile)
<b>Essential conditions - all must be met</b>
Was info gathered from a variety of sources
Was appropriate instruction provided prior to referral
Was ELL ruled out
Was there an adverse effect on educational performance
Was there a need for SPED and related service
<b>Specific learning Disability</b>
Educationally relevant medical findings were addressed
An observation in the area of concern was completed
In at least one area: Listening comprehension, oral expression, written expression, basic reading, reading fluency, reading comp, math calculation; math problem solving all of the following were addressed
Evidence of lack of achievement relative to typically developing peers
Evidence of patterns of strengths and weaknesses OR discrepancy
Evidence that interventions and/or strategies were tried (intensive)
Discrepancy noted
<b>Other factors were ruled out</b>
The student received appropriate instruction in reading
The student received appropriate instruction in math
ELL was ruled out
Visual, hearing or motor disability was ruled out
MR was ruled out
Emotional disturbance was ruled out
Cultural factors were ruled out
Environmental or economic disadvantage was ruled out

## Evaluation-Eligibility Review Rubric

	Strong Evidence (3)	Some Evidence - Adequate (2)	Insufficient Evidence (1)	No Evidence (0)
<b>Statement of Concern</b>	*Concern & statement of how progress is effected is clear. *Information from out-of-state IEP is cited.	*Adequate concerns mentioned in general statement(s) re: progress, concern, intervention *Lacks specificity, but sufficient to proceed.	*Minimal info about concern *Progress & current performance level unclear.	No information provided
<b>Evidence of Appropriate Instruction</b>	*Clear documentation of interventions tried. *Appropriate CSSS Level 2&3 supports provided. *Student entered with a current out-of-state IEP.	*Adequate evidence of instructional/behavioral interventions, but may lack specificity. *General references to special modifications, strategies or supports.	*Description of interventions is minimal. *Unclear what has been provided other than general classroom instruction.	No information provided.
<b>Assessment Procedures</b>	*Functional data was gathered (e.g. language, behavior sampling, portfolio assessment, observations) *Standardized test(s) selected addressed concerns *Records reviewed & observation done. *Out-of-state IEP and/or evaluation results	*Sufficient evidence in IEP PLEP to support findings that assessments were not needed *Only standardized test(s) used *Functional data lacks specificity *Record(s) reviewed current but no observation.	*Standardized test does not address concern (e.g. wrong assessment-non-verbal student given WISC). *preschooler only given speech-language assessment *Limited functional information *Records review-insufficient data, not current or comprehensive.	No information provided.
<b>Variety of Assessment Tools &amp; Strategies</b>	*Classroom performance & student work were used to assess area(s) of concern *Multiple data sources	*Multiple of same kind (e.g. only using standardized assessments) OR *using only functional data) *parent participated but concerns not noted *PLEP has sufficient info so no new assessments are required	*Anecdotal teacher input (no data) *Only one assessment used *No parent input or participation	No sources of data are cited. (assessments or classroom performance)
<b>Cultural, Linguistic &amp; Environmental Factors</b>	*Documentation of ELL status *Person knowledgeable about language & culture was consulted. *Team considered impact of ELL/Creole in administration of standardized tests. *Non-verbal measures were used for non-verbal or non-proficient speakers. *Team considered impact of cultural, linguistic or environmental factors.	*Native language interpreter used. *Used tests that were not designed for the student's cultural/linguistic background, but team considered effect of above in its analysis of the results. *Student's environment was discussed.	*Documented ELL or non-verbal status. *Used mainstream language-based assessments and used SS to determine eligibility. *No evidence that team considered student's environment.	Did not consider any of the cultural/linguistic environmental factors
<b>Eligibility Determination</b>	*Evidence that cultural, linguistic, & environmental factors were ruled out *Strengths/weaknesses verified by multiple sources *Results of evaluation address initial concern(s). *Specific evidence that student meets elig criteria. *Evidence that essential conditions were met.	*Cultural/ling/enviro factors considered *Strengths & weaknesses described *General evidence supports elig determination *General evidence essential conditions met *If no assessments, PLEP should have sufficient data to continue elig	*Cultural/linguis/enviro factors not considered. *Insufficient specificity describing strengths & weaknesses. *Not all criteria in Elig Deter supported by data. *Limited evidence supports that essential conditions were met.	*Team continued eligibility without evidence *Team made wrong decision - incorrect eligibility category or eligibility/ineligibility for sped

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: Effective General Supervision Part B / Child Find (New Indicator)

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

**Measurement:**

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

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

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

**Overview of Issue/Description of System or Process:**

Timely evaluations have been a monitoring issue for the Hawaii Department of Education (HIDOE) since 1993 when the Governor, Superintendent of Education, and the Director of Health were sued in federal court for failing to provide adequate mental health services to children and adolescents in need of these services in order to benefit from their educational program. The issue of timely evaluations and the provision of services were under scrutiny and continue to be monitored closely until today. The class action suit resulted in an agreement between the plaintiffs and the State in what is now known as the Felix Consent Decree. In 1994 the court approved the terms of the Consent Decree and an Implementation Plan was developed. Included in the Implementation Plan, the State was required to monitor the evaluation timelines.

The State was required to meet the terms on the Consent Decree by June 30, 2000. When the State failed to meet the requirements of the Consent Decree in 2000, a court monitor was appointed. Quarterly reports, which included the 60-day timeline report, were submitted to the monitor to document the State's progress toward full compliance. In May 2002, the State was found to be in substantial compliance with the requirements of the Felix Consent Decree. However, the State was still required to submit quarterly reports to monitor the State's ability to maintain or sustain its actions. The timeliness of evaluations continued to be one of the issues for compliance, as well as an indicator for sustainability.

In June 2003, the State established benchmarks that schools, districts, and complexes had to meet as part of the State's effort to demonstrate sustainability. From the beginning, the benchmark for the 60-day timeline report was set at 90%. Schools and complexes were expected to complete 90% of all evaluations within the 60-day timeline. The monthly report was an excel data sheet that schools used to record their evaluation timelines. Districts compiled their school and complex monthly reports and submitted the data to the State. The State prepared a monthly summary report of each school, complex, and district which was then submitted to the court monitor, the superintendent, the complex area superintendents and principals. The hand counted data continued to be used until June 2007 despite the implementation of the State's electronic special education student database system known as the Integrated Special Education Database (ISPED) system in 2004. The State's monthly 60-day timeline reports were also used for compliance monitoring of schools, complexes and districts.

Beginning school year (SY) 2006, the benchmark for the 60-day timeline hand counted data was increased to 95%. The state's target is now 100% because the 60-day timeline report is a compliance indicator for the SPP.

While the monthly hand-counted 60-day timeline data reports focused primarily on the timeliness of evaluations to meet the requirements of the Felix Consent Decree, it was insufficient to meet the requirements for the SPP. Besides timeliness of reporting, the SPP required the State to include student outcomes. The State is required to report on the number of children with parental consent to evaluate who were found eligible and not eligible in its SPP. The hand-counted data report does not include this outcome, eligible or ineligible and could not be used for the SPP. The ISPED database provides a record of student outcomes, whether the student was eligible or ineligible for Special Education services. Therefore, for the purposes of the SPP, data from the state's ISPED database was used to determine baseline. The state's target is 100% because the 60-day timeline report is a compliance indicator for the SPP.

The HDOE's current ISPED system can provide data on the number of children for whom parent consent was received and for whom evaluations were conducted in the measurement on the table on page 1 [measurement (a)]. For example, before an evaluation can be conducted, schools must obtain parental consent. The date schools receive parental consent is the beginning of the 60-day timeline. The 60-day timeline report in the ISPED also records the number of children whose evaluations were completed within the 60-day timeline and who were found either eligible [measurement (c)] or not eligible for Special Education services [measurement (b)]. ISPED also captures the number of children whose evaluations were not completed within the 60-day timeline. However, additional data fields will need to be established in the current ISPED system to account for children with parental consent to evaluate that was received [measurement (a)] but who are not included in measurements (b) or (c). Some evaluations may not be accounted for in the ISPED system as either eligible or ineligible and, therefore, may not be accounted for in the total number of evaluations. Currently, there is no record of the evaluations that are withdrawn or when a student transfers to another school. There seems to be a need to establish additional fields in the current ISPED system to determine the reasons an evaluation went beyond 60-day timeline.

Currently, the following fields are captured in the ISPED: the child's name, identification (ID) number, birth date, grade, the date the 60-day timeline begins, the projected date that ends the 60-day timeline, the number of days it took to complete the evaluation, the number of days the evaluation went over timeline, and the team's eligibility decision. From this database, reports are then formulated to indicate the number of children eligible for special education services. However, some adjustments will need to be made in the current ISPED 60-day timeline report for it to become the data source for the SPP Indicator 11 Child Find.

### **The State Established Timeline**

In Hawaii, the 60-day timeline begins with the receipt of parent consent and ends with the offer of a free appropriate public education (FAPE). The 60-day timeline for all evaluations is based on the State's Hawaii Administrative Rules (HAR), Title 8, Chapter 56, "Provision of a Free Appropriate Public Education for a Student with a Disability."

§8-56-32 IEP meetings and timelines. (a) As used in this section, the phrase within a reasonable period of time means within 60 days, except when exceptional circumstances cause a delay...

(c) "The department shall ensure that within a reasonable period of time following the receipt of parental consent to the initial assessment under section 8-56-70 (a) (1) or, within a reasonable period of time following the date of a determination under section 8-56-7 that no additional assessment data is needed:

(1) The student is assessed, as necessary; and

(2) If determined eligible under section 8-56-15; special education and related services are made available to the student in accordance with an IEP."

HAR, Chapter 56, establishes the HDOE's timeline for initial evaluations. From the date of receipt of the parent's consent to conduct an initial evaluation, schools have 60 days to complete the evaluation, determine eligibility, the child's need for special education and/or related services, and to offer a FAPE. With the 2004 Reauthorization of the Individuals with Disabilities Education Act (IDEA) or as it is more commonly referred to as, IDEA, there is a change in procedure. Prior to the development of an Individualized Education Program (IEP) or the offer of FAPE, HDOE requires parental consent to continue the process once eligibility is determined. Parental consent must be obtained prior to conducting an initial evaluation and after eligibility is determined prior to the development of an IEP.

#### **Baseline Data for FFY 2005 (2005-2006):**

For FFY 2005, the total number of children for whom parental consent to evaluate was received was 5,743. Of that number, the evaluations completed within the 60 days and determined not eligible was 1,807. The number of evaluations completed within the 60 days and determined eligible was 3,592. The total number of evaluations completed within the 60 days was 5,399. The number of evaluations that were overdue was 344. The percentage of evaluations completed within the 60 days for FFY 2005-2006 was 94%.

The baseline data for FFY 2005 is based on the State's ISPED system. The Data Source is the Referral/Evaluation Student Report for SY 2005-2006. The baseline data for the number of initial evaluations that were eligible and ineligible are presented in the table below:

**FFY 2005 Baseline Data Initial Evaluation - Eligible and Ineligible**

<b>SY</b>	<b>Status</b>	<b>Total</b>	<b>Within</b>	<b>Over</b>	<b>Percentages</b>
<b>2005-2006</b>	Eligible	3,783	3,592	191	95%
<b>2005-2006</b>	Ineligible	1,960	1,807	153	92%
<b>2005-2006</b>	Total Evaluations	5,743	5,399	344	94%

The following tables indicate the baseline data for the reasons the initial evaluations went beyond the 60-day timeline and the number of days it took to complete the overdue evaluations.

**FFY 2005 Baseline Data Reasons for Delay**

<b>SY</b>	<b>Status</b>	<b>Parent Not Available</b>	<b>Provider's Report Not Available</b>	<b>Student Not Available</b>	<b>IEP Incomplete</b>	<b>Provider Not Available</b>	<b>IEP Complete But Not All Services Available</b>	<b>Other</b>	<b>Unknown</b>
<b>2005-2006</b>	Eligible	62	12	6	13	4	1	0	93
<b>2005-2006</b>	Ineligible	46	18	11	9	1	0	0	68

**FFY 2005 Baseline Data Number of Days beyond the 60 days**

<b>SY</b>	<b>Status</b>	<b>1-5</b>	<b>6-10</b>	<b>11-15</b>	<b>16-20</b>	<b>20+</b>
<b>2005-2006</b>	Eligible	53	34	21	16	67
<b>2005-2006</b>	Ineligible	48	32	17	12	44

**Discussion of Baseline Data:**

Realizing the need for additional fields in the ISPED report, a request was made to the ISPED administrator for a report on the 60-day timeline that would include such items as the date of parental consent, whether the child was found eligible or ineligible, and an indicator if the evaluation went past 60 days. With technical support, the 2005–2006 baseline data for the 60-day timeline report as reported here includes the additional field requirements.

In general, some of the reasons evaluations were overdue related to students who transferred out of the school or state; evaluations that were withdrawn or aborted; or prolonged student absences which made completion of an evaluation within the 60-day timeline difficult. Rarely were evaluation delays due to staff shortages. Reasons for the delays are anecdotal data that can be documented in the student's ISPED record.

The State is currently in the process of developing a new student database system that will combine the general Student Information System (SIS), the existing Comprehensive Student Support System (CSSS) database, and the existing ISPED system into a single student database system called electronic Comprehensive Student Support System (eCSSS). The first phase of the new student information database is targeted for March 2007. The additional fields to create the 60-day timeline report for the SPP will be incorporated. There will be subsequent target dates established when the additional elements for the database are created. The first phase in the refinement of the 60-day timeline report has begun. Continual technical refinements will be made to the 60-day timeline report to focus on the outcomes of students in the 60-day timeline report. Also, the State's monitoring of the 60-day timeline report using the new eCSSS database will mean a change in emphasis for schools. Schools will need to use the new eCSSS data system to report their evaluation timelines. In addition to timeliness, schools will also need to emphasize the accuracy of reporting and the student outcomes in order to meet the requirement of the SPP.

The data for HIDOE's Child Find will be from the upcoming eCSSS database system targeted for March 2007. The progression from the hand-counted data base system to the ISPED system and then to the eCSSS system will be a process. Once the eCSSS database is established, there is a need to monitor the 60-day timeline data for each school to ensure accuracy in reporting. Although the State is no longer under federal court supervision, meeting the 60-day timeline for all evaluations is a compliance issue and the State needs to continue monitoring the 60-day timeline data for accuracy and student outcomes.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	Establish baseline
<b>2006</b> (2006-2007)	100%
<b>2007</b> (2007-2008)	100%
<b>2008</b> (2008-2009)	100%
<b>2009</b> (2009-2010)	100%
<b>2010</b> (2010-2011)	100%

**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Determine the additional fields that need to be included in the State's new eCSSS database system for the 60-day timeline report.	October 2006-January 2007	Special Education Services Branch
Submit requests for the additional data fields to be included in the new eCSSS data base system.	January 2007	Special Education Services Branch
Review and analyze data from the new eCSSS system.	March 2007	Special Education Services Branch
Monitor the 60-day timeline report monthly to determine training needs.	March 2007-October 2007	Special Education Services Branch
Review and Analyze 60-day timeline report using the State's eCSSS database system.	October 2007-February 2008	Special Education Services Branch
Provide training and technical assist to the field on correct data input for the 60-day timeline report.	Ongoing	Special Education Services Branch
<b>REVISED</b> Continue to monitor the 60-day timeline report monthly. For 2009-2010, report will be monitored <b>quarterly</b> using the eCSSS database.	2007-2010	Special Education Section
<b>REVISED</b> Identify evaluations with "Unknown" reasons for delay.	2008-2010	Special Education Section

## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Child Find

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

**Measurement:**

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

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of students with parental consent for initial evaluation will be evaluated and eligibility determined within the state prescribed 60-day timeline.

**Actual Target Data for FFY 2008 (2008-2009):**

96% of students with parental consent for initial evaluation will be evaluated and eligibility determined within the state prescribed 60-day timeline.

The data for Indicator 11, Child Find, was retrieved through Hawaii Department of Education's (HIDOE's) electronic Comprehensive Student Support System (eCSSS). In federal fiscal year (FFY) 2008, a total of 5,394 initial evaluations were completed with 5,195 evaluations completed within the State-established 60-day timeline. One hundred ninety-nine evaluations exceeded the 60-day timeline resulting in 96% compliance for initial evaluations.

**Children Evaluated Within 60 Days (or State-established timeline):**

a. Number of children for whom parental consent to evaluate was received.	<b>5,394</b>
b. Number of children whose evaluations were completed within 60 days (or State-established timelines).	<b>5,195</b>
Percent of children with parental consent to evaluate who were evaluated within 60 days (or State-established timeline) (Percent = [(b) divided by (a)] times 100).	<b>96%</b>



## FFY 2008 Initial Evaluations Completed - Eligible and Ineligible

FFY	Total Evaluations				Eligible				Ineligible			
	Total	Within	Over	%	Total	Within	Over	%	Total	Within	Over	%
2008-2009	5,394	5,195	199	96	3,879	3,708	172	96	1,515	1,487	27	98
2007-2008	4,348	4,138	210	95	3,131	2,970	161	95	1,217	1,168	49	96
2006-2007	4,969	4,802	167	97	3,388	3,285	103	97	1,581	1,517	64	96
2005-2006	5,743	5,399	344	94	3,783	3,592	191	95	1,960	1,807	153	92

The following chart summarizes the range of days beyond the timeline the evaluations were overdue:

Number of Days Beyond the 60 days								
FFY	1-10		11-30		31-60		60+	
	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible
2008-2009	90	19	44	6	26	1	12	2
2007-2008	82	30	45	11	23	7	11	1
2006-2007	54	41	*49	*23	*eligible: 24 > 30 days; ineligible: 12 > 30 days			
2005-2006	87	80	**104	**73	**eligible: 67 > 20 days; ineligible: 44 > 20 days			

Of the 199 initial evaluations in FFY 2008 that exceeded the 60-day timeline, the most frequently recorded reason was "Parent Not Available" (27), followed by "Parental Request" (22), and "IEP Incomplete" (21). The following chart indicates the reasons the evaluations were overdue:

Reasons for Delay															Unknown	
			Student Not Available		Parental Request		Provider Not Available		Provider's Report Not Available		IEP Incomplete		IEP Complete: Not All Services Available			
FFY		Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible	Eligible	Not Eligible
2008-2009	22	5	12	1	17	5	6	2	9	3	20	1	2	0	84	10
2007-2008	29	11	2	5	19	3	2	2	12	1	14	0	2	0	81	27
2006-2007	20	11	1	5	0	0	3	0	6	5	9	6	1	0	63	37
2005-2006	62	46	6	11	0	0	4	1	12	18	13	9	1	0	93	68

## Longitudinal Data for Indicator 11

FFY	Percent of Initial Evaluations Within Timelines
<b>2008</b> (2008-2009)	96%
<b>2007</b> (2007-2008)	95%
<b>2006</b> (2006-2007)	97%
<b>2005</b> (2005-2006)	94%

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

The stakeholder group met on December 10, 2009 to review the data and improvement activities. Regional areas were provided monthly data for all schools on their 60-day Timeline Report from the data in eCSSS. In addition, this report was updated daily and accessible to appropriate regional and school staff. The Special Education Section (SES) provided technical assistance to regional areas and schools on the monthly reports by request. Technical assistance involved activities such as identifying the individual evaluations over timelines, individual evaluations over timelines without reason for delay, and meetings with the regional area staff. The improvement from 95% in FFY 2007 to 96% in FFY 2008 may in part be, attributed to the following activities.

