

Pennsylvania
Part B
Annual Performance Report
for
FFY 2012



February 3, 2014

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Overview of the Annual Performance Report Development

Pennsylvania's Bureau of Special Education (BSE) and Bureau of Early Intervention Services (BEIS) have continued to collaborate with stakeholders regarding the State Performance Plan (SPP) and Annual Performance Report (APR).

Pennsylvania's Special Education Advisory Panel (SEAP) was fully briefed by BSE regarding the SPP and APR on an ongoing basis throughout the year. The panel is provided with regular updates on the state's performance in meeting SPP targets as well as implementation of improvement activities. In addition to intensive collaboration with the SEAP, presentations continuously occur with local, regional and statewide stakeholders. During this reporting period, BSE focused efforts on gathering recommendations from the field for high impact improvement activities and keeping stakeholders apprised of OSEP's Results Driven Accountability and proposed changes to the SPP/APR.

The State Interagency Coordinating Council (SICC) for Early Intervention, an advisory body for Pennsylvania's Early Intervention program for children birth through age five, continues to review local program data for Part C and Part B preschool programs during their regularly scheduled subcommittee meetings. Data for the FFY 2012 APR was presented to the SICC during their December 2013 meeting and to SEAP during their November 2013 meeting, where discussions and input occurred on the SPP/APR. BEIS will continue to discuss the revisions to the SPP/APR process in the context of Results Driven Accountability with the SEAP, the SICC, and other stakeholder groups on an ongoing basis throughout the year.

Pennsylvania complies with all federal requirements for annual reporting to the public. The BSE publishes annual, online Special Education Data Reports that illustrate the performance of each Local Education Agency (LEA) in meeting SPP targets. The BEIS also posts data annually on the performance of preschool early intervention programs on the key indicators related to preschool age children. Pennsylvania will continue to report annually to the public on the state's progress or slippage in meeting SPP targets and the performance of each LEA and preschool early intervention program in the state. Reporting on FFY 2012 LEA and preschool early intervention program performance will occur as soon as feasible, but not later than 120 days from APR submission. These reports are located at the following website: <http://penndata.hbg.psu.edu>. The FFY 2012 APR will be posted on the Pennsylvania Department of Education's website, <http://www.education.state.pa.us>, and the Pennsylvania Training and Technical Assistance Network's (PaTTAN) website, <http://www.pattan.net>. Consistent with past practice, the APR will also be distributed to the media and through public agencies.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development for Indicator 1

Graduation requirements for all students in Pennsylvania are based on meeting rigorous standards, as outlined in State Board Regulations, 22 PA Code, Chapter 4. Current Chapter 4 regulations require that students demonstrate proficiency in Mathematics and English Language Arts for graduation. Students with disabilities who satisfactorily complete a special education program developed by an IEP team under the Individuals with Disabilities Education Act (IDEA) and Chapter 4 are granted and issued a regular diploma. This regulation applies if the special education program of a student with disabilities does not otherwise meet all requirements of Chapter 4.

In fall 2013, Pennsylvania's State Board of Education approved new academic standards and revised high school graduation requirements, as set forth in new Chapter 4 Regulations. The regulations will become final upon publication in the Pennsylvania Bulletin; they include an extensive multi-year implementation schedule. The new regulations advance the process to finalize the Pennsylvania Core Standards and the requirement for students to demonstrate proficiency on the Keystone Exams, an approved equivalent local assessment, or a comparable Advanced Placement or International Baccalaureate exam in order to obtain a diploma from a Pennsylvania public school. Consistent with current regulations, if the special education program of a student with a disability does not otherwise meet the requirements of Chapter 4, a student with disabilities who satisfactorily completes a special education program developed by an IEP team under IDEA shall be granted and issued a regular high school diploma by their school district of residence, charter school and/or Area Vocational Technical School, if applicable. Pennsylvania has no alternate high school diploma for students with disabilities. All students graduating receive a regular high school diploma.