Improvement Activities	Timelines	Status
Determine the additional fields that need to be included in the State's new eCSSS database system for the 60-day timeline report.	October 2006-January 2007	Completed
Submit requests for the additional data fields to be included in the new eCSSS database system.	January 2007	Completed
Review and analyze data from the new eCSSS database.	March 2007	Completed
Monitor the 60-day timeline report monthly to determine training needs.	March 2007-October 2007	Completed
Review and analyze 60-day timeline report using the State's eCSSS database.	October 2007-February 2008	Completed
Provide training and technical assist to the field on correct data input for the 60-day timeline report.	2008-2009	Completed
<b>REVISED</b> Continue to monitor the 60-day timeline report monthly. For 2009-2010, report will be monitored <b>quarterly</b> using the eCSSS database.	2007-2009 2009-2010	Completed Ongoing
<b>REVISED</b> Identify evaluations with "Unknown" reason for delay.	2008-2009 2009-2010	Completed Ongoing

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

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 95%

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

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

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

**Actions Taken if Noncompliance Not Corrected:**

NA

**Verification of Correction (either timely or subsequent):**

The SES verified noncompliance reported under Indicator 11 in the FFY 2007 APR by using two verification tests that are consistent with the U.S. Department of Education, Office of Special Education Programs Memorandum 09-02 (OSEP Memo 09-02):

(1) The SES verified that HIDOE corrected the individual instances of noncompliance by analyzing all the initial evaluations that exceeded the State's 60-day timeline subsequent to the finding of noncompliance. From this analysis, the SES verified that the 210 initial evaluations in 33 of 42 regions across the state that exceeded the State's 60-day timeline in FFY 2007 were completed, and that a free appropriate public education (FAPE) was provided to the 161 eligible students. Forty-nine students, of the 210 initial evaluations, were determined ineligible for special education and related services. In other words, the State verified that the one finding (5% of initial evaluations exceeding the 60-day timeline) of noncompliance identified in FFY 2007 was correctly implemented. The state verified that these corrections were completed within one year of issuing the finding of noncompliance.

(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDOE was implementing the specific regulatory requirement correctly. In June 2009, the SES reviewed a random sample of initial evaluations through eCSSS, in the 33 regions where noncompliance under 34 CFR §300.301(c)(1) was identified during school year 2007-2008. All 264 initial evaluations reviewed were completed within 60 days of receiving parental consent. One hundred percent (100%) of the initial evaluations reviewed at that time were completed within the timelines under 34 CFR 300.301(c)(1).

Because the HIDOE passed the two verification tests, consistent with OSEP Memo 09-02, the SES considered that HIDOE has corrected the noncompliance identified in FFY 2007 for Indicator 11 and is correctly implementing the regulatory requirements.

**Correction of Remaining FFY 2006 Findings of Noncompliance:**

N/A

**Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier:**

N/A

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
<p>The State must report, in its FFY 2008 APR due February 1, 2010, that with respect to noncompliance reported under this indicator in the FFY 2007 APR, the HIDEOE: (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02, dated October 17, 2008.</p>	<p>The SES verified noncompliance reported under Indicator 11 in the FFY 2007 APR by using two verification tests that are consistent with the OSEP Memo 09-02:</p> <p>(1) The SES verified that HIDEOE corrected the individual instances of noncompliance by analyzing all the initial evaluations that exceeded the State's 60-day timeline subsequent to the finding of noncompliance. From this analysis, the SES verified that the 210 initial evaluations in 33 of 42 regions across the state that exceeded the State's 60-day timeline in FFY 2007 were completed, and that a FAPE was provided to the 161 eligible students. Forty-nine students, of the 210 initial evaluations, were determined ineligible for special education and related services. In other words, the State verified that the one finding (5% of initial evaluations exceeding the 60-day timeline) of noncompliance identified in FFY 2007 was correctly implemented. The state verified that these corrections were completed within one year of issuing the finding of noncompliance.</p> <p>(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDEOE was implementing the specific regulatory requirement correctly. In June 2009, the SES reviewed a random sample of initial evaluations through eCSSS, in the 33 regions where noncompliance under 34 CFR §300.301(c)(1) was identified during school year 2007-2008. All 264 initial evaluations reviewed were completed within 60 days of receiving parental consent. One hundred percent (100%) of the initial evaluations reviewed at that time were completed within the timelines under 34 CFR 300.301(c)(1).</p> <p>Because the HIDEOE passed the two verification tests, consistent with OSEP Memo 09-02, the SES considered that HIDEOE has corrected the noncompliance identified in FFY 2007 for Indicator 11 and is correctly implementing the regulatory requirements.</p>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010)**

<b>Activities</b>	<b>Timelines</b>	<b>Resources</b>	<b>Revision/Justification</b>
<b>REVISED</b> Continue to monitor the 60-day timeline report monthly. For 2009-2010, report will be monitored <b>quarterly</b> using the eCSSS database.	2007-2010	Special Education Section	Stakeholder input
<b>REVISED</b> Identify evaluations with "Unknown" reason for delay.	2008-2009 2009-2010	Special Education Section	Completed Continue to identify

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: Early Childhood Transition

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

##### Measurement: (revised for FFY 2208 submittal)

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

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

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

##### Overview of Issue/Description of System or Process:

If Part C suspects a child may be eligible for Part B services, a Part B representative (District 619 Coordinator or school staff) is invited and attends the Part C transition meeting to explain the evaluation/eligibility/Individualized Education Program (IEP) process to the parent(s). Written materials about Operation Search and the transition process from Part C to Part B are also provided. The school then awaits a referral for evaluation from either the parent or Part C program. [Procedures will change during school year (SY) 2005-2006] When the referral/request for evaluation is received, a team composed of the same participants required for an IEP meeting, including the parent, decides whether an evaluation will be conducted. If an evaluation is proposed and written consent from the parent is received, the evaluation, eligibility, and IEP (if the child is determined to be eligible) are completed and services made available within 60 days of receipt of written consent for the evaluation. If a child turns 3 between the 1st day of the school year and December 31st, he or she may enter school on the first day of the school year. If a child turns 3 between January 1st and the beginning of the next school year, he or she may begin school on his/her 3rd birthday.

Hawaii Part C and the Hawaii Department of Education (HIDOE) will be implementing new procedures during SY 2005-2006. Part C has developed a notification form to invite relevant agency representatives, including Part B when appropriate, to the required Part C transition meeting. This is intended to increase the frequency of compliance with this requirement for Part C and will enable both Part C and HIDOE to track HIDOE's participation in the Part C transition meetings. Part C will also be sending demographic information to a school about each Part C child who may be eligible for Part B services within that school's geographic service area at least 90 days prior to the child's 3rd birthday.

Upon receipt of that information the school will send a letter to the parent to invite them to meet with a school representative, and, when agreed upon by the parent, begin the referral for evaluation process.

#### Baseline Data for FFY 2004 (2004-2005):

Data reported for this indicator was extracted from the Integrated Special Education Database (ISPED) 60-Day Evaluation Timeline Report and from individual student records to determine prior participation under Part C. Records included for analysis met the following criteria:

- The child received services under Part C, and
- The child's initial eligibility\* (end of the evaluation timeline) was determined between July 1, 2004 and June 30, 2005, or
- The child was referred for an evaluation, but an evaluation was not conducted between July 1, 2004 and June 30, 2005.

(In Hawaii, the evaluation timeline [for eligible students] ends when special education and related services are made available to the student in accordance with the IEP.)

#### Measurement A:

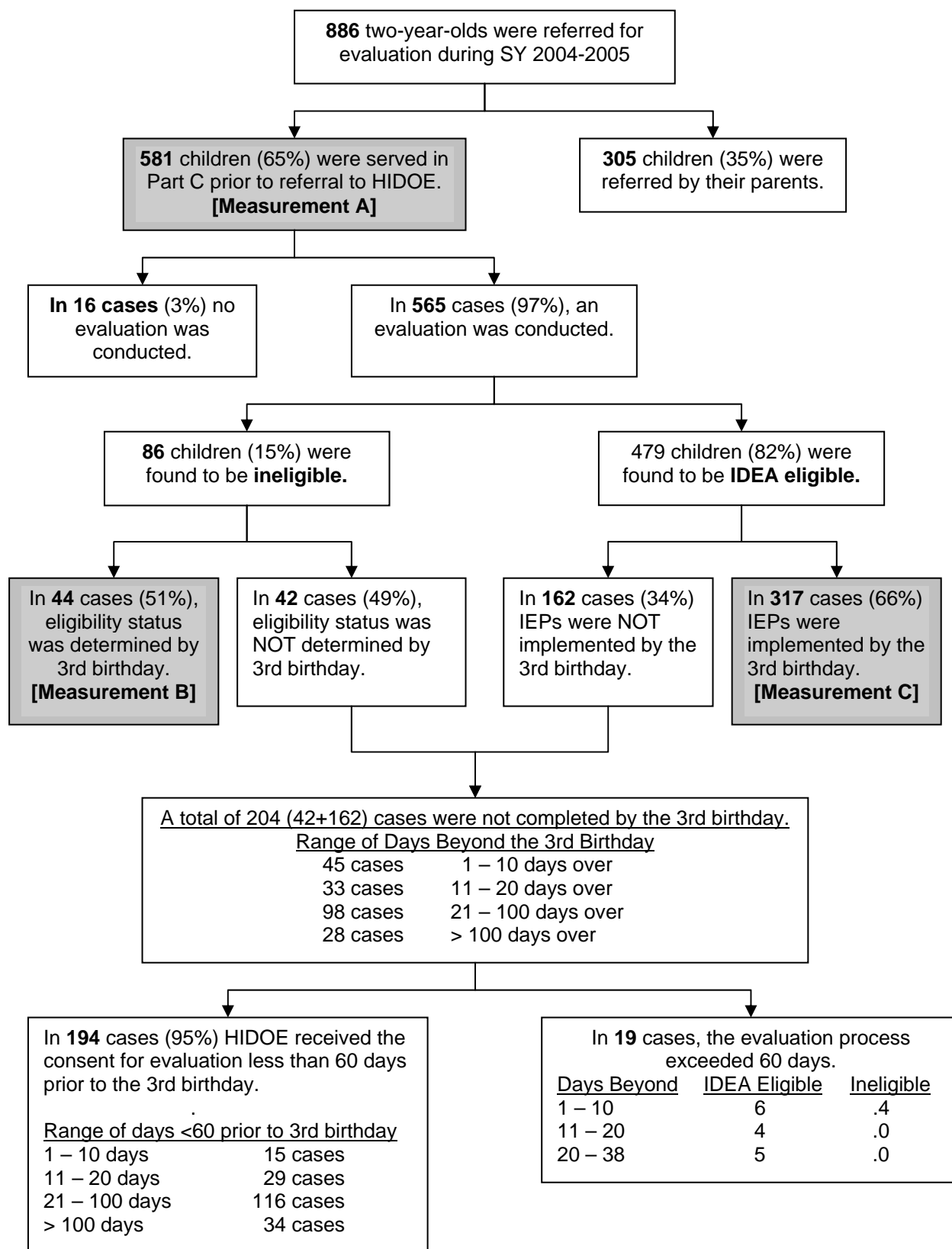
Eight hundred eighty-six (886) children who turned three during SY 2004-2005 were referred for evaluation to determine initial eligibility. Five hundred eighty-one (581) of those referred, or 65 percent, had been served in Part C. Of the 581 children from Part C, evaluations were conducted on five hundred sixty-five (565). For the other sixteen (16) children, the school team and the parent decided that an evaluation was not appropriate, or the parents withdrew consent for an evaluation. One (1) child died.

#### Measurements B and C

Child Status Following Referral/Evaluation	#/% of Total Part C Children Referred		Indicator Measurement	#/% Completed PRIOR to 3 <sup>rd</sup> Birthday		#/% Completed AFTER 3 <sup>rd</sup> Birthday	
IDEA Ineligible	86	14.80%	B	44	51.2%	42	48.8%
IDEA Eligible	479	82.44%	C	317	66.2%	162	33.8%
No Evaluation Conducted	16	2.76%		15	93.8%		

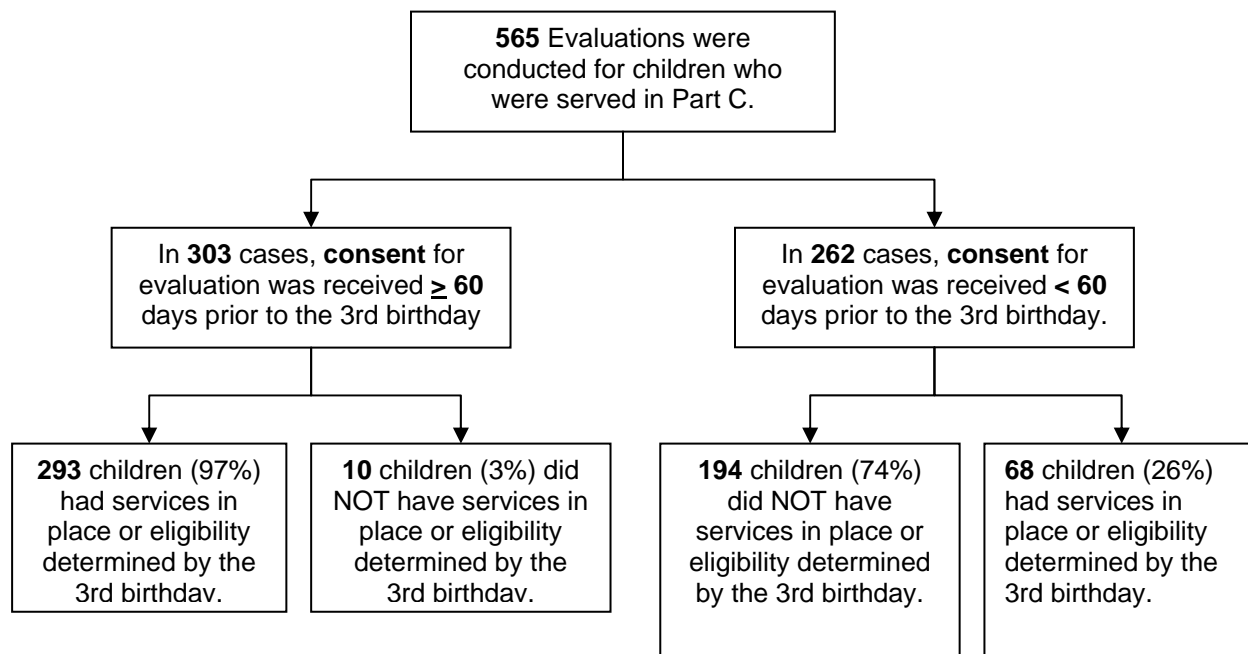
See *Flowchart A: Early Childhood Transitions* and *Flowchart B: Impact of Timeliness of Consent for Evaluation*, on the following pages for further details and explanation of the above results.

## FLOW CHART A: Early Childhood Transitions





## FLOW CHART B: Impact of Timeliness of Consent for Evaluation



### Discussion of Baseline Data:

As the data in the above flow charts demonstrate, HIDOE is able to complete all required evaluation processes and implement IEPs prior to the 3rd birthday when consent for evaluation is received 60 days or more prior to the 3rd birthday. Ninety-seven (97%) percent of children had services in place or eligibility determined by the 3rd birthday when consent for evaluation was given 60 days or more prior to the 3rd birthday. That was true for only twenty-six percent of children when consent for evaluation was given less than 60 days prior to the 3rd birthday. While a few cases went beyond because the evaluation process exceeded 60 days, the primary reason children do not have services in place in a timely manner is because they are not referred early enough to make that possible.

With the implementation of Part C's new notification system and HIDEOE's earlier access and communication with parents, it is expected that the percent of timely referrals will increase substantially during the SY 2005-2006.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	<p><b>100%</b> of eligibility determinations will be completed prior to children's 3rd birthdays for children who have been served in Part C and referred to Part B and were determined to be NOT eligible.</p> <p><b>100%</b> of IEPs will be developed and implemented prior to children's 3rd birthdays for children who have been served in Part C and referred to Part B and were determined to be eligible.</p>
<b>2006</b> (2006-2007)	<b>Targets are the same as stated above for every year</b>
<b>2007</b> (2007-2008)	<p><b>Revised February 2008</b></p> <p><b>100%</b> of children who have been served in Part C and referred to Part B (except children for whom parent refusal to provide consent caused delays in evaluation or initial services) will have their eligibilities determined and, if eligible for Part B services, their IEPs developed and implemented by their 3rd birthday.</p>
<b>2008</b> (2008-2009)	<b>Targets are the same as stated above for every year</b>
<b>2009</b> (2009-2010)	<b>Targets are the same as stated above for every year</b>
<b>2010</b> (2010-2011)	<b>Targets are the same as stated above for every year</b>

#### Improvement Activities/Timelines/Resources

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Development and roll-out of a monthly report: Early Childhood Transitions.	First report to be available January 2006	HIDEOE technical support personnel
Dissemination of Part C/Part B Transition memo with accompanying instructions and supporting documents.	November 2005	HIDEOE Staff

Improvement Activities	Timelines	Resources
<b>DISCONTINUED</b> Data collection re: Part C Transition Notices and results to increase the accuracy of data regarding the number of children referred to us from Part C.	November 2007	Not applicable
<b>NEW</b> State level Part B, Section 619 and Part C, Early Intervention personnel will collaborate to compare transition data, procedures, and align training content and activities around Part C to Part B transition.	July 2008-2010	State level Part B, Section 619 and Part C, Early Intervention personnel
Continued training/information for school staff regarding transition requirements and activities for children who were served in Part C.	Currently available and ongoing through 2010.	Provided by HIDOE and district level 619 Coordinators
HIDOE is in the process of developing a new comprehensive electronic data system. There is an opportunity to develop enhanced data collection around the timeliness of Part C to Part B transition. This could include requirements for greater specificity regarding referral and evaluation data at the school level, and enhanced reporting capabilities to facilitate data retrieval at the school, district and state level.	December 2007	HIDOE staff and contracted providers.
<b>NEW</b> Dissemination of requirements and information regarding Department referral and evaluation procedures and timelines to all district and school level personnel responsible for evaluation/eligibility procedures.	April 2010	State and District Office personnel.
<b>NEW</b> Dissemination of requirements and information regarding Department referral and evaluation procedures and timelines to Part C and other state and community early childhood agencies.	April 2010	State 619 Coordinator
<b>NEW</b> Review individual cases within measurement "d."	April 30, 2010	State, regional and school staff Part C staff

## Part B State Annual Performance Report (APR) for FFY 2008

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

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

**Measurement:**

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

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

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100%

**Actual Target Data for FFY 2008 (2008-2009):**

**99%** of children who have been served in Part C and referred to Part B (except children for whom parent refusal to provide consent caused delays in evaluation or initial services) will have their eligibilities determined and, if eligible for Part B services, their Individualized Education Programs (IEPs) developed and implemented by their third birthday.

The data for this indicator is derived from a report in the electronic Comprehensive Student Support System (eCSSS) database, "Preschool Services by Age 3." This report includes all children who reached age three and were referred for an initial evaluation during school year (SY) 2008-2009. The report provides individual information about each child including:

- Birth date
- Date of the child's third birthday
- Date the school received the referral
- Number of days the referral was received prior to the third birthday

- Date the parent signed consent for the initial evaluation
- Date the evaluation is projected to be completed (In Hawaii, evaluations are considered complete when services are available; (60 days from consent.)
- Evaluation Status (Individuals with Disabilities Education Act (IDEA) eligible, IDEA ineligible, withdrawn, consent revoked)
- Referral Source (Part C, if applicable)
- Date the initial IEP was held
- Date services were made available

Schools are able to track their data which is updated daily. Any record that indicates services were not available by a child's third birthday is "red-flagged" which enables school, district or state personnel to investigate the situation to determine the reasons.

The data from the report generated for School Year (SY) 2008-2009 was reviewed by the Special Education Section (SES), complex, and school level personnel to ensure the accuracy of the information about each individual child.

#### Actual State Data (Numbers):

a. # of children who have been served in Part C and referred to Part B Local Education Agency (LEA) notified pursuant to IDEA Section 637(a)(9)(A) for Part B eligibility determination)	484
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	47
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	271
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	164
e. # of children who were referred to Part C less than 90 days before their third birthdays.  <i>[This information is not required until the 2011 submission but may be reported in 2010 if the State's data are available.]</i>	
# in a but not in b, c, d, or e.	2
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays  Percent = $[(c) / (a-b-d-e)] * 100$	99%

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

Two individual instances occurred where services or eligibility were not established until after the third birthday and were attributed to inappropriate practice by a school. Each case occurred at a different school. Both schools have demonstrated compliance with this requirement in previous years. In addition, both individual instances had been resolved prior to identification of the noncompliance by SES, therefore findings were not issued.

*Indicate the range of days beyond the third birthday and the reasons for the delays:*

- One case was completed three days beyond the child's third birthday because of an apparent delay in meeting with the parents after receiving a request for evaluation from the parent. The child was found not eligible.
- The second case was completed 39 days beyond the child's third birthday because of an apparent delay in meeting with the parents after receiving the referral from the Part C agency. The child was found eligible and has been receiving special education and related services, including extended school year services since the evaluation and IEP were completed.

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

**Improvement Activities Status**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
Development and roll-out of a monthly report: Early Childhood Transitions.	January 2006	Completed. First report was available in July 2006. Report was not available during SY 2007-2008 because of the change to a new data system. It became available again during September 2008.
Dissemination of Part C/Part B Transition memo with accompanying instructions and supporting documents.	November 2005	Completed September 2006. Instructions and supporting documents are posted on the Section 619 web link.
New eCSSS to include a specific field to document whether a child received Part C services prior to referral to HIDOE.	December 2007	Completed July 2007. Documentation in this field was inconsistent during SY 2007-2008.
Continued training/information for school staff regarding transition requirements and activities for children who were served in Part C.	Provided annually and ongoing through June 30, 2011	Ongoing at state, regional, and school level. Provided by the SES and regional level 619 Coordinators.
State level Part B, Section 619 and Part C, Early Intervention personnel will collaborate to compare transition data, procedures, and align training content and activities around Part C to Part B transition.	July 2008 to June 30, 2011	The SES and Hawaii Part C personnel met to review data on individual child transitions and systemic issues related to transition.

The SES and regional 619 Coordinators continue to collaborate with their Early Intervention partners, school personnel, and Sequenced Transition to Education in the Public Schools (STEPS) Teams to address the smooth and timely transitions from Part C to Part B. Hawaii Department of Education (HIDOE) maintained its performance in this indicator at 99% during Federal Fiscal Year (FFY) 2008. There were only two individual cases of noncompliance found. HIDOE is able to complete all

required evaluation processes and implement IEPs prior to the third birthday with few exceptions when consent for evaluation is received at least 60 days prior to the third birthday. The SES and the State Performance Plan (SPP) stakeholder group wish to review the individual cases that make up measurement “d” to see what transition activities occurred in conjunction with Part C that may have impacted parents’ decisions about referring their child to Part B.

FFY	Measurement
2008	99%
2007	99%
2006	99%
2005	96%

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

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 99%

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

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

*Not applicable.*

**Actions taken if Noncompliance Not Corrected**

*Not applicable.* No findings were issued during FFY 2007 because the three individual instances of noncompliance identified occurred in different geographic areas in the state, had different reasons for the delays, and were corrected prior to identification. The individual instances were not indicative of systemic noncompliance.

**Verification of Correction (either timely or subsequent)**

The SES did not issue a finding for Indicator 12 in FFY 2007. There were three cases of noncompliance in FFY 2007, which were corrected before the SES could issue a finding. However, the twofold test which is consistent with OSEP Memo 09-02, demonstrated that the HIDOE corrected the noncompliance:

(1) The SES verified correct implementation of the regulatory requirements by examining FFY 2008 data from the eCSSS “Services By Age 3” report, where only two cases were found to go beyond the third birthday and were attributed to inappropriate practice by a school. Each case occurred at a different school. Both schools have demonstrated full compliance with this requirement in previous years. In addition, both cases had been resolved prior to identification of the noncompliance by SES; hence no findings were issued in FFY 2008. The three schools that had noncompliance in FFY 2007 demonstrated 100% compliance in FFY 2008. (2) The SES also looks at individual student records for IEP services to be delivered, service logs by related services personnel and IEP progress reports provided to parents,

and has verified that the three cases that went beyond the third birthday in FFY 2007 had an IEP implemented, although late, as described in FFY 2007 APR (please see text below from FFY 2007 APR).

- One case was completed 67 days beyond the child's third birthday because the evaluation took more than 60 days. The child is currently receiving services and is reported to be making progress on the IEP goals.
- A second case was completed 35 days beyond the child's third birthday. Services began on the first day of the new school year.
- In the third case, the school delayed the evaluation while awaiting a medical report from the parent. The child's eligibility (not eligible) was determined 69 days beyond the child's third birthday.

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

N/A

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

N/A

**Additional Information Required by the OSEP APR Response Table (if applicable)**

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.	The HIDEOE has submitted FFY 2008 data demonstrating that it is in substantial compliance with early childhood transition requirements including correction of any noncompliance reported in the FFY 2007 APR. (See data and information included above.)
The State must report, in its FFY 2008 APR due February 1, 2010, that with respect to the noncompliance reported under this indicator in the FFY 2007 APR, the HIDEOE: (1) is correctly implementing the specific regulatory requirements; and (2) has developed and implemented the IEP, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.	The HIDEOE has submitted the requested information regarding correction of noncompliance from FFY 2007 in this report above.
If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.	The HIDEOE was able to demonstrate substantial compliance in the FFY 2008 APR and has revised its improvement activities to further ensure compliance as described in this report below.



**Revisions, with Justification, to Improvement Activities / Timelines / Resources for  
FFY 2009 (2009-2010):**

Although there were only two individual instances of noncompliance identified under this indicator, both instances involved addressing a request for evaluation in a timely manner. Under Hawaii Administrative Rules, Title 8, Chapter 56, §8-56-5(b), within 20 days from the date of receipt of a referral for an evaluation, the parent shall receive written notice of the department's proposal or refusal to assess the student and request for consent to assess.

Improvement Activities	Timelines	Resources
<b>NEW</b> Dissemination of requirements and information regarding Department referral and evaluation procedures and timelines to all district and school level personnel responsible for evaluation/eligibility procedures.	April 2010	SES and regional office personnel.
<b>NEW</b> Dissemination of requirements and information regarding Department referral and evaluation procedures and timelines to Part C and other state and community early childhood agencies.	April 2010	State 619 Coordinator
<b>NEW</b> Review individual cases within measurement "d."	April 30, 2010	SES, regional and school staff Part C staff

## Part B State Performance Plan (SPP) for 2005-2010

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

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

#### Measurement:

Percent =  $\left[ \frac{\text{(\# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority)}}{\text{(\# of youth with an IEP age 16 and above)}} \right] \times 100$ .

#### Overview of Issue/Description of System or Process:

A Student File Review: Focused Checklist, which involves a detailed review of selected Individualized Education Programs (IEPs) on a three-year cycle is used as part of the state's Continuous Improvement Monitoring Implementation Process (CIMIP). All complexes (each complex has a high school) are placed in one of three groups: (a) those externally monitored by state personnel, (b) those externally monitored by their district personnel, and (c) those who conduct internal self-reviews. Annually, the selected IEPs are monitored for the following requirements:

- For a student aged 16-20, or younger if appropriate, the IEP shall include annual transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkages, and
- By not later than age 16, the IEP shall include appropriate measurable post-secondary goals.

The groups rotate each year, which means that in one out of every three years, transition plans in the selected IEPs are monitored by the State. If, during the State's external review cycle, compliance targets are not met, the complex must submit to the State for approval, a corrective action plan with timelines for implementation. If the complex fails to correct the identified areas of noncompliance within their timelines, the State then determines whether the complex should continue to be externally

reviewed during the following year rather than move to a less-stringent cycle. Noncompliance problems of a systemic nature are required to be identified and corrected. To address the noncompliance at the school level, the Hawaii Department of Education (HIDOE) utilizes the following process:

- a. Upon identification of noncompliance, a written conclusion informs the school, complex area superintendent (CAS), and district education specialist (DES) of the finding and the timeline for submittal and implementation of a corrective action plan.
- b. A desk audit and/or site visit is conducted six to nine months after identification of noncompliance to verify the correction of noncompliance.
- c. If noncompliance continues, the State will provide technical assistance to the complex leadership to identify the root causes for the continued noncompliance. The CAS will submit evidence of the correction of the noncompliance in three months.
- d. If the CAS does not submit the documentation of correction, the special education director will submit a report to the deputy superintendent for appropriate follow-up and the correction of non-compliance.

#### **Baseline Data for FFY 2004 (2004-2005):**

For the baseline School Year (SY) 2005-2006, 14 complexes were externally monitored by the State. The IEPs of randomly selected students age 16 years and older were reviewed for the inclusion of both the requirements that the IEP include coordinated, measurable annual IEP goals, and transition services that will reasonably enable the student to meet the post-secondary goals.

As required by the Response Table submitted by the U.S. Department of Education, Office of Special Education Programs (OSEP), for HIDOE's Annual Performance Report (APR) for Federal Fiscal Year (FFY) 2005 (2005-2006), HIDOE recalculated and is resubmitting the baseline data using 2005-2006 monitoring data and consolidating the findings into one percentage. Examination of the data revealed that most of the non-compliant records (students' IEPs) included transition services but were lacking the appropriate documentation of measurable post-secondary goals.

<b>Requirement</b>	<b>%</b>
Percent of youth aged 16 and above with an IEP that includes coordinated, measurable annual IEP goals.	83.1% (74/89 student files)

#### **Discussion of Baseline Data:**

Examination of the data revealed that the students' IEPs included transition services but were lacking in the appropriate documentation of appropriate measurable post-secondary goals.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	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.
<b>2006</b> (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.

FFY	Measurable and Rigorous Target
<b>2007</b> (2007-2008)	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.
<b>2008</b> (2008-2009)	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.
<b>2009</b> (2009-2010)	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.
<b>2010</b> (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.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timeline	Resources
Provide training for transition teachers and district resource personnel on the appropriate method and place to document in the student's electronic file focusing on the inclusion of annual, measurable post-secondary goals.	SY 2006-2010	Existing Special Education Section (SES) personnel
<b>COMPLETED</b> Provide electronic access to reports and summaries to all of the student's teachers, administrators, and district personnel. This will allow them to check the status and quality of the plans and to provide assistance to the student, as necessary. This increase in access will allow more timely updates to the transition plan as student and family needs change.	SY 2006-2010	Existing SES personnel
<b>REVISED</b> Work with high school transition teachers and district staff in the development of coordinated transition plans where there is alignment between the results of the transition assessment, the course of study, and the provided services that will help the student achieve his/her post-secondary goal using the Indicator 13 checklist. Ensure the inclusion of: <ul style="list-style-type: none"> <li>• Post-secondary outcomes in the areas of training, education, vocation, and for appropriate students, independent living.</li> <li>• At least one annual goal that will support each of the post-secondary outcomes (can be a separate goal or one that also addresses another outcome, e.g., an academic outcome).</li> <li>• Services to be provided that will help the student achieve the post-secondary outcomes.</li> </ul>	November 2007 and ongoing	Existing SES personnel

Improvement Activities	Timeline	Resources
<ul style="list-style-type: none"> <li>A notification of the IEP meeting for any outside agency providing services to the student.</li> <li>Documentation of the vocational assessment(s) administered to the student.</li> </ul>		
<b>MOVED TO INDICATOR 14 AND COMPLETED</b> Review the answers to questions on the survey used in Indicator 14 to determine whether there is any indication that the students felt clarity of the post-secondary goals in the transition plan of the IEP affected the post-secondary outcomes.	November 2007 and ongoing	Existing SES personnel
Close monitoring of identified schools that have non-compliant transition plans to ensure timely corrections as well as the avoidance of repeat non-compliant practices.	November 2007 and ongoing	SES and district support personnel
<b>NEW</b> Train district support personnel who will then be required to train all special education teachers to prepare them to use the revised National Secondary Transition Technical Assistance Center (NSTTAC) Checklist. The district will submit the training agenda and list of participants to the SES for verification.	SY 2009-2010	SES and district support personnel
<b>NEW</b> Changes to the data collection mechanism must be made in order to address the revised requirements of the indicator. Once this is done, data must be collected to establish a new benchmark.	SY 2009-2010	SES personnel

## Part B State Annual Performance Report (APR) for FFY 2008

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

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

**Measurement:**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

**Correction of FFY 2007 Findings of Noncompliance:**

Level of compliance (actual target data) State reported for Federal Fiscal Year (FFY) 2007 for this indicator: 83.4%

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

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

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

**Actions Taken if Noncompliance Not Corrected:**

N/A

**Verification of Correction (either timely or subsequent):**

The Special Education Section (SES) verified the correction of the noncompliance reported in the FFY 2007 APR for Indicator 13 by using two verification tests that are consistent with the U.S. Department of Education, Office of Special Education Programs Memorandum 09-02 (OSEP Memo 09-02): (1) The SES verified that schools correctly implemented the specific regulatory requirements by analyzing a sample of Individualized Education Programs (IEPs) subsequent to the finding of noncompliance. This analysis took place in January 2010 when the SES collected a sample of IEPs of students age 16 or above from a sample of complexes (12.5%), and checked the required transition content. The results of this analysis demonstrated a 100% compliance with the required transition content; and (2) The SES verified that the IEPs for all instances of noncompliance related to postsecondary transition which were identified in the monitoring of IEPs of students aged 16 years and older that were in effect during the school year (SY) 2007-2008 were corrected and met the requirements as specified by the Part B Indicator Measurement Table for Indicator 13 for SY 2008-2009. The schools in which the noncompliant files were found were notified, required to correct the files, and submit documentation to the SES to show corrections were made. The SES reviewed this documentation and verified that the IEPs of all the 19 students were corrected. The main instances of noncompliance involved transition plans that had postsecondary goals that were not measurable or had goals that were to be achieved in high school rather than in postsecondary settings (13/19) and plans with inappropriate transition services to address these goals (14/19).

Because the Hawaii Department of Education (HIDOE) passed both of these verification tests, it is considered that HIDOE has corrected the noncompliance identified in FFY 2007 for Indicator 13, however, beyond the one year of identification.

**Correction of Remaining FFY 2006 Findings of Noncompliance:**

N/A

**Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier:**

N/A

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
<p>The State reported that the noncompliance identified in FFY 2006 with the secondary transition requirements 34 CFR §300.320 (b) was corrected in a timely manner.</p> <p>Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR. The State must report, in its FFY 2008 APR due February 2, 2010, that with respect to noncompliance reported under this indicator in the FFY 2007 APR, the HIDOE: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each individual case of noncompliance, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p>	<p>The SES has verified the correction of the identified noncompliance as described above.</p>

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: Post School Outcomes (New Indicator)

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

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

#### Measurement:

- A. Percent enrolled in higher education =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$
- B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they school and were enrolled in higher education or competitively employed within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$
- C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other post secondary education of training program; or competitively employed or in some other employment)}}{\text{(\# of respondent youth who are no long in secondary school and had IEP in effect at the time they left school)}} \right] \text{ times } 100\%.$

#### Overview of Issue/Description of System or Process:

During the month of March, a letter is sent to all high school students with Individualized Education Programs (IEPs) who exited the education system the previous year, to inform them about a phone call they will receive between April and May. Included in this letter is a form requesting a written survey should the student prefer to respond in writing rather than participate in the phone survey. A self-addressed, stamped envelope is provided with the form. A phone survey of all "leavers" who had IEPs including those who graduated with a diploma, aged out, dropped out during the school year, or did not return to school, are the subjects of this survey. The responses are recorded into an electronic database and compiled to create a report which includes the required information on the number and percentage of youth who are (or have been) employed, enrolled in some type of postsecondary school, or both, between the time they leave high school and the date of the survey. No personally identifiable information is included in the report; only aggregate numbers and percentages are displayed.



**Description of the current postsecondary data collection process:**

Phone interviews are conducted for all “leavers” with disabilities, including those students graduating with diplomas, receiving certificates of completion, or aging out from high school. Also included are those who dropout during the school year or those who reach the age of majority and could return but choose not to. The questions reflect all of the postsecondary areas addressed in a student’s transition plan in the IEP. Once the reports are generated, the results are shared with transition teachers in the high schools. The teachers analyze the results, determine areas that may need more or less emphasis, and identify topics or services they need assistance with or more information about, resulting in more effective transition services for students and their families.

The data collected are analyzed based both on total numbers, as well as proportionally, based on the ethnic and disability categories. Therefore, the results can be generalized to the entire population of Hawaii’s “leavers.”

**Mechanism to address potential discrepancies in the response rates based on ethnicities:**

To ensure that data was representative of the ethnic populations of the students with disabilities, the following methodology was used after the responses were obtained:

- a. Determined the total number of students with disabilities, 16 years and older (n size).
- b. Disaggregated by ethnicity and determined the percentage of each ethnicity in the population. The Native American ethnic group represented a tiny percentage of our disabled student population (1 percent) and was not used in these calculations.
- c. Using the total number of respondents, determined the percentage of expected respondents there should have been for each ethnicity (# per ethnicity/total population) then determined the actual number and percentage of respondents of each ethnicity.
- d. If the response percentage for any of the ethnic groups was lower than what it should have been in the population:
  - Determined the ethnicity with the lowest response numbers.
  - Using that number of respondents, determined the n size of the expected population which reflects that percentage.
  - Used the percentages of the population in (b) to determine the number of respondents that needed to be included to maintain the correct proportion in the population.
- e. If the response percentage for any one of the ethnic groups was higher than what it should be in the population:
  - Conducted random sampling of the respondents to reduce the n size for that ethnicity to achieve the desired percentage of the survey responses.
  - Repeated for all ethnic groups whose response numbers exceeded those expected.
- f. Repeated this process for the various disability categories. Low incidence disabilities (< 2 percent), including visual impairments, hearing impairments, orthopedic impairments, deaf/blindness, multiple disabilities, and traumatic brain injury were not included.

**Baseline Data: The results discussed below represent responses from students from the Class of 2004 one year after they left high school.**

As required by the Response Table submitted by the U.S. Department of Education, Office of Special Education Programs (OSEP), the Hawaii Department of Education (HIDOE) recalculated and consolidated the findings of employment and education enrollment and is resubmitting the baseline data in the table below.

<b>Class</b>	<b>Total SPED “leavers”</b>	<b>Respondents to survey</b>	<b>Percent who are Competitively Employed and/or Attend a Post-Secondary Educational Program</b>
<b>2004</b>	1,326	529	420/529 = 79.4%

**Discussion of Baseline Data:**

Of those responding to the survey, the percentage of students competitively employed and attending a post-secondary educational program was 79.4% (420 out of the 529 respondents). This represents the baseline percentage for this indicator.

**Targets for FFY 2005-2010:**

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	Baseline calculated to be 79.4% (Class of 2004)
<b>2006</b> (2006-2007)	The percentage of students competitively employed and/or attending a postsecondary educational program will increase to 82.4%.
<b>2007</b> (2007-2008)	The percentage of students competitively employed and/or attending a postsecondary educational program will increase to 84.4%.
<b>2008</b> (2008-2009)	The percentage of students competitively employed and/or attending a postsecondary educational program will increase to 86.4%.
<b>2009</b> (2009-2010)	The percentage of students competitively employed and/or attending a postsecondary educational program will increase to 87.4%.
<b>2010</b> (2010-2011)	The percentage of students competitively employed and/or attending a postsecondary educational program will be maintained at the 2009 level at 87.4%.

**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Continue the technical assistance, dialogue, and training of school and district personnel as the post-secondary data is examined.	School Year (SY) 2006-2010	State Secondary Transition program personnel in partnership with assigned district staff.
<b>COMPLETED</b> In collaboration with the team responsible for Indicators 1 and 2 which addresses graduation and dropout rates, develop and include questions on the post-secondary survey to gather information from students on the school factors which kept them in school and addressed/met their needs.	SY 2006-2010	State Secondary Transition and Professional Development personnel.

Improvement Activities	Timelines	Resources
<p><b>COMPLETED</b></p> <p>In collaboration with the team responsible for Indicators 1 and 2 which addresses graduation and dropout rates, a meeting will be convened with partner programs and agencies, including the Community Children's Council Office (CCCO), the Learning Disability Association of Hawaii (LDAH), Special Parent Information Network (SPIN), Hawaii Families As Allies (HFAA), the Developmental Disabilities Council (DD), and the program manager from the Comprehensive School Alienation Program (CSAP) to develop a mechanism to increase the awareness and involvement of parents and families on issues involving the post-secondary transition plan, graduation, retention, and dropout.</p>	SY 2006-2010	State Secondary Transition and Professional Development personnel.
<p>Work with high school transition teachers and district staff in the development of coordinated transition plans where there is alignment between the results of the transition assessment, the course of study, and the provided services that will help the student achieve his/her post-secondary goal (Indicator 13).</p>	SY 2007-2010	State Secondary Transition program personnel in partnership with assigned district staff.
<p><b>COMPLETED</b></p> <p>Gather information from school transition teachers about the kinds of programs or presentations the school provides to all parents about post-secondary options and how students must prepare, depending on their area of choice.</p>	SY 2007-2010	State Secondary Transition program personnel in partnership with assigned district staff.
<p><b>MOVED FROM INDICATOR 13 AND COMPLETED</b></p> <p>Review the answers to questions on the survey used in Indicator 14 to determine whether there is any indication that the students felt clarity of the post-secondary goals in the transition plan of the IEP affected the post-secondary outcomes.</p>	SY 2007-2010	After discussion with the stakeholder group, the survey was revised to include a question on ideas they have that would help the school or system improve transition services to students and their families.