Through 2009-10, states calculated graduation rates using a wide variety of methods. However, as a result of revisions to the Elementary and Secondary Education Act (ESEA) Title I Regulations, all states, including Pennsylvania, have begun using a more uniform calculation, the "4-Year Adjusted Cohort Graduation Rate." This calculation is the number of students who graduate in a given year with a regular diploma, divided by the number of high school students who entered four years earlier, with adjustments each year for students who transfer in and out. A student who graduates in more than four years is counted as a non-graduate in the 4-Year Adjusted Cohort Graduation Rate. The Pennsylvania Department of Education (PDE) collects this data through the Pennsylvania Information Management System (PIMS), which allows the state to collect longitudinal data using unique student identifiers.

It is commonly acknowledged that the 4-Year Adjusted Cohort calculation generally results in a lower graduation rate than methods previously used by most states, i.e., "leaver rates." A 2012 national analysis of states' graduation rates for students with disabilities by the OSEP-funded National Dropout Prevention Center for Students with Disabilities (NDPC-SD) affirmed that states' adjusted cohort rates were generally lower than their previously reported rates. This is consistent with what has been observed in Pennsylvania.

Pennsylvania's SEAP has been briefed about the federal requirement to align ESEA and SPP graduation data and targets and the implications for reporting under the new calculation requirements. PDE establishes ESEA graduation targets, while SEAP continues to provide input to BSE regarding graduation improvement activities. The target below was revised by

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PDE with USDE approval; specifically, the 85% goal and 10% improvement target were maintained from prior years, but PDE removed its previous 82.5% target.

In accordance with direction from OSEP and the SPP/APR Indicator and Measurement Table, APR data for indicator 1 are lagged one year. Therefore, data in this APR are graduation rates for 2011-12.

Monitoring Priority: FAPE in the LRE

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

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

Measurement: States must report using the adjusted cohort graduation rate required under the ESEA.

| FFY | Measurable and Rigorous Target |
|---------------------------------|---|
| 2012 (using 2011-12 data) | Schools/LEAs must reach a graduation rate of at least 85%, or improve by at least 10% from the distance they are from the 85% goal (4-year adjusted cohort rate). |

Actual Target Data for FFY12 (using 2011-12 data)

In its EdFacts submission (X107) to the United States Department of Education (USDE), Pennsylvania reported its 2011-12 4-year cohort graduation rate for students with disabilities at 70.18%. This rate was calculated based on students who began the cohort in 2008-09 and graduated in 2011-12. There were 19,936 students in the cohort; 13,992 graduated, resulting in the rate of 70.18%. Forty-five percent of LEAs with students eligible to graduate met the current ESEA/SPP target.

Federal regulations allow states to seek approval from USDE to calculate an “extended year” cohort graduation rate that would account for students who need additional time to meet graduation requirements. Pennsylvania has been collecting the required data for this calculation and has received federal approval to use the 5-year cohort rate. At the time of this APR submission, 5-year cohort data had not been released.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

Pennsylvania is reporting slight slippage in its 4 year cohort graduation rate for students with disabilities, from 71.02% in the baseline year of FFY 2011. The information below is presented to provide additional insights regarding Pennsylvania's reported rate.

Specific to this reporting period, there were 2,136 students with disabilities in the 4-year cohort who were reported by LEAs as non-graduates "remaining in special education". Had these students graduated with their cohort, rather than continue on in school, Pennsylvania would be reporting a 2011-12 graduation rate of 80.9% for students with disabilities, which is just 2.6% less than the 2011-12 graduation rate of 83.5% being reported for all students.

On November 26, 2012, the USDE published a report detailing states' graduation rates for 2010-11, the first year for which all states used the new, uniform rate calculation. According to that report, Pennsylvania's 71.02% reported graduation rate for students with disabilities was the sixth highest in the nation. National comparison data for 2011-12 are not yet available.

Caution must be exercised when interpreting Pennsylvania's data, since the 2011-12 4-year adjusted cohort rates reported in this APR does not consider those students with disabilities who take additional years to graduate. Consistent with federal IDEA regulations and the PA School Code, LEAs offer a Free Appropriate Public Education to students with disabilities until graduation from high school or age 21. Federal 618 child count data shows that over 5,700 students with disabilities 19 years or older in Pennsylvania are exercising their right to remain in school. Based on historical data trends, it is reasonable to conclude that most of these students will ultimately graduate, although not within the timeline defined in the 4-year cohort reporting requirements.