Improvement Activities	Timelines	Resources
<p><b>NEW</b> Changes to the data collection mechanism must be made in order to address the revised requirements of the indicator. Once this is done, data must be collected to establish a new benchmark.</p>	<p>SY 2009-2010</p>	<p>State Secondary Transition program personnel.</p>

## Part B State Performance Plan (SPP) for 2005-2010

### 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.**

#### Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

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

#### Overview of Issue/Description of System or Process:

The Hawaii Department of Education (HIDOE) is resubmitting our baseline data for Federal Fiscal Year (FFY) 2004. HIDOE misunderstood the Measurement indicators, as described in the original State Performance Plan (SPP), and therefore, used data for the FFY 2004, which did not allow the one year for correction of the noncompliance. HIDOE is submitting the correct baseline data for FFY 2004 using the revised SPP template. HIDOE is also submitting revised activities to reflect a new monitoring process. The measurable and rigorous targets remain the same.

#### Baseline Data for FFY 2004 (2004-2005):

Measurement	Raw Data
<b>Percent of noncompliance corrected within one year of identification</b>	
a. # of findings of noncompliance	37
b. # of corrections completed as soon as possible but in no case later than one year from identification	33
Percent = [(b) divided by (a)] times 100.	89%

#### Discussion of Baseline Data:

In the School Year (SY) 2003-2004, there were four (4) written complaints and 29 due process hearing requests that involved noncompliance. All 33 findings of noncompliance were corrected within one year of identification.

In SY 2003-2004, 20 out of 41 complexes submitted the results of their Student File Review-Focused Checklist. The complexes and districts were not provided training or state support in the administration of the Student File Review-Focused Checklist. Therefore, the methodology for completion varied from complex to complex. This inconsistency affected the validity and integrity of the results. Also, there was no established benchmark set that would require follow up actions. This issue was resolved in SY 2005-2006 by having the Special Education Services Branch (SESB) conduct all the reviews using the checklist in selected complexes (including charter schools). Nevertheless, the aggregated data from the Student File Review-Focused Checklist for SY 2003-2004 indicated the following systemic issues of noncompliance:

1. HAR Chapter 56, §8-56-8(c). For the initial evaluation only, at least one member of the team of qualified professionals required by §8-56-10 on the determination of eligibility, other than the student's teacher, shall observe the student during an activity relevant to the area of suspected disability.
2. HAR Chapter 56, §8-56-12(a). For a student suspected of having a specific learning disability, at least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting.
3. HAR Chapter 56, §8-56-34(a)(2). The Department shall ensure that the Individualized Education Program (IEP) team for each student with a disability includes at least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment).
4. HAR Chapter 56 §8-56-35(c)(d). The Department shall...invite a representative of any other agency that is likely to be responsible for providing or paying for transition services. If an agency is invited to send a representative to a meeting does not do so, the Department shall take other steps to obtain participation of the other agency in the planning of any transition services.

#### **Discussion of Process to Correct Noncompliance:**

Beginning in SY 2005-2006, the HDOE SESB implemented a multifaceted approach to monitoring for all schools on a three-year cycle. To ensure the consistency of methodology and the validity of the data, the administration of the Special Education Student File Review-Focused Checklist was conducted by a trained state level team and monitored by an educational specialist in the SESB.

1. The administration of the Special Education Student File Review-Focused Checklist to approximately 5% of the special education student records in a complex. Charter schools are included in a complex by geographical location. The checklist covers the evaluation/eligibility process, the IEP, and procedural safeguards.
2. The completion of the case-based reviews in all complexes annually. The case-based review process selects 2% of the special education population in each complex, with no less than 12 and no more than 20 per complex. Each case is rated on indicators for current student status and current system performance. The benchmark is a complex average of 85% for overall student status and system performance.
3. A report generated by the SESB will be sent to the complexes within 30 school days after the completion of the internal review. Various sources of data will be analyzed, including the results of the case-based reviews, the results of the Special Education Student File Review-Focused Checklist and performance data. The report will include the identification of noncompliance and the timeline for submittal of documentation of correction of the noncompliance to the SESB. A review of the documentation, an on-site visit, and/or a desk audit will be conducted within, but no later than, six months to verify the correction of the noncompliance. If the noncompliance was not corrected, the SESB will work collaboratively with the district special education staff and the complex area superintendent to provide targeted technical assistance to the school(s) and/or complex to correct the noncompliance. If the targeted technical assistance does not result correction of the noncompliance within three months, SESB will submit a report of noncompliance to the state deputy superintendent (DS).

The DS will then direct the school or complex to immediately correct any areas of noncompliance. SESB will conduct a follow-up visit 60 days after the DS mandate to the schools or complexes to verify correction of noncompliance. The information regarding noncompliance found will be flagged for review in the next scheduled monitoring of the agency.

4. Any noncompliance issues raised by anyone in the school community (parents, school and/or district personnel, the superintendent, the Attorney General's office, community, etc.) will be initiate further investigations by the SESB. The investigations may include, but is not limited to, interviews, records reviews, on-site visitations, and desk audits. The SESB will inform the school, District Educational Specialist (DES), and Complex Area Superintendent (CAS) of any systemic findings of noncompliance and the timeline for submittal of documentation of correction of the noncompliance to the SESB. A review of the documentation, an on-site visit, and/or a desk audit will be conducted within, but no later than, six months to verify the correction of the noncompliance. If the noncompliance was not corrected, the SESB will work collaboratively with the DES and CAS and provide technical assistance to the school(s) and/or complex to correct the noncompliance. If the targeted assistance does not result in correction of the noncompliance within three months, the SESB will submit a report of the noncompliance to the DS for appropriate follow up within two months of the submittal of the report to ensure correction of the noncompliance.

In the SY 2006-2007, the HDOE refined its previous monitoring process to include additional sources of data. The data collected on four (4) areas are targeted to determine the level of state oversight for a complex. These four (4) areas and the benchmarks are:

1. Results of the case-based reviews with a benchmark of 85% or better for overall student status and system performance;
2. Results from the Student File Review-Focused Checklist with a benchmark of 90% or better on IEP Identification (evaluation and eligibility), and Procedural Safeguards;
3. Monthly special education data for the complex with established benchmarks for IEPs current, 60-day timeline, service gaps, and 3 year re-evaluations in 8 out of 10 months (August 2006 through May 2007) or the last five (5) consecutive reporting periods (January 2007 through May 2007);
4. No Child Left Behind (NCLB) participation benchmark of 95% for special education students in reading and math for SY 2005-2006.

The data from SY 2006-2007 will be used by the HDOE to determine the level of oversight according to the following criteria:

- Level 3: Meets benchmarks in four (4) areas
- Level 2: Meets benchmarks in three (3) areas
- Level 1: Meets benchmarks in two (2) or less areas

Complexes in Level 3 will be responsible for evaluating their own performance, creating and implementing improvement plans, and monitoring the results for students with disabilities on a regular basis. The complex will submit an annual Sustainability Report at the end of the SY 2007-2008 to the Director of the Student Support Services Branch (SSSB), with evidence and an explanation of any progress and/or slippage on their monthly special education data, participation rate for NCLB, and implementation of improvement activities after the Case-Based Review and Student File Review-Focused Checklist. District and state assistance will be provided if the complex demonstrates the inability to meet any benchmark. The complex will be scheduled for an external monitoring in SY 2010-2011 which will include an external Case-Based Review and Student File Review-Focused Checklist.

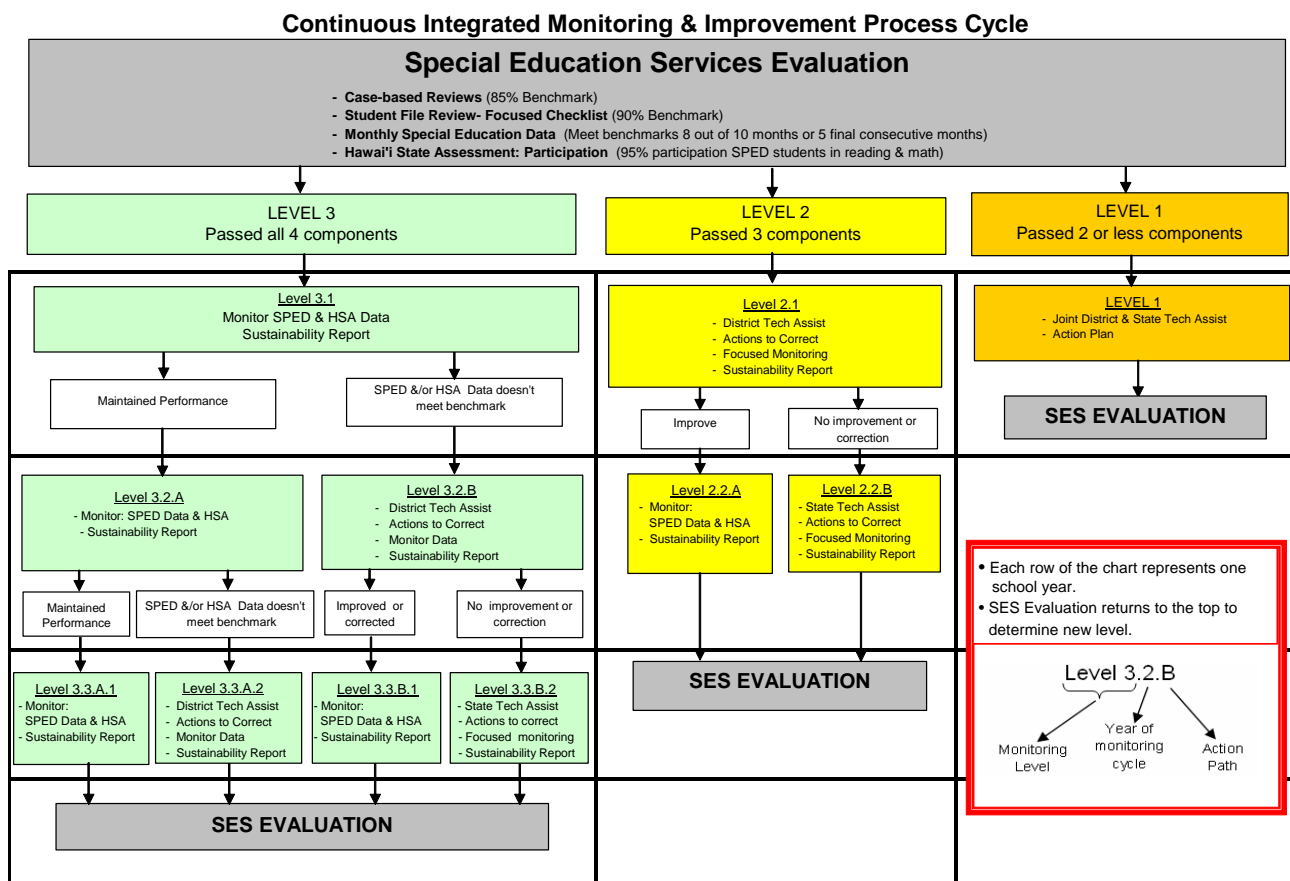
Complexes in Level 2 will have a focused monitoring, depending on the following need areas:

- If the need area is the Case-Based Review, there will an internal Case-Based Review conducted in SY 2007-2008;

- If the need area is the Student File Review-Focused Checklist, the complex will randomly select IEPs to be reviewed using the checklist;
- If the need area is the monthly special education data, the complex will submit evidence that the data benchmarks are being met or identify the cause(s) and strategic action(s) to address the issue(s); and
- If the need area is the participation rate for NCLB, the complex will submit evidence that the participation rate for has met the benchmark or identifies the cause(s) and strategic action(s) to address the issue(s).

District and state assistance will be provided if the complex demonstrates the inability to meet the benchmark in any of the areas. The complex will be required to submit an annual Sustainability Report at the end of the SY 2007-2008 to the Director of SSSB with evidence and an explanation of any progress and/or slippage on their monthly special education data, participation rate for NCLB, and implementation of improvement activities after the Case-Based Review and Student File Review-Focused Checklist. The complex will be scheduled for an external monitoring in SY 2009-2010 which will include an external Case-Based Review and Student File Review-Focused Checklist.

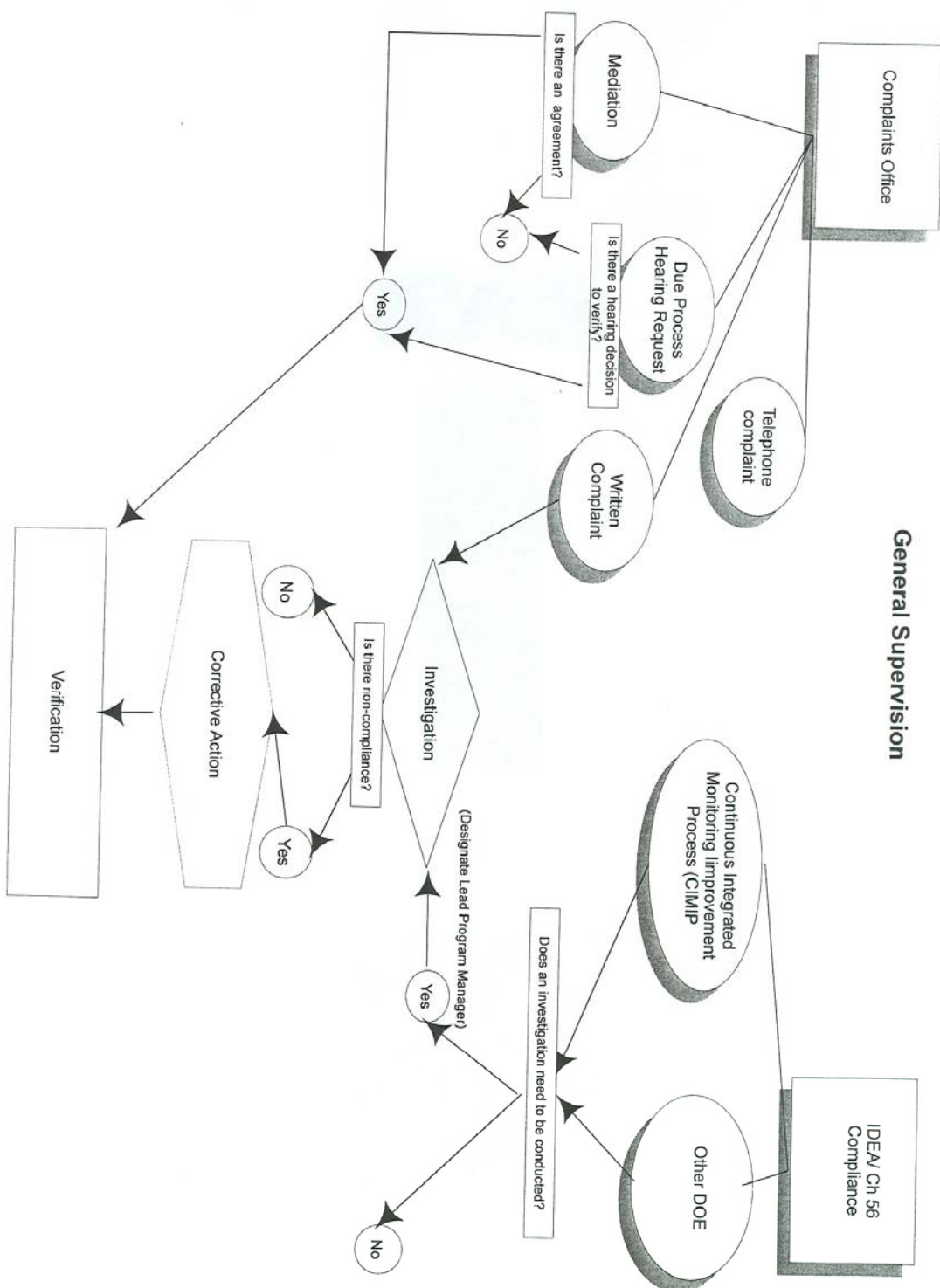
Complexes in Level 1 will receive district and state assistance to determine the cause(s) and action(s) for improvement. The complex will submit a plan of action to the Director of SSSB by September 30, 2007. The complex will be scheduled for an external monitoring in SY 2007-2008 which will include an external Case-Based Review and Student File Review-Focused Checklist.



Any noncompliance issues raised by anyone in the school community (parents, school and/or district personnel, the superintendent, the Attorney General's office, community, etc.) will initiate further investigations by the Special Education Section. The investigations may include, but is not limited to, interviews, records reviews, on-site visitations, and desk audits. The SES will inform the school, DES and



CAS of any systemic findings of noncompliance and the timeline for submittal of evidence to demonstrate correction of the noncompliance. A review of the evidence, an on-site visit, and/or a desk audit will be conducted within, but not later than, six months to verify the correction of the noncompliance. If the noncompliance is not corrected, the SES will collaborate with the DES, and CAS to provide the necessary technical assistance to correct the noncompliance. If the targeted assistance does not result in correction of the noncompliance within three months, the Director of SSSB will submit a report to the DS for appropriate follow up to ensure correction of the noncompliance. SSSB will again review the evidence by conducting a desk audit in two (2) months. If the noncompliance is not corrected, SSSB will direct and monitor the use of monies to address and correct the noncompliance issue(s).



12/1/05

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	100% of identified noncompliance will be corrected as soon as possible but within one year.
<b>2006</b> (2006-2007)	100% of identified noncompliance will be corrected as soon as possible but within one year.
<b>2007</b> (2007-2008)	100% of identified noncompliance will be corrected as soon as possible but within one year.
<b>2008</b> (2008-2009)	100% of identified noncompliance will be corrected as soon as possible but within one year.
<b>2009</b> (2009-2010)	100% of identified noncompliance will be corrected as soon as possible but within one year.
<b>2010</b> (2010-2011)	100% of identified noncompliance will be corrected as soon as possible but within one year.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
SSSB personnel will select 5% of the IEPs from one-third of the complexes, including charter schools. These selected IEPs will be reviewed using the Special Education Student File Review-Focused Checklist.	September 200-April 2006	SSSB
SSSB personnel will select 5% of the IEPs from two-thirds of the complexes, including charter schools. These selected IEPs will be reviewed using the Special Education Student File Review-Focused Checklist.	September 2006-April 2007	
SSSB personnel will select 5% of the IEPs from complexes in Level 1. These selected IEPs will be reviewed using the Special Education Student File Review-Focused Checklist.	September 2007-April 2008 September 2008-April 2009 September 2009-April 2010 September 2010-April 2011	
The completion of the Case-Based reviews by external reviewers in complexes in Level 1, including charter schools, and an internal Case-Based review in complexes in Level 2 who did meet the benchmark in the previous SY will be completed.	September 2007-April 2008 September 2008-April 2009 September 2009-April 2010 September 2010-April 2011	SSSB; Contracted HDOE reviewers/mentors; partnership with Hawaii Department of Health (Child and Adolescent Mental Health Section and Early Intervention Section)

Improvement Activities	Timelines	Resources
A report from the SESB will be sent to the districts, complexes, and schools within 30 school days following the end of the external review. Any noncompliance identified during the application of the Special Education Student File Review–Focused Checklist and the corrective actions and timelines will included in the report.	September 2005-April 2006 September 2006-April 2007 September 2007-April 2008 September 2008-April 2009 September 2009-April 2010 September 2010-April 2011	State SSSB
SSSB will correct noncompliance identified during the file reviews and the investigation of issues raised by the school community. The school(s) and/or complex(es) will submit to SSSB documentation of correction of the noncompliance. SSSB will conduct a verification of the documentation submitted. If the noncompliance is not corrected, SSSB will work collaboratively with the DES staff and CAS to provide targeted technical assistance. If the targeted technical assistance does not produce correction of the noncompliance, SSSB will submit a report to the DS for appropriate follow up actions. SSSB will again review the evidence by conducting a desk audit in one month. If the noncompliance is not corrected, SSSB will direct and monitor the use of monies to address and correct the noncompliance issue(s).	September 2005-April 2006 September 2006-April 2007 September 2007-April 2008 September 2008-April 2009 September 2009-April 2010 September 2010-April 2011	SSSB; District Special Education personnel; CAS
Develop a plan to include SPP indicators in our general supervision process.	January 2007-2008	SSSB, SPP Focus Group
Publish a list of complexes on the Special Education website that have been identified as having noncompliance and correcting within one (1) year.	SY 2008-2009 SY 2009-2010	SSSB
Provide technical assistance to district staff for areas of noncompliance and correction.	SY 2008-2009 SY 2009-2010	SSSB

Improvement Activities	Timelines	Resources
Enhance procedures for notification and correction of findings of noncompliance.	SY 2008-2009 SY 2009-2010	SSSB
Publish list of identified schools not correcting noncompliance within one (1) year of identification.	SY 2009-2010	HIDOE

## Part B State Annual Performance Report (APR) for FFY 2008

### 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.**

#### Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100%

#### Actual Target Data for FFY 2008 (2008-2009):

77 (b) divided by 78 (a) times 100 = 99%

#### Describe the process for selecting LEAs for Monitoring:

Hawaii Department of Education (HIDOE) is a unitary system with one (1) Board of Education (BOE) appointing the Superintendent of Education. The HIDOE is both the State Education Agency (SEA)/Local Education Agency (LEA) functioning as the state system and one (1) district. The Special Education Section (SES) monitors the entire system to include individual regional areas and individual schools.

#### Longitudinal Data for Indicator 15

FFY	Percent of noncompliance corrected within one (1) year
<b>2004</b> (2004-2005)	89%
<b>2005</b> (2005-2006)	94%
<b>2006</b> (2006-2007)	96%
<b>2007</b> (2007-2008)	99%
<b>2008</b> (2008-2009)	99%

**Correction of FFY 2007 Findings of Noncompliance Timely Corrected (corrected within one (1) year from identification of the noncompliance):**

1. # of findings of noncompliance the State made during Federal Fiscal Year (FFY) 2007 (the period from July 1, 2007 through June 30, 2008). (Sum of Column a on the Indicator B15 Worksheet)	<b>78</b>
2. # of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding). (Sum of Column b on the Indicator B15 Worksheet)	<b>77</b>
3. # of findings <u>not</u> verified as corrected within one (1) year [(1) minus (2)]	<b>1</b>

**Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one (1) year from identification of the noncompliance):**

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

**Actions taken if Noncompliance Not Corrected**

N/A

**Verification of Correction (either timely or subsequent)**

HIDOE continues to embrace the Continuous Integrated Monitoring and Improvement Process (CIMIP) to progress from 89% in FFY 2004 to 99% in FFY 2008. As mentioned in the improvement activities the regional areas send a report to SES to demonstrate progress and improvement. When noncompliance is identified, SES provides targeted technical assistance in the form of communicating to each Complex Area Superintendent (CAS) and District Educational Specialist (DES) about the noncompliance and outlining in writing the steps to take to correct the noncompliance. This effort has been successful in making improvements and the correction of noncompliance. Since HIDOE implemented our CIMIP cyclical general supervision process, which included quantitative data on meeting the program requirements of the law and qualitative data on educational results and functional outcomes for students with disabilities, HIDOE has ensured the integrity of data through extensive training, common language and focus, and a joint responsibility with the regional areas for data accuracy and quality control of implementation.

HIDOE is committed to addressing noncompliance findings on the student and system level. The SES actively works with the DESs and their respective schools to identify noncompliance and make the necessary changes to demonstrate correction of noncompliance at the student level, within each student's file in electronic Comprehensive Student Support System (eCSSS) to align with student needs. At the same time, SES works at the system level to ensure implementation with fidelity of policies, practices, and procedures across the entire HIDOE in all schools and regional areas through technical assistance and statewide training sessions.

HIDOE's verification of noncompliance is consistent with U.S. Department of Education, Office of Special Education Programs Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008: (1) The SES verified that schools correctly implemented the specific regulatory requirements by analyzing a sample of Individualized Education Programs (IEPs) subsequent to the finding of noncompliance; and

(2) The SES verified that the IEPs for all individual instances of noncompliance were corrected.

1. Indicator 4: Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of the children with disabilities for greater than ten (10) days in a school year.

The SES verified the correction of the noncompliance reported in the FFY 2007 APR by using two verification tests that are consistent with OSEP Memo 09-02:

(1) The SES verified that the one finding of noncompliance related to suspension identified during the SY 2007-2008 was corrected and met the requirements in accordance with 34 CFR §300.170(b). The SES verified that the schools correctly implemented the specific regulatory requirement relating to timely manifestation determination meetings in accordance with 34 CFR §300.530(e). The SES verified that the one finding of noncompliance that represented the four schools was corrected within one year of its notification to the schools.

The schools completed a self-study using two worksheets (Guiding Questions for the Analysis of School Systems and Guiding Questions for the Analysis of Individual Students) to examine their data and practices. Regional area personnel also reviewed information for each of the four schools. The responses to the worksheets provided guidance to schools in revising and/or adding activities to improve their behavioral support/intervention programs. The schools revised their practices, consistent with HIDOE policies, procedures, and practices and communicated the information with school personnel. In the case of one school, a flow chart of the procedures, including personnel positions, was required. Regional area personnel and the SES monitored discipline data on the eCSSS to ensure that the four schools adhered to all procedural safeguards for suspensions greater than 10 cumulative days, consistent with HIDOE policies and procedures. Data was analyzed monthly to specifically follow-up with the four identified schools with significant suspension differences in FFY 2007.

In September 2009, the SES verified that the practices for suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, procedural safeguards, and specifically, timely manifestation determination meetings, consistent with §300.170(b) and §300.530(e). The correction took place within one year of issuing the finding of noncompliance.

(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDOE was implementing the specific regulatory requirement correctly. In November 2009, the SES looked at subsequent data from the four schools through the eCSSS and verified that all suspensions and expulsions of greater than 10 days for students with IEPs in the four schools complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and the procedural safeguards consistent with §300.170(b). Manifestation determination meetings for suspensions and expulsions of greater than 10 days were timely, consistent with 34 CFR 300.530(e). The analysis of these data indicated that the schools were implementing the regulatory requirements correctly.

Based on guidance from OSEP Memo 09-02, the SES considered that HIDOE corrected the noncompliance identified in FFY 2007 in accordance with 34 CFR §300.170(b) because HIDOE passed the two verification tests as specified in OSEP's FFY 2007 response table.

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

The SES verified noncompliance reported under Indicator 11 in the FFY 2007 APR by using two verification tests that are consistent with the OSEP Memo 09-02:

(1) The SES verified that HIDOE corrected the individual instances of noncompliance by analyzing all the initial evaluations that exceeded the State's 60-day timeline subsequent to the finding of noncompliance. From this analysis, the SES verified that the 210 initial evaluations in 33 of 42 regions across the state that exceeded the State's 60-day timeline in FFY 2007 were completed, and that a free appropriate public education (FAPE) was provided to the 161 eligible students. Forty-nine students, of the 210 initial evaluations, were determined ineligible for special education and related services. In other words, the



State verified that the one finding (5% of initial evaluations exceeding the 60-day timeline) of noncompliance identified in FFY 2007 was correctly implemented. The state verified that these corrections were completed within one year of issuing the finding of noncompliance.

(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDEOE was implementing the specific regulatory requirement correctly. In June 2009, the SES reviewed a random sample of initial evaluations through eCSSS, in the 33 regions where noncompliance under 34 CFR §300.301(c)(1) was identified during school year 2007-2008. All 264 initial evaluations reviewed were completed within 60 days of receiving parental consent. One hundred percent (100%) of the initial evaluations reviewed at that time were completed within the timelines under 34 CFR 300.301(c)(1).

Because the HIDEOE passed the two verification tests, consistent with OSEP Memo 09-02, the SES considered that HIDEOE has corrected the noncompliance identified in FFY 2007 for Indicator 11 and is correctly implementing the regulatory requirements in accordance with 34 CFR 300.301(c)(1).

3. 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 birthday.

The SES did not issue a finding for Indicator 12 in FFY 2007. There were three (3) cases of noncompliance in FFY 2007, which were corrected before the SES could issue a finding. However, the two-fold test which is consistent with OSEP Memo 09-02, demonstrated that the HIDEOE corrected the noncompliance: (1) The SES verified correct implementation of the regulatory requirements by examining FFY 2008 data from the eCSSS "Services By Age 3" report, where only two (2) cases were found to go beyond the third birthday and were attributed to inappropriate practice by a school. Each case occurred at a different school. Both schools have demonstrated full compliance with this requirement in previous years. In addition, both cases had been resolved prior to identification of the noncompliance by SES; hence no findings were issued in FFY 2008. The three (3) schools that had noncompliance in FFY 2007 demonstrated 100% compliance in FFY 2008. (2) The SES also looks at individual student records for IEP services to be delivered, service logs by related services personnel and IEP progress reports provided to parents, and has verified that the three (3) cases that went beyond the third birthday in FFY 2007 had an IEP implemented, although late, as described in FFY 2007 APR (please see text below from FFY 2007 APR).

- First case was completed 67 days beyond the child's third birthday because the evaluation took more than 60 days. The child is currently receiving services and is reported to be making progress on the IEP goals.
- Second case was completed 35 days beyond the child's third birthday. Services began on the first day of the new school year.
- Third case, the school delayed the evaluation while awaiting a medical report from the parent. The child's eligibility (not eligible) was determined 69 days beyond the child's third birthday.

4. 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 postsecondary goals.

The SES verified the correction of the noncompliance reported in the FFY 2007 APR for Indicator 13 by using two (2) verification tests that are consistent with OSEP Memo 09-02: (1) The SES verified that schools correctly implemented the specific regulatory requirements by analyzing a sample of IEPs subsequent to the finding of noncompliance. This analysis took place in January 2010 when the SES collected a sample of IEPs of students age 16 or above from a sample of complexes (12.5%), and checked the required transition content. The results of this analysis demonstrated a 100% compliance with the required transition content. (2) The SES verified that the IEPs for all instances of noncompliance related to post-secondary transition, which were identified in the monitoring of IEPs of students aged 16 years and older that were in effect during the SY 2007-2008, were corrected and met the requirements as specified by the Part B Indicator Measurement Table for Indicator 13 for SY 2008-2009. The schools in which the noncompliant files were found, were notified, required to correct them, and submit

documentation to the SES that the corrections were made. The SES reviewed this documentation and verified that the IEPs of all the nineteen (19) students were corrected. The main instances of noncompliance involved transition plans that had postsecondary goals that were not measurable or having goals that were to be achieved in high school rather than in postsecondary settings (13/19) and plans with inappropriate transition services to address these goals (14/19).

Because the HIDEOE passed both of these verification tests, it is considered that HIDEOE has corrected the noncompliance identified in FFY 2007 for Indicator 13, however, beyond the one (1) year of identification.

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

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

1. # of remaining FFY 2006 findings noted in OSEP's June 1, 2009 FFY 2007 APR response table for this indicator	0
2. # of remaining FFY 2006 findings the State has verified as corrected	0
3. # of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	0

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

N/A

#### **Additional Information Required by the OSEP APR Response Table (if applicable)**

Statement from the Response Table	State's Response
<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e) and OSEP Memo 09-02.</p> <p>In reporting on correction of the noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that the HIDEOE is correctly implementing the specific regulatory requirements that resulted in noncompliance reported in the FFY 2007 APR, consistent with OSEP Memo 09-02.</p>	<p>HIDEOE has included data in the FFY 2008 APR demonstrating timely correction of noncompliance identified in FFY 2007, including noncompliance identified through HIDEOE's monitoring system, data system and by the Department. (See B15 Worksheet.)</p> <p>HIDEOE has described in the FFY 2008 APR the process used to verify that the HIDEOE is correctly implementing the specific regulatory requirements that resulted in noncompliance reported in the FFY 2007 APR, consistent with OSEP Memo 09-02.</p>

Statement from the Response Table	State's Response
<p>In addition, in responding to Indicators 11, 12, and 13 in the FFY 2008 APR due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p>	<p>Correction of noncompliance reported in Indicators 11, 12, and 13 is described in the FFY 2008 APR above and repeated below.</p> <p><b>Indicator 11:</b> The SES verified noncompliance reported under Indicator 11 in the FFY 2007 APR by using two verification tests that are consistent with the OSEP Memo 09-02: (1) The SES verified that HIDOE corrected the individual instances of noncompliance by analyzing all the initial evaluations that exceeded the State's 60-day timeline subsequent to the finding of noncompliance. From this analysis, the SES verified that the 210 initial evaluations in 33 of 42 regions across the state that exceeded the State's 60-day timeline in FFY 2007 were completed, and that a FAPE was provided to the 161 eligible students. Forty-nine students, of the 210 initial evaluations, were determined ineligible for special education and related services. In other words, the State verified that the one finding (5% of initial evaluations exceeding the 60-day timeline) of noncompliance identified in FFY 2007 was correctly implemented. The state verified that these corrections were completed within one year of issuing the finding of noncompliance.</p> <p>(2) Subsequent to the verification of the correction of identified noncompliance, the SES collected subsequent data to verify that HIDOE was implementing the specific regulatory requirement correctly. In June 2009, the SES reviewed a random sample of initial evaluations through eCSSS, in the 33 regions where noncompliance under 34 CFR §300.301(c)(1) was identified during school year 2007-2008. All 264 initial evaluations reviewed were completed within 60 days of receiving parental consent. One hundred percent (100%) of the initial evaluations reviewed at that time were completed within the timelines under 34 CFR 300.301(c)(1).</p> <p>Because the HIDOE passed the two verification tests, consistent with OSEP Memo 09-02, the SES considered that HIDOE has corrected the noncompliance identified in FFY 2007 for Indicator 11 and is correctly implementing the regulatory requirements in accordance with 34 CFR 300.301(c)(1).</p> <p><b>Indicator 12:</b> The SES did not issue a finding for Indicator 12 in FFY 2007. There were three (3) cases of noncompliance in FFY 2007, which were corrected</p>

Statement from the Response Table	State's Response
	<p>before the SES could issue a finding. However, the two-fold test which is consistent with OSEP Memo 09-02, demonstrated that the HIDOE corrected the noncompliance: (1) The SES verified correct implementation of the regulatory requirements by examining FFY 2008 data from the eCSSS "Services By Age 3" report, where only two (2) cases were found to go beyond the third birthday and were attributed to inappropriate practice by a school. Each case occurred at a different school. Both schools have demonstrated full compliance with this requirement in previous years. In addition, both cases had been resolved prior to identification of the noncompliance by SES; hence, no findings were issued in FFY 2008. The three (3) schools that had noncompliance in FFY 2007 demonstrated 100% compliance in FFY 2008. (2) The SES also looks at individual student records for IEP services to be delivered, service logs by related services personnel and IEP progress reports provided to parents, and has verified that the three cases that went beyond the third birthday in FFY 2007 had an IEP implemented, although late, as described in FFY 2007 APR (please see text below from FFY 2007 APR).</p> <ul style="list-style-type: none"> <li>• One case was completed 67 days beyond the child's third birthday because the evaluation took more than 60 days. The child is currently receiving services and is reported to be making progress on the IEP goals.</li> <li>• A second case was completed 35 days beyond the child's third birthday. Services began on the first day of the new school year.</li> <li>• In the third case, the school delayed the evaluation while awaiting a medical report from the parent. The child's eligibility (not eligible) was determined 69 days beyond the child's third birthday.</li> </ul> <p><b>Indicator 13:</b> The Special Education Section (SES) verified the correction of the noncompliance reported in the FFY 2007 APR for Indicator 13 by using two verification tests that are consistent with OSEP Memo 09-02: (1) The SES verified that schools correctly implemented the specific regulatory requirements by analyzing a sample of IEPs subsequent to the finding of noncompliance. This analysis took place in January 2010 when the SES collected a sample of IEPs of students age 16 or above from a sample of complexes (12.5%), and checked the required transition content. The results of this analysis demonstrated a 100% compliance</p>

Statement from the Response Table	State's Response
	<p>with the required transition content. (2) The SES verified that the IEPs for all instances of noncompliance related to post-secondary transition which were identified in the monitoring of IEPs of students aged 16 years and older that were in effect during the SY 2007-2008 were corrected and met the requirements as specified by the Part B Indicator Measurement Table for Indicator 13 for School Year 2008-2009. The schools in which the noncompliant files were found were notified, required to correct them, and submit documentation to the SES that the corrections were made. The SES reviewed this documentation and verified that the IEPs of all the 19 students were corrected. The main instances of noncompliance involved transition plans that had postsecondary goals that were not measurable or having goals that were to be achieved in high school rather than in postsecondary settings (13/19) and plans with inappropriate transition services to address these goals (14/19).</p> <p>Because the HDOE passed both of these verification tests, it is considered that HDOE has corrected the noncompliance identified in FFY 2007 for Indicator 13, however, beyond the one year of identification.</p>

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

Improvement Activities	Timelines	Status
The SES personnel will select 5% of the IEPs from one-third of the complexes, including charter schools. These selected IEPs will be reviewed using the Special Education Student File Review - Focused Checklist.	September 2005-April 2006	Completed
The SES personnel will select 5% of the IEPs from two-thirds of the complexes, including charter schools. These selected IEPs will be reviewed using the Special Education Student File Review - Focused Checklist.	September 2006-April 2007	Completed

Improvement Activities	Timelines	Status
The SES personnel will select 5% of the IEPs from complexes in Level 1. These selected IEPs will be reviewed using the Special Education Student File Review – Focused Checklist.	September 2007-April 2008	Completed
	September 2008-April 2009	Completed
	September 2009-April 2010	
	September 2010-April 2011	
The completion of the case-based reviews by external reviewers in complexes in Level 1, including charter schools, and an internal case-based review in complexes in Level 2 who did meet the benchmark in the previous school year.	September 2007-April 2008	Completed
	September 2008-April 2009	Completed
	September 2009-April 2010	
	September 2010-April 2011	
A report from the SES will be sent to the districts, complexes, and schools within 30 school days following the end of the external review. Any noncompliance identified during the application of the Special Education Student File Review – Focused Checklist and the corrective actions and timelines will be included in the report.	September 2005-April 2006	Completed
	September 2006-April 2007	Completed
	September 2007-April 2008	Completed
	September 2008-April 2009	Completed
	September 2009-April 2010	
	September 2010-April 2011	
The SES will correct noncompliance identified during the file reviews and the investigation of issues raised by the school community. The school(s) and/or complex(es) will submit to the SES documentation of correction of the noncompliance. The SES will conduct a verification of the documentation submitted. If the noncompliance is not corrected, the SES will work collaboratively with the DES staff and the CAS to provide targeted technical assistance. If the targeted technical assistance does not produce correction of the noncompliance, the SES will submit a report to the DS for appropriate follow-up actions. The SES will again review the evidence by conducting a desk audit in one (1) month. If the noncompliance is not corrected, the SES will direct and monitor the use of monies to address and correct the noncompliance issue(s).	September 2005-April 2006	Completed
	September 2006-April 2007	Completed
	September 2007-April 2008	Completed
	September 2008-April 2009	Completed
	September 2009-April 2010	
	September 2010-April 2011	

Improvement Activities	Timelines	Status
Develop a plan to include all State Performance Plan (SPP) indicators in our general supervision process.	January 2007-2008	Completed
	January 2008-2009	Completed
	January 2009-2010	Completed
Identify/publish schools not correcting noncompliance within one (1) year of identification	January 2009-2010	Ongoing

**Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):**

The stakeholder group met on December 10, 2009 to review the data and improvement activities, making no changes to the activities. The HDOE maintained a substantial level of compliance with our general supervision process by continuing with 99% correction of noncompliance no later than one (1) year from identification.

Beginning in SY 2009-2010, the SES will implement a focused monitoring effort to address noncompliance and performance for all schools on a four-year cycle. The General Supervision and Support (GSS) process will improve the effectiveness of the current system in achieving improved student performance and compliance with the Individuals with Disabilities Education Act (IDEA), through the issuing of findings and correction of noncompliance consistent with the OSEP 09-02 memo. The GSS process provides a structure for evaluating schools and state performance on SPP indicators and implementing strategic activities to improve student outcomes. The SES will use data from the APR and other sources to determine statewide focus areas for all regions and schools which will drive their improvement planning and ultimately improve student outcomes.