Since the inception of the SPP, BSE has examined annual and trend graduation and dropout data to target resources on those LEAs most in need of improvement. LEAs with a continued decline in graduation rates and/or a continued increase in dropout rates are required to submit an improvement plan to the BSE. These improvement plans are incorporated into the school district's Special Education Plan or charter school's Annual Report, and are used to monitor improved performance for this indicator. Plans are for three years and must include (1) evidence of results that must be measurable and verifiable; (2) projected improvement in student data; and (3) training to be provided, including partners, format, audience, dates and outcomes. This improvement activity continued during the current reporting period.

BSE Single Points of Contact (SPOCs) are provided with graduation and dropout data and detailed reports on the performance of each of the LEAs in their assigned regions in meeting SPP targets. This facilitates a more thorough examination of trend data and enhances the effectiveness of planning and monitoring activity.

In FFY 2012, BSE continued to review LEA graduation and dropout rates and practices as a component of cyclical monitoring. Within the Facilitated Self Assessment the LEA examines its graduation and dropout rates for students with disabilities, aggregated and disaggregated by disability category, and analyzes data accuracy, trends and use of data for program improvement. LEAs not meeting SPP targets are required to develop a Corrective Action Improvement Plan. Federal related requirements are also examined to determine compliance.

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All corrective action from FFY 2011 for SPP indicators 1 and 2 has been completed by LEAs and closed by the BSE.

State and national data continue to show that students with emotional disturbance are at the greatest risk for dropping out. Therefore, as described in the SPP, BSE is continuing to implement several statewide initiatives that address positive behavior support in school. Details regarding the status of these improvement activities are included in the narrative for indicator 4 in this APR. BSE is also continuing to target resources through statewide initiatives to improve use of scientifically based approaches to reading and math instruction, and interagency collaboration for successful secondary transition practices.

Training for secondary educators on improving the academic performance of students with disabilities is ongoing. The FFY 2012 secondary training events included the Response to Instruction and Intervention (RtII) initiative and Supporting Secondary Transition Programming for Students with Disabilities.

Pennsylvania's Secondary RtII Framework assisted secondary implementers with the establishment of an early warning data system to track individual student attendance, grades, promotion status and engagement, with the goal of preventing dropout of at-risk students. Pennsylvania's Secondary RtII Toolkit, developed by a diverse group of secondary educators, was designed to support interdisciplinary teams with the implementation and monitoring of effective, rigorous and caring secondary learning environments, through high-quality core instructional practices and expanded differentiated instruction and assessment.

Pennsylvania continued its ongoing collaboration series with the NDPC-SD. In July 2012, Dr. Loujeania Bost, Director of the NDPC-SD, presented at Pennsylvania's Special Education Leadership Summer Academy. Dr. Bost's session expanded upon previous years' presentations by the NDPC-SD, and included an in-depth review of the Dropout Prevention Intervention Framework, a five phase process that assists LEAs to use readily available school based data to systematically problem solve, select, and implement evidence-based practices that decrease dropout and promote successful outcomes toward graduation. Activities and examples provided participants with hands-on, proactive opportunities to generate analysis using their own school data. The Academy's participants included new and veteran special education administrators from LEAs across the state.

A comprehensive and detailed description of other major initiatives designed to support improved performance leading to higher graduation rates for all students with disabilities is provided in indicator 3 of the SPP and this APR. Additional related improvement activities that promote increased graduation rates are also presented in indicators 8 and 13.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities described in Pennsylvania's SPP and prior APRs are continuing. As described in Pennsylvania's ESEA flexibility waiver, a number of initiatives directly related to improving graduation rates are underway (see indicator 3 of this APR.).