**PART B INDICATOR 15 WORKSHEET**

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.  2. Percent of youth with IEPs dropping out of high school.  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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments.  7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten (10) days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	1
	Dispute Resolution: Complaints, Hearings	0	0	0
5. Percent of children with IEPs aged 6 through 21 - educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
6. Percent of preschool children aged 3 through 5 - early childhood placement.	Dispute Resolution: Complaints, Hearings	1	8	8



Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
8. Percent of parents with a child receiving special education services, who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	1	3	3
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	1
	Dispute Resolution: Complaints, Hearings	1	1	1
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 birthday.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals, and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	1	63	63
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Sum the numbers down Column a and Column b			78	77
Percent of noncompliance corrected within one (1) year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	98.7%

## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: General Supervision

**Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.**

#### Measurement:

Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

#### Overview of Issue/Description of System or Process:

The Complaints Management Program (CMP), Office of Curriculum, Instruction and Student Support, accepts signed written complaints from parents, third parties, or organizations that allege individual or systemic violations of Individuals with Disabilities Education Improvement Act (IDEA). CMP investigates the allegations and issues Findings of Fact, a Decision and Order in a Complaints Investigative Report within 60 days of the receipt of the written complaint. Should the investigative report uncover violations of IDEA, a corrective action plan is ordered. Within 60 days of the acceptance of a corrective action plan, the CMP conducts an on-site visit to verify the implementation of the corrective action plan. A verification report is issued and the case is monitored until all actions are completed, usually within a year. There have been a few cases in which corrective action may not be completed within a year, such as compensatory education.

#### Baseline Data for FFY 2004 (2004-2005):

Measurement B:

$$100\% = \frac{9 + 0}{9} \times 100 = 100\% \text{ compliance}$$

#### Discussion of Baseline Data:

The Hawaii Department of Education (HIDOE) reported 100% compliance for written complaints issued with findings within timelines. All complaints were investigated and findings were issued within 60 days without extensions. The targets are consistent with U.S. Department of Education, Office of Special Education Programs (OSEP) requirements of 100% compliance. All targets are set for 100% compliance. Based on the past two (2) Federal Fiscal Year (FFY) of data, the HIDOE is confident that the targets will be met. The activities below improve current practices while maintaining 100% compliance.

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	100% compliance
<b>2006</b> (2006-2007)	100% compliance

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2007</b> (2007-2008)	100% compliance
<b>2008</b> (2008-2009)	100% compliance
<b>2009</b> (2009-2010)	100% compliance
<b>2010</b> (2010-2011)	100% compliance

**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Develop and adhere to strict internal timelines through a checklist to meet the 60-day timeline.	July 1, 2006	Special Education Section, Complaints Management Program
Develop and maintain an integrated computer log which automatically calculates written complaint investigative reports, their status, and the percent issued within timelines.	July 1, 2007	Special Education Section, Complaints Management Program
Develop and improve investigation skills and writing skills of the educational specialist and resource teachers who write the findings of fact through professional development.	July 1, 2008	Special Education Section, Complaints Management Program
Improve, develop and expand the current electronic data collection system to ensure accurate trend analyses and integrate other data systems to give schools a complete picture of the kinds of complaints filed against their schools for use to develop corrective action plans to avoid written complaints.	July 1, 2009	Special Education Section, Complaints Management Program

Improvement Activities	Timelines	Resources
Conduct on-site visits at schools with many written complaints to employ early resolution practices and develop a corrective action plan to correct system noncompliance.	July 1, 2010	Special Education Section, Complaints Management Program; school administrators; district educational specialists; complex area superintendents
Conduct a comprehensive analysis and corrective action system to detect and correct system occurrences of noncompliance in districts.	July 1, 2011	Special Education Section, Complaints Management Program; school administrators; district educational specialists; complex area superintendents

**Response to OSEP's letter dated October 13, 2005, Conclusion #2 which reads:**

" . . . In the State's Performance Plan, due December 2, 2005, Hawaii must submit to OSEP: 2. data on the number of complaints filed during the APR reporting period and delete any targets that are inconsistent with its responsibility to ensure that 100 percent of decisions in Part B complaints are issued within the 60-day timeline or within allowable extensions (34 CFR §300.661(a)(1) and (b) . . . )"

FFY 2003 (2003-2004) complaints data were reported electronically in different windows in the APR. The HIDEOE reported 12 written complaints in the FFY 2003. The other numbers were reported erroneously due to technical electronic confusion. FFY 2003 written complaints data are as follows:

- 12 complaints
- 9 written complaints with findings in a final decision within timelines
- 3 complaints suspended (pending) because a due process hearing was requested on the same issues. At the time of the APR submission, the hearing process was not completed, thus the complaint process could not proceed.

100% compliance

FFY 2003 (2003-2004) complaints targets indicated less than 100% compliance. This SPP reports as follows:

All targets in this SPP for Indicator 16 are set at 100% compliance, every year. Indicator 16 requires complete and comprehensive compliance annually.

## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: General Supervision

**Indicator 16:** Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

**Measurement:**

Percent =  $[(1.1(b) + 1.1(c)) \text{ divided by } 1.1] \text{ times } 100$ .

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% compliance

**Actual Target Data for FFY 2008 (2008-2009):**

**Data collected from Table 7 as follows:**

Measurement	Raw Data
<b>Percent of written complaint reports issued within timelines or allowable extensions.</b>	
A. Number of written complaint reports within timelines without extensions	11
B. Number of written complaint reports with extended timelines	0
C. Number of written complaints with reports issued	11
$\frac{11}{11} \times 100 = 100\% \text{ compliance}$	100%

**Additional Information Required by the OSEP APR Response Table (if applicable)**

Statement from the Response Table	State's Response
U.S. Department of Education, Office of Special Education Programs (OSEP) appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.	No requirements from OSEP Response Table for Indicator 16.

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

Eleven (11) written complaints were investigated and reports were issued within timelines. No written complaint with reports was issued with extensions. As required by Individuals with Disabilities Education Act (IDEA), one (1) complaint was set aside pending the conclusion of a due process hearing. Hawaii Department of Education (HIDOE) was 100% compliant for Federal Fiscal Year (FFY) 2008 (2008-2009). These data remain unchanged from the FFY 2004, FFY 2005, FFY 2006, and FFY 2007 data of 100%. HIDOE met the target for the fifth consecutive year.

HIDOE met the compliance target in this indicator for five (5) consecutive years, and HIDOE continues to explore ways to improve all dispute resolution procedures to reduce the number of disputes overall, develop strong relationships with parents and execute durable resolutions. In addition to the improvement activities listed in the State Performance Plan (SPP), the HIDOE consulted with the Consortium for Appropriate Dispute Resolution in Special Education (CADRE) to investigate ways to improve the entire dispute resolution system (written complaints, due process hearings, resolution sessions, mediations, conciliations, facilitations). HIDOE invited the Senior Hearings Officer, the executive director of the Mediation Center of the Pacific, and the Parent Training and Information Center Liaison to develop solutions to concerns over disputes. The three-day meeting ended in a multi-year action plan across several areas of disputes. The meetings were the beginning of a comprehensive analysis of the entire system and the effect each area had on the whole. Discussions were energetic and enlightening. Over the past year, the group met quarterly to revise the three-year action plan and to report activities conducted. A couple of team members collaborated and presented free workshops to the public on dispute resolution through their perspectives. A parent brochure was developed that described the various ways parents were able to resolve disagreements without resorting to a legal procedure. The group is planning more collaboration to build a unified front, supporting the resolution of disputes at less formal levels, resulting in durable agreements.

All findings (100%) identified through a written complaint in FFY 2007 were corrected in a timely manner, no later than one (1) year from the date of identification. The corrected findings from the written complaints are reported in FFY 2007 in Indicator 15 under dispute resolution.

All efforts will be made to continue the targets and activities for the next school year to maintain 100% compliance.

Improvement Activities	Timelines	Status
Develop and adhere to strict internal timelines through a checklist to meet the 60-day timeline.	July 1, 2006	Completed
Develop and maintain an integrated computer log which automatically calculates written complaint investigative reports, their status and the percent issued within timelines.	July 1, 2007	Completed
Develop and improve investigation skills and writing skills of the educational specialist and resource teachers who write the findings of fact through professional development.	July 1, 2008	Completed

Improvement Activities	Timelines	Status
Improve, develop and expand the current electronic data collection system to ensure accurate trend analyses and integrate other data systems to give schools a complete picture of the kinds of complaints filed against their schools for use to develop corrective action plans to avoid written complaints.	July 1, 2009	Completed

#### Longitudinal Data for Indicator 16

FFY	Percent of written complaints within timelines
<b>2004</b> (2004-2005)	100%
<b>2005</b> (2005-2006)	100%
<b>2006</b> (2006-2007)	100%
<b>2007</b> (2007-2008)	100%
<b>2008</b> (2008-2009)	100%

#### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):

No changes to targets, activities or timelines.



## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: General Supervision

**Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.**

#### Measurement:

Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

#### Overview of Issue/Description of System or Process

The Hawaii Department of Education (HIDOE) executed a Memorandum of Agreement with another state agency to conduct the due process impartial hearings. The Department of Commerce and Consumer Affairs (DCCA) employs licensed attorneys as administrative hearings officers to conduct the due process hearings. The HIDOE is a single statewide educational agency with a unitary system of due process hearing requests. All due process hearing requests rise to the state level and are reported. Due process hearings were filed at the rate of 1% of the total special education population annually. Approximately half of the decisions find the HIDOE in compliance with Individuals with Disabilities Education Act (IDEA) and no corrective action is ordered. The HIDOE employs effective dispute resolution interventions and as a result more than 75% of the hearing requests are resolved before a hearing. If a hearing decision issues an order requiring HIDOE action, the Complaints Management Program (CMP) conducts an onsite visit within 60 days to verify the implementation of the decision. A debriefing session occurs to detect and correct noncompliance, if any. A verification report is issued to document the implementation. If corrective action is ordered, the corrective action is implemented within a few months and no later than one (1) year.

#### Baseline Data for FFY 2004 (2004-2005):

$$100\% = \frac{1 + 38}{39} \times 100 = 100\% \text{ compliance}$$

#### Discussion of Baseline Data:

The HIDOE reported 100% compliance for the baseline data in Federal Fiscal Year (FFY) 2004 (2004-2005). All adjudicated due process hearing decisions were issued within the 45-day timeline or allowable extensions. The HIDOE previously reported less than 100% compliance in the FFY 2003 (2003-2004) but has since improved to meet the compliance indicator. All targets reflect the mandatory 100% compliance. All activities support practices to continue meeting the 100% compliance target.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% compliance

FFY	Measurable and Rigorous Target
<b>2006</b> (2006-2007)	100% compliance
<b>2007</b> (2007-2008)	100% compliance
<b>2008</b> (2008-2009)	100% compliance
<b>2009</b> (2009-2010)	100% compliance
<b>2010</b> (2010-2011)	100% compliance

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
Encourage parties to use the dismissal/withdrawal forms as soon as the parties come to an agreement to complete the hearing process within timelines. A dismissal and withdrawal form was developed by the HDOE and distributed. Continue to make the form available to the parties.	July 1, 2006	DCCA; Office of Administrative Hearings; Department of the Attorney General, Education Division; District Educational Specialists; Special Education Section, educational specialist and resource teachers; school administrators.
Improve and develop data collection of the extension orders. Continue to maintain data on the reasons for the extensions. Continue to keep data on the timelines for the extensions and the issuance of a decision within the timelines.	July 1, 2007	DCCA; Office of Administrative Hearings; Department of the Attorney General, Education Division; District Educational Specialists; Special Education Section, educational specialist and resource teachers; school administrators.
Improve and develop the hearings officer's log. Ensure accurate information on the number of hearings, timelines and disposition of all cases.	July 1, 2008	DCCA; Office of Administrative Hearings; Department of the Attorney General, Education Division; District Educational Specialists; Special Education Section, educational specialist and resource teachers; school administrators.

Improvement Activities	Timelines	Resources
Continue to verify the implementation of hearing decisions expeditiously and no later than one (1) year from the decision date.	July 1, 2009	District Educational Specialists; Special Education Section, educational specialist and resource teachers; school administrators.
Continue to conduct on-site visits with the school to debrief staff on the results of the hearing decision and the implications to the individual student's education and/or systemic corrections necessary to avoid other due process hearings.	July 1, 2010	Department of the Attorney General, Education Division; District Educational Specialists; Special Education Section; educational specialist and resource teachers; school administrators.
Develop and implement a corrective action system to correct systemic recurring issues through a corrective action plan with the school and district personnel.	July 1, 2011	Department of the Attorney General, Education Division; District Educational Specialists; Special Education Section; educational specialist and resource teachers; school administrators.

**Response to OSEP's letter October 13, 2005, Conclusion #3 which reads:**

" . . . In the State's Performance Plan, due December 2, 2005, Hawaii must submit to OSEP: 3. either data and analysis demonstrating compliance with the due process hearing timelines or a plan for ensuring that all due process hearing decisions are issued within the 45-day timeline or within allowable extensions, with a report to OSEP not later than thirty days following one year from the date that OSEP accepts the plan (34 CFR §300.511). The State also must revise to 100 percent its targets for issuance of timely hearing decisions and timely implementation of hearing decisions and settlement agreements; . . ."

- In FFY 2004 (2004-2005), the Department reported 100% compliance. Indicator 17 reports 100% compliance which meets the compliance indicator.
- Activities include a plan to maintain the practices of FFY 2004 which reported 100% compliance and perfect current practices to ensure 100% compliance in subsequent years.
- All targets in the SPP are set at 100% compliance.

## Part B State Annual Performance Report (APR) for FFY 2008

**Monitoring Priority: General Supervision**

**Indicator 17:** Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

**Measurement:**

Percent =  $[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100$ .

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% compliance

**Actual Target Data for FFY 2008 (2008-2009):**

**Data collected from Table 7 as follows:**

Measurement	Raw Data
<b>Percent of adjudicated hearing decisions within timelines and/or extensions</b>	
A. Number of adjudicated hearing decisions within timelines	3
B. Number of adjudicated hearing decisions with extended timelines	36
C. Number of adjudicated hearings	39
$\frac{3 + 36}{39} \times 100 = 100\% \text{ compliance}$	100%

**Additional Information Required by the OSEP APR Response Table (if applicable)**

Statement from the Response Table	State's Response
U.S. Department of Education, Office of Special Education Programs (OSEP) appreciates the State's efforts in achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.	No requirements from OSEP Response Table for Indicator 17.

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

As of June 30, 2009, three (3) adjudicated hearings were conducted and decisions issued within timelines without extensions. Thirty-six (36) adjudicated hearings were conducted and decisions issued within timelines with allowable extensions. All adjudicated hearings were conducted within timelines with/without allowable extensions. The Hawaii Department of Education (HIDOE) was 100% compliant for Federal Fiscal Year (FFY) 2008 (2008-2009). These data remain unchanged from the FFY 2004 data of 100% for five (5) consecutive school years. HIDOE met the target.

The HIDOE met the compliance target in this indicator for five (5) consecutive years, and continues to explore ways to improve all dispute resolution procedures to reduce the number of disputes overall, develop strong relationships with parents and execute durable resolutions. In addition to the improvement activities listed in the State Performance Plan (SPP), the HIDOE consulted with the Consortium for Appropriate Dispute Resolution in Special Education (CADRE) to investigate ways to improve the entire dispute resolution system (written complaints, due process hearings, resolution sessions, mediations, conciliations, facilitations). The HIDOE invited the Senior Hearings Officer, the executive director of the Mediation Center of the Pacific, and the Parent Training and Information Center Liaison to develop solutions to concerns over disputes. The three-day meeting ended in a multi-year action plan across several areas of disputes. The meetings were the beginning of a comprehensive analysis of the entire system and the effect each area had on the whole. Discussions were energetic and enlightening. Over the past year, the group met quarterly to revise the three-year action plan and to report activities conducted. A couple of team members collaborated and presented free workshops to the public on dispute resolution through their perspectives. A parent brochure was developed that described the various ways parents were able to resolve disagreements without resorting to a legal procedure. The group is planning more collaboration to build a unified front, supporting the resolution of disputes at less formal levels, resulting in durable agreements.

The HIDOE has been compliant for five (5) consecutive school years performing the same activities. Despite five (5) consecutive compliant years, the HIDOE is committed to drilling down and improving the quality and timelines of each hearing decision. The HIDOE hired a contractor to give technical assistance to the hearings officers and provide an in-depth review of some hearing decisions. In addition, the HIDOE is considering contracting a hearing officer evaluator to review the due process system for its efficacy.

Indicator 15 reported findings of noncompliance as a result of a due process hearing. All findings (100%) identified through a due process hearing decision in FFY 2007 were corrected in a timely manner, no later than one (1) year from the date of identification. The corrected findings from the due process hearing decisions are reported in FFY 2008 in Indicator 15 under dispute resolution.

All efforts will be made to continue the targets and activities for the next school year to maintain 100% compliance.

Improvement Activities	Timelines	Status
Encourage parties to use the dismissal/withdrawal forms as soon as the parties come to an agreement to complete the hearing process within timelines. A dismissal and withdrawal form was developed by the HIDOE and distributed. Continue to make the form available to the parties.	July 1, 2006	Completed

Improvement Activities	Timelines	Status
Improve and develop data collection of the extension orders. Continue to maintain data on the reasons for the extensions. Continue to keep data on the timelines for the extensions and the issuance of a decision within the timelines.	July 1, 2007	Completed
Improve and develop the hearings officer's log. Ensure accurate information on the number of hearings, timelines and disposition of all cases.	July 1, 2008	Completed
Continue to verify the implementation of hearing decisions expeditiously and no later than one year from the decision date.	July 1, 2009	Completed

#### Longitudinal Data for Indicator 17

FFY	Percent of adjudicated hearing decisions within timelines
<b>2004</b> (2004-2005)	100%
<b>2005</b> (2005-2006)	100%
<b>2006</b> (2006-2007)	100%
<b>2007</b> (2007-2008)	100%
<b>2008</b> (2008-2009)	100%

#### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):

No changes to targets, activities or timelines.

## Part B State Performance Plan (SPP) for 2005-2010

**Monitoring Priority: General Supervision**

**Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.**

**Measurement:**

Percent = (3.1(a) divided by 3.1) times 100.

**Overview of Issue/Description of System or Process**

Resolution sessions were a new requirement of Individuals with Disabilities Education Act (IDEA) beginning July 1, 2005. Prior to a due process hearing, the Hawaii Department of Education (HIDOE) conducted a resolution session within 15 days of the request for hearing unless both parties waive the resolution session. At the resolution session, the parties were encouraged to resolve the issues, in whole or in part. If a resolution was achieved, a legally binding written document, signed by the parent and the HIDOE was executed, barring a revocation. Data was collected during the Federal Fiscal Year (FFY) 2005 (2005-2006) which reported the number and percentage of settlement agreements resulting from a resolution session. The following activities were instigated to implement resolution sessions in the due process hearing procedures:

- Developed and distributed resolution session forms to be used as tools.
- Provided IDEA training for a cadre of school personnel, district educational specialists, and state educational specialists explaining the resolution session and its requirements.
- Recommended use of facilitators at the resolution sessions to ensure efficacy.
- Offer facilitation training to state, district, and school personnel.
- Develop and maintain an electronic log to collect resolution session data.

**Baseline Data for FFY 2004 (2004-2005):**

$$\frac{26 \times 100}{160} = 16\% \text{ resolved through resolution session}$$

**Discussion of Baseline Data:**

In FFY 2005 (2005-2006), the HIDOE collected baseline data on the number of resolution sessions conducted. Of the 160 resolution sessions conducted, the HIDOE executed 26 settlement agreements as a result of a resolution session which calculated to 16% of the cases. As a result, the parties were able to avoid a hearing where the case resulted in a settlement agreement.

FFY	Measurable and Rigorous Target
<b>2006</b> (2006-2007)	The HIDOE will execute a settlement agreement as a result of a resolution session 18% of the time.
<b>2007</b> (2007-2008)	The HIDOE will execute a settlement agreement as a result of a resolution session 20% of the time.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	The HIDOE will execute a settlement agreement as a result of a resolution session 22% of the time.
<b>2009</b> (2009-2010)	The HIDOE will execute a settlement agreement as a result of a resolution session 24% of the time.
<b>2010</b> (2010-2011)	The HIDOE will execute a settlement agreement as a result of a resolution session 26% of the time.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
Special Education Section, Complaints Management Program will assemble district personnel to facilitate resolution sessions.	July 1, 2007	Complaints Management Program Educational Specialist; Complaints Management Program Resource Teachers; Judiciary's Center for Alternative Dispute Resolution; Consortium for Appropriate Dispute Resolution in Special Education
Special Education Section, Complaints Management Program will offer mediation, facilitation, conciliation training to district personnel.	July 1, 2008	Complaints Management Program Educational Specialist; Complaints Management Program Resource Teachers; Judiciary's Center for Alternative Dispute Resolution; Consortium for Appropriate Dispute Resolution in Special Education, Mediation Center of the Pacific
Special Education Section, Complaints Management Program will establish training for district personnel to be facilitators.	July 1, 2009	Complaints Management Program Educational Specialist; Complaints Management Program Resource Teachers; Judiciary's Center for Alternative Dispute Resolution; Consortium for Appropriate Dispute Resolution in Special Education, Mediation Center of the Pacific
Special Education Section, Complaints Management Program will offer training for incoming administrators in the area of facilitation and effective communication skills.	July 1, 2010	Complaints Management Program Educational Specialist; Complaints Management Program Resource Teachers; Judiciary's Center for Alternative Dispute Resolution; Consortium for Appropriate Dispute Resolution in Special Education, Mediation Center of the Pacific.



## Part B State Annual Performance Report (APR) for FFY 2008

**Monitoring Priority: General Supervision**

**Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.**

**Measurement:**

Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	The Hawaii Department of Education (HIDOE) will execute a settlement agreement as a result of a resolution session 22% of the time.

**Actual Target Data for FFY 2008 (2008-2009):**

**Data collected from Table 7 as follows:**

Measurement	Raw Data
<b>Number and percentage of settlement agreements resulting from a resolution session</b>	
A. Number of settlement agreements executed as a result of a resolution session	41
B. Number of resolution sessions	114
$\frac{41}{114} \times 100 = 36\%$ resolution	36%

**Additional Information Required by the OSEP APR Response Table (if applicable)**

Statement from the Response Table	State's Response
U.S. Department of Education, Office of Special Education Programs (OSEP) appreciates the State's efforts to improve performance.	No requirements from OSEP response table for Indicator 18.

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

As of June 30, 2009, 114 resolution sessions were conducted. Forty-one (41) settlement agreements were executed as a result of a resolution session. Thirty-six (36%) of the resolution sessions resulted in a settlement agreement. These data demonstrate slippage from the Federal Fiscal Year (FFY) 2007 data of 40%, however, the Hawaii Department of Education (HIDOE) exceeded the target of 22%. FFY 2008 data was a huge improvement from FFY 2006 where settlement agreements were reached in 6% of the resolution sessions.

Although there was slippage in the percentage of resolution sessions resolved, the total number of resolution sessions conducted increased. This increase demonstrates the increased willingness of parties to go to resolution and avoid a hearing. The number of settlement agreements improved after school and complex personnel received dispute resolution training. In addition, complex staff was allowed to include attorney's fees in the settlement agreements which may have been a factor in attorneys encouraging their clients to come to an agreement. (Attorneys were not paid for resolution session attendance, but were paid for time outside the resolution session.) All efforts will be made to continue the activities for the next school year to exceed the target.

The HIDOE continues to explore ways to improve all dispute resolution procedures to reduce the number of disputes overall, develop strong relationships with parents and execute durable resolutions. In addition to the improvement activities listed in the State Performance Plan (SPP), the HIDOE consulted with the Consortium for Appropriate Dispute Resolution in Special Education (CADRE) to investigate ways to improve the entire dispute resolution system (written complaints, due process hearings, resolution sessions, mediations, conciliations, facilitations). The HIDOE invited the Senior Hearings Officer, the executive director of the Mediation Center of the Pacific, and the Parent Training and Information Center Liaison to develop solutions to concerns over disputes. The three-day meeting ended in a multi-year action plan across several areas of disputes. The meetings were the beginning of a comprehensive analysis of the entire system and the effect each area had on the whole. Discussions were energetic and enlightening. Over the past year, the group met quarterly to revise the three-year action plan and to report activities conducted. A couple of team members collaborated and presented free workshops to the public on dispute resolution through their perspectives. A parent brochure was developed that described the various ways parents were able to resolve disagreements without resorting to a legal procedure. The group is planning more collaboration to build a unified front, supporting the resolution of disputes at less formal levels, resulting in durable agreements.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
Special Education Section, Complaints Management Program will assemble district personnel to facilitate resolution sessions.	July 1, 2007	Completed
Special Education Section, Complaints Management Program will offer mediation, facilitation, conciliation training to district personnel.	July 1, 2008	Completed
Special Education Section, Complaints Management Program will establish training for district personnel to be facilitators.	July 1, 2009	Completed. Facilitators were established and trained by complexes.

**Longitudinal Data for Indicator 18**

<b>FFY</b>	<b>Target</b>	<b>Percent of resolution session agreements</b>
<b>2004</b> (2004–2005)	None	N/A
<b>2005</b> (2005–2006)	None	16% baseline data
<b>2006</b> (2006–2007)	18% agreements	6% agreements (missed target)
<b>2007</b> (2007–2008)	20% agreements	40% agreements (exceeded target)
<b>2008</b> (2008–2009)	22% agreements	36% agreements (exceeded target)

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009–2010):**

No changes to targets, activities or timelines.

## Part B State Performance Plan (SPP) for 2005-2010

## Monitoring Priority: General Supervision

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

## Measurement:

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

## Overview of Issue/Description of System or Process:

Mediation is encouraged at all levels with or without a due process hearing request. As required by Individuals with Disabilities Education Act (IDEA), the Hawaii Department of Education (HIDOE) contracts with an impartial contractor to provide mediation services for any school, statewide, without cost to the parent. Mediation agreements are executed and enforced with the same force and effect as a settlement agreement. Schools may use mediation services for any stage of the special education process.

## Baseline Data for FFY 2004 (2004-2005):

$$72\% = \frac{5 + 8}{18} \times 100 = 72\% \text{ mediation agreements executed}$$

## Discussion of Baseline Data:

Mediation agreements are executed 72% of the time if a mediation session is conducted. This indicates the mediation process is successful. Although the numbers are small, the program is efficient. The targets increase per year to achieve a 90% efficacy in 2011. The activities reflect the HIDOE's commitment to increasing the number of mediations per year.

FFY	Measurable and Rigorous Target
<b>2005</b> (2005-2006)	75% mediation agreements per mediation sessions held.
<b>2006</b> (2006-2007)	78% mediation agreements per mediation sessions held.
<b>2007</b> (2007-2008)	81% mediation agreements per mediation sessions held.
<b>2008</b> (2008-2009)	84% mediation agreements per mediation sessions held.
<b>2009</b> (2009-2010)	87% mediation agreements per mediation sessions held.
<b>2010</b> (2010-2011)	90% mediation agreements per mediation sessions held.

**Improvement Activities/Timelines/Resources:**

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
The HIDOE will improve school administration and special education awareness of the mediation services by distributing flyers biannually to all schools.	July 1, 2006	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Reprographics section for duplication
The HIDOE will establish dispute resolution training for administrators at the state and district levels to build capacity and develop skills to avoid conflicts at the school level.	July 1, 2007	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education
The HIDOE will contact and inform seventeen (17) Community Children's Council Chairs and members to inform them of the dispute resolution options available.	July 1, 2007	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education, Mediation Center of the Pacific
The HIDOE will develop or obtain a training videotape, CD, video streaming for school personnel to build mediator capacity at the school level.	July 1, 2008	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education; Teleschools Branch of the HIDOE
The HIDOE will develop or obtain a videotape, CD, video streaming for parents and school personnel about effective communication and nonverbal communication.	July 1, 2009	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education; Teleschools Branch of the HIDOE; parent organizations

Improvement Activities	Timelines	Resources
The HIDOE will conduct on-site visits to schools with high due process rates and low mediation session usage to explain the advantages of mediation.	July 1, 2010	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education; Teleschools Branch of the HIDOE; parent organizations
The HIDOE will redistribute a mediation video with updates to all schools.	July 1, 2011	Complaints Management Program educational specialist and resource teachers; Statewide school administrators and/or special education department; Mediation contractor; Judiciary's Center for Alternative Dispute Resolution; Consortium For Appropriate Dispute Resolution in Special Education; Teleschools Branch of the HIDOE; parent organizations

## Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: General Supervision

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

## Measurement:

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	84% mediation agreements per mediation sessions held.

Actual Target Data for FFY 2008 (2008-2009):

Measurement	Raw Data
Percent of mediation agreements executed related to a due process hearing or not related to a due process hearing	
A. # of mediation agreements related to a due process hearing request	0
B. # of mediation agreements not related to a due process hearing request	7
C. # of mediations conducted	9
0 + 7 divided by 9 times 100	78%

Additional Information Required by the OSEP APR Response Table (if applicable)

Statement from the Response Table	State's Response
U.S. Department of Education, Office of Special Education Program (OSEP) looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.	No requirements from OSEP Response Table for Indicator 16.

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

In Federal Fiscal Year (FFY) 2008 (2008-2009), nine (9) mediations were conducted. Pursuant to OSEP instructions, HIDOE is not required to report on targets and improvement activities for years in which less

than ten (10) mediations are held. Because HIDEOE did not conduct more than ten (10) mediations, the data were too insignificant to determine trends, progress or slippage toward the target.

Activities were conducted, but were thwarted due to budget cuts in other areas of the HIDEOE. The HIDEOE augmented activities to encourage participation in mediation. Because mediation was voluntary, the HIDEOE was unable to increase the level of participation directly. However, the HIDEOE is committed to resolving conflicts through mediation or other early dispute resolution practices and we are not discouraged from continuing our efforts to increase the number of participants in mediation. All efforts will be made to continue the activities for the next school year to meet the target.

The HIDEOE continues to explore ways to improve all dispute resolution procedures to reduce the number of disputes overall, develop strong relationships with parents and execute durable resolutions. In addition to the improvement activities listed in the State Performance Plan (SPP), the HIDEOE consulted with the Consortium for Appropriate Dispute Resolution in Special Education (CADRE) to investigate ways to improve the entire dispute resolution system (written complaints, due process hearings, resolution sessions, mediations, conciliations, facilitations). The HIDEOE invited the Senior Hearings Officer, the executive director of the Mediation Center of the Pacific, and the Parent Training and Information Center Liaison to develop solutions to concerns over disputes. The three-day meeting ended in a multi-year action plan across several areas of disputes. The meetings were the beginning of a comprehensive analysis of the entire system and the effect each area had on the whole. Discussions were energetic and enlightening. Over the past year, the group met quarterly to revise the three-year action plan and to report activities conducted. A couple of team members collaborated and presented free workshops to the public on dispute resolution through their perspectives. A parent brochure was developed that described the various ways parents were able to resolve disagreements without resorting to a legal procedure. The group is planning more collaboration to build a unified front, supporting the resolution of disputes at less formal levels, resulting in durable agreements.

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Status</b>
The HIDEOE will improve school administration and special education awareness of the mediation services by distributing flyers biannually to all schools.	July 1, 2006	Completed and continuing
The HIDEOE will establish dispute resolution training for administrators at the state and district levels to build capacity and develop skills to avoid conflicts at the school level.	July 1, 2007	Completed
The HIDEOE will contact and inform 17 Community Children's Council Office chairs and members to inform them of the dispute resolution options available.	July 1, 2007	Completed



Improvement Activities	Timelines	Status
The HIDEOE will develop or obtain a training videotape, CD, video streaming for school personnel to build mediator capacity at the school level.	July 1, 2008	Pre-made videos obtained, but HIDEOE would like to develop a video with Hawaii actors. Budget cuts in other areas of the state prevent production at this time.
The HIDEOE will develop or obtain a videotape, CD, video streaming for parents and school personnel about effective communication and nonverbal communication.	July 1, 2009	Pre-made videos obtained, but HIDEOE would like to develop a video with Hawaii actors. Budget cuts in other areas of the state prevent production at this time.

**Longitudinal Data for Indicator 19**

FFY	Percent of mediation agreements executed
<b>2004</b> (2004-2005)	72%
<b>2005</b> (2005-2006)	N/A (data less than 10, no analysis)
<b>2006</b> (2006-2007)	N/A (data less than 10, no analysis)
<b>2007</b> (2007-2008)	N/A (data less than 10, no analysis)
<b>2008</b> (2008-2009)	N/A (data less than 10, no analysis)

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

No changes to targets, activities or timelines.

## Data Transmission System (DTS)

**DATE:**  **STATUS:** ORIGINAL SUBMISSION

**Part B, Dispute Resolution count data are due November 1, 2009.**

**Please read** the following basic guidelines before completing the Data Transmission System (DTS) forms:

1. To change the size and appearance of the text on the spreadsheet, select VIEW from the toolbar, select ZOOM, and then select the percentage increase or decrease.
2. Enter the appropriate data into the YELLOW shaded areas on each page of the form. Please be sure to read section heading descriptions so data are entered in the correct section. Also, be sure to enter any State and date information. The two-digit State postal code should appear on every page of the form. A list is available on PAGE1. Use the scroll bar or the up or down arrow keys to scroll through the list. Click on the appropriate State postal code to select it.
3. If you choose to cut and paste data from another area, use the PASTE SPECIAL option and select VALUES. This will protect the current formats.
4. Any comments regarding the submitted data should be entered on the last page of the workbook, titled COMMENTS.
5. Save the completed forms. Please be sure that your State postal code appears in the file name. (Example: Maryland - Res08MD.XLS)
6. Each cell in the attached spreadsheet contains a "-9" value by default. If you do not enter a count in each cell it will be determined that the State did not collect the requested data element. In such cases, the State **must** provide an explanation in the comments section for the missing data. Note that if the submission is missing a required data element, it will not be entered into DANS and the State will be
7. RED cells indicate computational errors or an error in reporting race/ethnicity. Sum totals for race/ethnicity should not be greater than reported totals. **Please make sure there are NO RED CELLS before saving and submitting data.**
8. Please return electronic copies of your completed DTS forms to Westat: IDEADData\_PartB@westat.com.

If you have questions or concerns, please contact Carolbruce@westat.com.

Version Date: 10/13/2009

TABLE 7  
REPORT OF DISPUTE RESOLUTION UNDER PART B. OF THE  
INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
2008-09

STATE:

HI - HAWAII

SECTION A: WRITTEN, SIGNED COMPLAINTS	
(1) Total number of written, signed complaints filed	13
(1.1) Complaints with reports issued	11
(a) Reports with findings of noncompliance	8
(b) Reports within timeline	11
(c) Reports within extended timelines	0
(1.2) Complaints pending	1
(a) Complaints pending a due process hearing	1
(1.3) Complaints withdrawn or dismissed	1

SECTION B: MEDIATION REQUESTS	
(2) Total number of mediation requests received	15
(2.1) Mediations held	9
(a) Mediations held related to due process complaints	1
(i) Mediation agreements related to due process complaints	0
(b) Mediations held not related to due process complaints	8
(i) Mediation agreements not related to due process	7
(2.2) Mediations not held (including pending)	6

SECTION C: DUE PROCESS COMPLAINTS	
(3) Total number of due process complaints filed	118
(3.1) Resolution meetings	114
(a) Written Settlement agreements	41
(3.2) Hearings fully adjudicated	39
(a) Decisions within timeline (include expedited)	3
(b) Decisions within extended timeline	36
(3.3) Resolved without a hearing	49

SECTION D: EXPEDITED DUE PROCESS COMPLAINTS (RELATED TO DISCIPLINARY DECISION)	
(4) Total number of expedited due process complaints filed	1
(4.1) Resolution meetings	1
(a) Written settlement agreements	1
(4.2) Expedited hearings fully adjudicated	0
(a) Change of placement ordered	0

13 Sum of Sections 1.1, 1.2 and 1.3 should equal section 1.

Section 1.1a should be less than or equal to section 1.1

Section 1.1b + 1.1c should be less than or equal to section 1.1

Section 1.2.a should be less than or equal to section 1.2

15 Section 2.1 + 2.2 should equal Section2.

9 Section 2.1a + 2.1b should equal Section 2.1

Section 2.1.a.i should be less than or equal to section 2.1.a

Section 2.1.b.i should be less than or equal to section 2.1.b

Section 3.1.a should be less than or equal to section 3.0

Section 3.1.a should be less than or equal to section 3.1 ; C34 LE C38

Section 3.2+Section 3.3 should be less than or equal to Section 3.

Sum(C36:C37) <= C35

118 Section 4 should be less than or equal to section 3

114 Section 4.1 should be less than or equal to 4 and less than or equal to 3.1

41 Section 4.1.a should be less than or equal to 4.1 and less than or equal to 3.1.a

41 Section 4.2 should be less than or equal to Section 4.

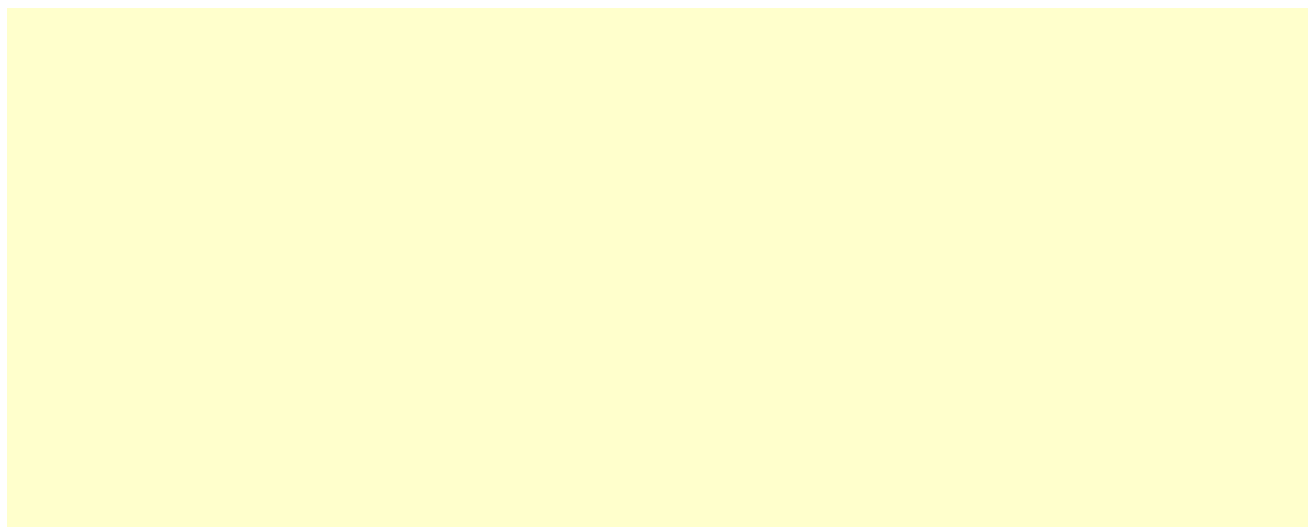
39 Section 4.2.a should be less than or equal to 4.2

TABLE 7

REPORT OF DISPUTE RESOLUTION UNDER PART B, OF THE  
INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
2007-08

STATE: HI - HAWAII

COMMENTS



## Part B State Performance Plan (SPP) for 2005-2010

### Monitoring Priority: General Supervision

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

#### 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 dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- B. Accurate, including covering the correct year and following the correct measurement.

#### Overview of Issue/Description of System or Process:

There are five (5) reports required under Individuals with Disabilities Education Improvement Act of 2004 (IDEA) for 2004-2005 Annual Performance Report (APR), Tables 1-5. The state has developed verification procedures for all five (5) reports. An electronic verification process for Child Count (Table 1) was initiated during the December 1, 2002 Child Count. This single change has significantly improved the Hawaii Special Education Section's (SES) ability to verify records of students with disabilities.

Up until the 2001 Child Count, schools were required to hand verify their respective list of IDEA students. Beginning with the 2002 Child Count, with the help of the new Integrated Special Education Database (ISPED), the SES was able to verify online each school's Child Count as well as other state annual performance data. Schools, districts, and the state office view and verify online, the number of students with current Individualized Education Programs (IEPs) to be counted or not to be counted for Child Count. School personnel are given access to an ISPED online report so changes, corrections, and updates to any record can be made in a timely manner. Because district and state level personnel are able to view records online, schools are much more responsive at entering student data for Child Count, as well as, exit and discipline data. In addition, each complex area superintendent (CAS) confirms that all schools have submitted their verified data. Any corrections are reported in the final school submittals and further hand-verified by the SES. Once all records are verified, the reports are routed for the superintendent's signature and then forwarded to the U.S. Department of Education, Office of Special Education Programs (OSEP).