New improvement activities have been added:

- (1) Under Pennsylvania's flexibility waiver, Title I schools are designated as Reward, Priority or Focus Schools based upon four Annual Measurable Objectives, one of which is a school's graduation rate. In addition, all schools in the state (Title I and non-Title I) receive a School Performance Profile that includes graduation rates. Pennsylvania has chosen to designate any Title I school with a graduation rate below 60% as a "Focus School" (unless the school is one of the state's Priority Schools). Both groups of schools (i.e., Priority and Focus) will engage with PDE in renewed focus on closing the achievement gaps and aggressive planning for turning around performance. These schools will receive technical assistance and support from their districts, Intermediate Units (IUs), and PDE in developing, implementing, and evaluating the success of their school improvement plans. The Pennsylvania Comprehensive Planning Tool will serve as the centerpiece for guiding root cause analyses and strategic approaches to improving student achievement.

Timeline and resources: PDE initiative to begin full implementation in 2013-14. Resources are PDE/BSE personnel, PaTTAN and IU personnel.

- (2) In response to a priority initiative of the Governor's Office, PDE has developed the "Opening Doors Early Warning System," to be used by schools to assist in identifying students at risk for dropping out of school. This voluntary system will analyze three key indicators that may indicate a student is at risk for dropping out: attendance, behavior and academic record. An important component of the system is a catalog of school- and community-based intervention resources that schools can direct students to in order to remain on track to graduate.

Timeline and resources: The early warning system is being piloted and is anticipated to be available to all Pennsylvania public schools in the 2014-15 school year. Resources are PDE personnel, IUs, and PaTTAN and IU personnel.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development for Indicator 2

State Regulations, 22 PA Code, Chapter 12, establish Pennsylvania’s compulsory school attendance age as 8-17. All students must attend school during this period of their lives. A dropout is a student who, for any reason other than death, leaves school before graduation without transferring to another school/institution.

Pennsylvania has used its 618 exiting data reported to USDE via ED Facts for this indicator throughout the span of the SPP. Consistent with OSEP’s requirements and technical assistance, Pennsylvania has aligned its timeframes for graduation and dropout reporting. Data are lagged one year; therefore dropout rates reported in this APR are for 2011-12.

As described in prior SPP/APR submissions, Pennsylvania’s SEAP has provided continuous input regarding SPP targets and improvement activities for indicator 2.

Monitoring Priority: FAPE in the LRE

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

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

Measurement: States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

| FFY | Measurable and Rigorous Target |
|--|--|
| 2012 (using 2011-12 data) | Pennsylvania will decrease the dropout rate for students with disabilities to 8.50%. |

Actual Target Data for FFY12 (using 2011-12 data)

For 2011-12, the percent of youth with IEPs dropping out of high school was 12.24%. The actual numbers and calculation are:

$$\frac{\text{Number of students who exited special education due to dropping out (2,661)}}{\text{Graduated with a regular diploma (18,715) + Received GED (86) + Reached maximum age (222) + Dropped out (2,661) + Deceased (60)}} \times 100 = 12.24\%$$

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

The 2011-12 dropout rate of 12.24% represents slippage of 1.34% from the 2010-11 dropout rate and does not meet the SPP target. Fifty percent of those LEAs with students eligible to graduate met the SPP target. Statewide, 262 more students with disabilities dropped out in 2011-12 than in 2010-11. The largest increase in dropouts was for students with emotional disturbance while students with intellectual disabilities had the lowest increase. Additional analyses revealed that the most severe increases in the number of students dropping out occurred in 11 LEAs.

Please refer to description of improvement activities completed in indicator 1 of this APR.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Please refer to new improvement activities for graduation and dropout in indicator 1 of this APR.

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The USDE approved Pennsylvania's request for an ESEA flexibility waiver on August 20, 2013. The waiver abolished the previously used adequate yearly progress (AYP) designations and implemented an improved accountability system. The state's School Performance Profiles, established in fall 2013, will be used to measure and report on the academic progress of all public schools. The waiver and School Performance Profiles may be viewed on the PDE's website: <http://www.education.state.pa.us>. A general overview of how these accountability measures intersect with APR reporting for indicator 3 is included below.

Pennsylvania has established "Closing the Achievement Gap" as its basis for setting Annual Measurable Objectives (AMOs) for all students and all groups of students for academic achievement. To include more students in the accountability system, Pennsylvania has lowered from 40 to 11 the minimum number of students to be considered (known as *n* size) for both reporting and accountability purposes. The *n* size for all of the AMOs listed below is 11. The AMOs described below set clear, measurable goals related to test participation, graduation/attendance, and closing achievement gaps.