Each student in the Hawaii Department of Education (HIDOE) is assigned a unique student identifier to prevent duplication. Records are also crosschecked for duplicate records again prior to submittal of the December Annual Child Count that is submitted to OSEP on February 1 (Tables 1 and 3). Recently, in 2005, this same electronic verification process has become a reality for verifying the exit data (Table 4), as well as the discipline data (Table 5).

To encourage schools to maintain current and accurate records, a monetary incentive award was initiated in 2002 and will continue through the 2005 Child Count. Schools that have no errors are eligible to receive up to \$1,000. This incentive has had a considerable positive impact on improving the quality of data for the HIDOE.

The new electronic Comprehensive Student Support System (eCSSS) was scheduled for implementation in October 2006 and was delayed until July 2007. This new database integrates three (3) separate stand-alone systems; ISPED, the current Comprehensive Student Support System (CSSS) database, and the Safe Schools Information System (Discipline). Because many students who are at risk are originally referred for other student support services and inputted into the current CSSS database, the new eCSSS will eliminate duplicate inputting when being referred under IDEA. Changes are constantly being submitted to maintain current and updated student records and reports.

Beginning with 2006-2007, the HIDOE was also approved to submit 618 data report through EDFacts.

#### **Baseline Data for FFY 2004 (2004-2005):**

- 100% of reports verified by districts and schools for all the OSEP required federal tables.
- All 22,711 special education records (100%) were verified via the online reports in ISPED.
- 100% of reports to be submitted to OSEP on time.

Beginning with the 2006-2007 reporting year, HIDOE submitted the OSEP Scoring Rubric as part of Indicator 20 to quantify the 100% target.

#### **Discussion of Baseline Data:**

As stated in the overview, all records are verified by districts and schools for Tables 1 and 3 via ISPED prior to 618 data submittals. This is a unique system that has added much to the integrity of the verification process. Beginning 2007-2008, the new eCSSS system replaced ISPED as the data gathering and verification tool used to collect much of the data used in the reports for the SPP/APR.

This year, verification reports for Tables 4 and 5 have also been added to the ISPED online reports so districts and schools are able to do further verification online for these reports.

The online verification process facilitates the timely submission of the reports. Table 2 still remains the only report that is manually verified by districts. Data for Table 6 (State Assessment Report) is provided by the Student Accountability Office.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	100% of 618 Data Reports and the State APR are submitted to OSEP in a timely manner. 100% of student records for Child Count are verified. 100% of 618 Data reports are verified by districts, either by ISPED online verification process or by hand. For the APR, the SES utilizes data from verified 618 Data Reports. The APR is further reviewed and scrutinized by the SES Specialists for data accuracy.
<b>2006</b> (2006-2007)	100% of 618 Data Reports and the State APR are submitted to OSEP in a timely manner. 100% of student records for Child Count are verified. 100% of 618 Data reports are verified by districts, either by ISPED online verification process or by hand. For the APR, the SES utilizes data from verified 618 Data Reports. The APR is further reviewed and scrutinized by the SES Specialists for data accuracy.

FFY	Measurable and Rigorous Target
<b>2007</b> (2007-2008)	<b>REVISED</b> 100% of state reported data, including 618 data and annual performance reports, are timely and accurate.
<b>2008</b> (2008-2009)	<b>REVISED</b> 100% of state reported data, including 618 data and annual performance reports, are timely and accurate.
<b>2009</b> (2009-2010)	<b>REVISED</b> 100% of state reported data, including 618 data and annual performance reports, are timely and accurate.
<b>2010</b> (2010-2011)	<b>REVISED</b> 100% of state reported data, including 618 data and annual performance reports, are timely and accurate.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
All 618 Data Reports and the State APR verified for accuracy and submitted in a timely manner.	February 1, 2006 - November 1, 2010	State Educational Officers, State Resource Teachers, District Educational Specialist, District Educational Resource Teachers, State and District Personnel Specialist, School Special Services Coordinators
Meet with Information Resource Management Branch (IRMB) to discuss student information concerns including inputting of ethnicity.	March 30, 2006	IRMB, Student Information Database Personnel, ISPED Resource Teachers
Implementation of the eCSSS database.	February 2007	State Educational Officers, State Resource Teachers, District Educational Specialist, District Educational Resource Teachers, State and District Personnel Specialist, School Special Services Coordinators, IRMB, Contractor for the CSSS Database

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Implementation of enhancements to eCSSS database.	July 2006-June 2010	State Educational Officers, State Resource Teachers, District Educational Specialist, District Educational Resource Teachers, State and District Personnel Specialist, School Special Services Coordinators, IRMB, Contractor for the CSSS Database
Submit 618 data through Education Data Exchange Network (EDEN) for 618 data Tables 1-7.	February 1, 2007 to 2010	Information Student Services Branch
Implementation and application of OSEP Scoring Rubric to assess the accuracy (valid and reliable) of data for 618 data and APR Indicators.	July 2009-June 2010	Special Education Section, Educational Specialists
Add Interim Alternative Education Setting data field to eCSSS.	November 2008	Student Support Section, Office of Information Technology, Student Services Application Section
Review the process of the identification of special education personnel (Office of Human Resources) for Table 2.	June 2009	Office of Human Resources and District Educational Specialist
100% Award of Excellence Certificates distributed to districts.	November 2006-2011	Special Education Section
Exchange of Indicators internally between Special Education Specialists to verify calculations and accuracy of data.	December 2007-2010	Special Education Section
Development and posting of eCSSS online reports.	July 2007-June 2010	Special Education Section, Student Services Application Section



Improvement Activities	Timelines	Resources
eCSSS change requests submitted to new eCSSS Executive Committee for approval.	December 2008	Special Education Section, Student Services Application Section
Meet with appropriate personnel to plan for the conversion from five (5) to seven (7) ethnic and race categories in reporting 618 data.	December 2009	Student Services Application Section, Information of Student Service Branch
<b>NEW</b> Conversion of data system to reflect new ethnic and race categories.	July 2010	Special Education Section, Student Services Application Section, Information of Student Service Branch
<b>NEW</b> eCSSS change requests for the new Chapter 60 is completed and implemented in eCSSS.	December 2010	Special Education Section, Student Services Application Section

## Part B Annual Performance Report (APR) for FFY 2008

**Monitoring Priority: General Supervision**

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

**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 dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- B. Accurate, including covering the correct year and following the correct measurement.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of state reported data, including 618 data and annual performance reports, are timely and accurate.

**Actual Target Data for FFY 2008 (2008-2009):**

100% of state reported data are timely and accurate.

**Part B Indicator 20 Data Rubric (Updated 10/20/2009)**

Part B Indicator 20 - SPP/APR Data			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	N/A	N/A	0
14	N/A	N/A	0

Part B Indicator 20 - SPP/APR Data			
APR Indicator	Valid and Reliable	Correct Calculation	Total
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		<b>Subtotal</b>	34
<b>APR Score Calculation</b>	<b>Timely Submission Points</b> (5 pts for submission of APR/SPP by February 2, 2009)		5
	<b>Grand Total</b>		39

Part B Indicator 20 - 618 Data					
Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/2010	1	1	1	1	4
Table 2 – Personnel Due Date: 11/1/2009	1	1	1	N/A	3
Table 3 – Ed. Environments Due Date: 2/1/2009	1	1	1	1	4
Table 4 – Exiting Due Date: 11/12/2009	1	1	1	N/A	3
Table 5 – Discipline Due Date: 11/12/2009	1	1	1	N/A	3
Table 6 – State Assessment Due Date: 2/1/2010	1	N/A	N/A	N/A	1
Table 7 – Dispute Resolution Due Date: 11/1/2009	1	1	1	N/A	3
				Subtotal	21
618 Score Calculation			Weighted Total (subtotal X 1.857)		39
Indicator #20 Calculation					
APR Grand Total					39
618 Grand Total					39
C. APR Grand Total (A + B)					78
			Total N/A in APR		0
			Total N/A in 618		0
			Base		78
D. Subtotal (C divided by Base*) =					1
E. Indicator Score (Subtotal D x 100) =					100

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

*Discussion of Improvement Activities, Progress, Slippage*

The Hawaii Department of Education (HIDOE) submitted accurate and timely data for state reported data including 618 and State Performance Plan (SPP) and Annual Performance Report (APR). The HIDOE met the compliance target of 100% for Federal Fiscal Year (FFY) 2008. This is an improvement from 95% in FFY 2007 (2007-2008). The following is a description of how the HIDOE insured timely and accurate data for each report:

1. Table 1 (Child Count): Child Count was collected through an electronic online verification process through the statewide database, electronic Comprehensive Student Support System (eCSSS). If further verification was necessary, records were individually reviewed through eCSSS and communication with schools. The Special Education Section (SES) continued the SPP activity, awarding an incentive to each school achieving 100% accuracy to encourage schools to meet the requirements of Child Count. This award continues to instill pride and motivation for all schools to insure accurate online verification procedures and accurate inputting of data in eCSSS.
2. Table 2 (Personnel): This year, the SES was provided with a list of names from the Office of Human Resources. This proved to be very helpful in and improved the accuracy of the verification process for Table 2. After disaggregating the names by district, the SES distributed spreadsheets with list of names to all districts for further verification. Using the list of names, districts then verified the numbers in Table 2 and made changes as needed for the SES to compile the statewide totals.
3. Table 3 (Educational Environments): Educational environments data are collected and verified electronically through eCSSS. An electronic online verification process was used to verify data for Table 3. If further verification was necessary, records were individually verified through eCSSS and communication directly with schools.
4. Table 4 (Exits): An electronic online eCSSS verification process was used to verify student exit data for Table 4. Data is imported from the electronic Student Information System (eSIS). Exit data is posted through eCSSS reports, student level and aggregate level. Schools are given a specific period to view reports and submit changes through eSIS.
5. Table 5 (Discipline): An electronic online eCSSS verification process was used to verify student exit data for Table 4. In addition, individual records were reviewed by the SES as needed.
6. Table 6 (Statewide Assessment): Assessment data was collected and verified by the HIDOE's Systems Accountability Office (SAO). This data is directly submitted to the SES and then submitted through Education Data Exchange Network (EDEN).
7. Table 7 (Dispute Resolution): An electronic log maintained by the HIDOE was used to collect and maintain all dispute resolution data which was verified by the contractor's (mediation and hearings officers) electronic logs.

EDEN is a centralized portal through which states submit their educational data to the U.S. Department of Education, Office of Special Education Programs (OSEP). Beginning November 1, 2008, the HIDOE was approved and cleared for 618 data submissions (EDEN submission for Tables 1-6). Per direction from OSEP, no hard copies need to be mailed to OSEP. An electronic copy of Table 7 (Dispute Resolution) is sent to WESTAT, which is contracted by OSEP for 618 data collection. EDEN does not collect data for Table 7.

The HIDOE also electronically submitted the SPP/APR for FFY 2008 in a timely manner to OSEP and also mailed a hard copy to OSEP.

### **Data for SPP/APR Indicators**

As stated in the improvement activities, the HIDOE developed higher standards of data accuracy reporting by requiring a review of each indicator by two (2) educational specialist, one (1) administrator and two (2) clerical staff. Each indicator was reviewed for clarity and accuracy. In addition, reviewers verified calculations and ensured that APR directions were followed. Comments and recommendations are made to the original authors of each indicator. This is documented in the Rubric Review sheets which are on file and available upon request.

In addition to the Rubric Review, the OSEP Scoring Rubric was used to quantify the timeliness and accuracy (valid and reliable) as part of Indicator 20. The following is a synopsis of the data collected in each indicator:

**Indicator 1 (Graduation) and Indicator 2 (Dropout):** Beginning with the SPP/APR for FFY 2008-2009, Indicator 1 data will be provided by the Systems Accountability Office (SAO), System Evaluation and Reporting Section. Graduation rates must now be based on the methodology used by Title I, Elementary and Secondary Education Act (ESEA) to report No Child Left Behind (NCLB)/Adequate Yearly Progress (AYP); the data will be requested annually from the SAO. Data for Indicator 2 will continue to be gathered from the HIDOE's Information Resource Management Branch (IRMB). This data is used to determine the dropout rate needed for NCLB/AYP reports and provides additional information useful for developing our SPP/APR.

**Indicator 3 (Statewide Assessment):** The reporting requirements for Indicator 3, Part A are not applicable to Hawaii since Hawaii is a unitary system and cannot report on the percentage of school districts meeting AYP for the disability subgroup. The data for Indicator 3B and 3C is from 618 data Table 6 (Statewide Assessments) 2008-2009. This data was collected and verified by the HIDOE's SAO, System Planning and Improvement Section.

**Indicator 4 (Discipline):** For Indicator 4A (Discipline of special education students compared to general education students), data was obtained from the eCSSS system. The z score was used to determine whether special education students were being disciplined disproportionately compared to students in regular education. The HIDOE is a unitary system (State Educational Agency [SEA] and Local Educational Agencies [LEAs]) and is unable to calculate a single meaningful z square score and analysis for the entire state. Therefore, the SES identified the number and percent of schools including public charter schools with significant discrepancies in the rates of long-term suspensions and expulsions of children with disabilities. Schools having disproportionate suspension rates of suspension were identified. The SES electronically examined the records of all students suspended for more than ten (10) days from these schools, and then sent them to the identified schools for them to verify the data. If documentation was not in the electronic system, they were required to send the hard copies for verification purposes. Schools that did not follow required policies will be monitored closely in 2009-2010. For Indicator 4B (Discipline by ethnicity), there is no data required to be submitted at this time.

**Indicator 5 (Educational Environment):** Data was used from 618 data, Table 1 (Child Count).

**Indicator 6 (Preschool Environment):** There is no data required to be submitted at this time.

**Indicator 7 (Preschool Outcomes):** The data for this indicator are derived from the Child Outcomes Summary Form developed by the Early Childhood Outcomes Center. Entry and exit ratings are obtained for all preschool children with Individualized Education Programs (IEPs) and submitted to the SES for conversion to OSEP reporting categories.

**Indicator 8 (Parent Involvement):** The SES utilized a survey developed and validated by the National Center for Special Education Accountability Monitoring. Results from the survey were used to determine the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. A Rasch analysis was used to quantify the survey results for Indicator 8.

**Indicators 9 and 10 (Disproportionality):** The data source for both indicators was the 618 data Table 1 (Child Count), students ages 6 through 21.

**Indicator 11 (Evaluation Timelines):** The data source for this indicator was the eCSSS. At the state level, the data is reported quarterly and shared with the complex area superintendents, their staff and schools.

**Indicator 12 (Preschool Transition):** The records used to generate the measurement for this indicator were reviewed by state, complex and school level personnel to ensure the accuracy of the information about each student record. Additional steps were taken to verify the accuracy of the number of students included in the report. Student records from two different reports in eCSSS ('Preschool Services by Age 3' and '60-Day Evaluation Timeline') were crosschecked with a report from a separate student information system database.

**Indicator 13 (Secondary Transition):** For monitoring, a random sample of student files were taken from all high schools statewide, as well as a proportional representation across disability categories.

**Indicator 14 (Post School Outcomes):** All graduates (including dropouts) were included in a phone survey (or written, if they preferred) within one (1) year of exiting the HDOE school system.

**Indicator 15 (General Supervision):** The OSEP Indicator 15 data table is included as part of Indicator 15 write up. Data was disaggregated by APR indicator (number of findings during the FFY 2007) and the status and timely correction of the noncompliance findings for the 2007-2008. In responding to Indicators 11, 12, 13, the HDOE specifically identified and addressed the noncompliance identified in this table under those indicators.

**Indicators 16 (Complaints):** The state written complaints data were recorded on a classified Excel log which is not integrated in the eCSSS database. The log is verified by at least four (4) staffers before it is reported quarterly to the complexes, then aggregated to report in Table 7 and the APR.

**Indicator 17 (Hearings):** The data are recorded on two classified Excel logs. One (1) log is maintained by the contracted hearings officers, while the other log is maintained by HDOE. The logs are compared and verified weekly to ensure accuracy. This data are reviewed by at least four (4) SES staffers and reported to the complexes quarterly. The data in Table 7 are verified by the hearings officers before final submittal.

**Indicator 18 (Resolutions):** The data are collected by the SES in a classified Excel log, which is an aggregation of the complex data. The log is updated daily and is aggregated to Table 7 and the APR. Complexes verify the data before final submittal.

**Indicator 19 (Mediations):** The data are collected by the mediation contractor in a classified Excel log and reported to HDOE. The log is updated monthly and the data are aggregated and transferred to Table 7 and the APR.

**Indicator 20 (Timely and Accurate Data):** The updated Scoring Rubric was used and is embedded in the Indicator 20 APR template.

The SES reports data to school complexes quarterly for Indicators 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 14, and 19. These data trackers are included in HDOE's General Supervision and Support (GSS) monitoring system.

The 2007 SPP/APR was made available for public viewing through the HIDOE website shortly after the February 1, 2008 submittal deadline was met. The 2008 SPP/APR will be made available to the public in the same manner.

Improvement Activities	Timelines	Status
All 618 Data Reports and the State APR verified for accuracy and submitted in a timely manner.	<p>February 1, 2006 (Tables 1 and 3) November 1, 2006 (Tables 2, 4, 5, 7) February 1, 2007 (Table 6 and APR)</p> <p>February 1, 2007 (Tables 1 and 3) November 1, 2007 (Tables 2, 4, 5, 7) February 1, 2008 (Table 6 and APR)</p> <p>February 1, 2008 (Tables 1 and 3) November 1, 2008 (Tables 2, 4, 5, 7) February 1, 2009 (Table 6 and APR)</p> <p>February 1, 2009 (Tables 1 and 3) November 1, 2009 (Tables 2, 4, 5, 7) February 1, 2010 (Table 6 and APR)</p> <p>February 1, 2010 (Tables 1 and 3) November 1, 2010 (Tables 2, 4, 5, 7) February 1, 2011 (Table 6 and APR)</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>
Meet with IRMB to discuss student information concerns including inputting of ethnicity.	March 30, 2006	Completed
Implementation of the eCSSS database.	February 2007	Completed, July 2007
Implementation of enhancements to eCSSS database.	<p>July 2006-June 2007 July 2007-June 2008 July 2008-June 2009 July 2009-June 2010 July 2010-June 2011</p>	<p>Completed</p> <p>Completed</p> <p>Partially completed</p>
Submit 618 data through EDEN for 618 data, Tables 1-6.	<p>February 2007-November 2008 February 2008-November 2009 February 2009-November 2010</p>	<p>Completed</p> <p>Completed</p>

Improvement Activities	Timelines	Status
Implementation and application of OSEP Scoring Rubric to assess the accuracy (valid and reliable) of data for 618 data and APR Indicators.	July 2006-June 2010	Completed. Refer to page 8 for Longitudinal Data for Indicator 20.
Add Interim Alternative Education Setting data field to eCSSS.	November 2008	Completed
Review the process of the identification of special education personnel (Office of Human Resources) for Table 2.	June 2009	Completed
100% Award of Excellence Certificates distributed to districts.	November 2006 November 2007 November 2008 November 2009	Completed Completed Completed Completed
Development and posting of eCSSS online reports.	July 2007-June 2010	Development completed, but posting of reports in eCSSS targeted for January Release 1.12 was delayed until February.
Exchange of Indicators internally between Special Education Specialists to verify calculations and accuracy of data.	December 2007 December 2008	Completed Completed
<b>NEW</b> eCSSS change requests submitted to new eCSSS Executive Committee for approval.	December 2008	Completed



Improvement Activities	Timelines	Status
<b>NEW</b> Meet with appropriate personnel to plan for the conversion from five to seven ethnic and race categories in reporting 618 data.	December 2009	Completed

#### Longitudinal Data for Indicator 20

FFY	State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate
<b>2004</b> (2004–2005)	100%
<b>2005</b> (2005–2006)	100%
<b>2006</b> (2006–2007)	100%
<b>2007</b> (2007–2008)	95%
<b>2008</b> (2008–2009)	100%

#### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009–2010):

Improvement Activities	Timelines	Resources	Revision/Justification
<b>NEW</b> eCSSS change requests for the new Chapter 60 is completed and implemented in eCSSS.	December 2010	SES, Student Services Application Section (SSAS)	Chapter 60 was approved by the Governor in November 2009.
<b>NEW</b> Conversion of data system to reflect new ethnic and race categories.	July 2010	SES, SSAS, Information of Student Service Branch	Federal regulations requires the HIDOE to report on seven (7) ethnic and race categories as opposed to the current five (5) categories.