Every Title I school will be subject to four AMOs:

1. **Test Participation Rate** – To meet this AMO, the school must achieve 95% participation on the Pennsylvania System of School Assessment (PSSA) and Keystone Exams. The All Students group will be used for accountability associated with school level designations, i.e., Reward, Focus, Priority status. For school status associated with the 2011-2012 and 2012-2013 school years, test participation AMOs will be measured for Mathematics PSSA, Reading PSSA, Algebra I Keystone, and Literature Keystone, as applicable. For the 2013-2014 school year, test participation will be measured for Mathematics, Reading, Science, and Writing PSSA as well as Algebra I, Literature, and Biology Keystone Exams. For the 2014-2015 school year and beyond, test participation will be measured on all state assessments aligned to the PA Standards.
2. **Graduation Rate/Attendance Rate** – To meet this AMO, the school must achieve an 85% graduation rate (applied to four, five, and six year cohorts) or meet the target of a reduction of the difference between its previous year's graduation rate and the goal of 85% by 10% when using the 4-year cohort, by 15% when using the five year cohort, or by 20% when using the six year cohort, or, if no graduation rate is applicable, an attendance rate of 90% or improvement from the previous year.
3. **Closing the Achievement Gap: All Students** – The achievement gap is determined by comparing the percent of students who are proficient or advanced in the 2012-13 baseline year with 100% proficiency. The benchmark for closing the achievement gap is that 50% of the gap will be closed over a six year period. All Students is defined as all students enrolled for a full academic year taking the PSSA, Keystone Exams, or the Pennsylvania Alternate System of Assessment (PASA).
4. **Closing the Achievement Gap: Historically Underperforming Students** – Using the same approach as in #3 above, this AMO applies to a non-duplicated count of students with disabilities, economically disadvantaged students, and English Language Learners (ELLs) enrolled for a full academic year taking the PSSA, Keystone Exams, or PASA.

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If a student is in more than one of the individual groups (e.g., special education and ELL) s/he is counted only once.

Pennsylvania's School Performance Profiles are the basis for the scoring system applied to all public schools (charter, cyber charter, traditional district schools, and career and technical centers). The School Performance Profile generates a school-level score on a 100-point scale. The score reflects weighted indicators of student achievement, academic growth, closing the achievement gap for all students and historically underperforming students, and other factors such as graduation/attendance rate, promotion rate, etc. Extra credit is provided for schools based upon advanced performance of students on state assessments, advanced placement, and industry standard certifications. In addition to providing a school level score, the School Performance Profile provides research-based supports and interventions to educators directly aligned to the data elements and consistent with the AMOs associated with the accountability system. By tying the supports and interventions to the data elements in the School Performance Profile, PDE has provided the direct linkages necessary for improving school performance.

As described in Pennsylvania's waiver, PDE meaningfully engaged and solicited input from diverse stakeholders and committees, including the SEAP, regarding its waiver request. Pennsylvania's SEAP has been briefed about the federal requirement to align ESEA and SPP indicator 3 data and targets. PDE establishes ESEA targets; SEAP continues to provide input to BSE regarding improvement activities.

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/AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

Measurement:

- A. (choose either A.1 or A.2)
 - A.1 AYP percent = $\left[\frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.
 - A.2 AMO percent = $\left[\frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.
- 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 = [(# of children with IEPs scoring at or above proficient against grade level, modified and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned, and calculated separately for reading and math)]. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

Targets and Actual Target Data for FFY 2012

Pennsylvania established new performance targets in its waiver. To measure Closing the Achievement Gap, a baseline year is required. Pennsylvania established the 2012-13 school year as the baseline year; therefore the first measure of Closing the Achievement Gap will be available in the 2013-14 school year. As specified in the waiver, for reporting purposes, each traditional disaggregated subgroup will be used. For both accountability and reporting purposes, these AMOs will be applied to each student group in each assessed subject in each year. This methodology of focusing on Closing the Achievement Gap sets reasonable standards of achievement for each LEA, school, and subgroup. For the 2013-14 school year and beyond, test results will be compared to the baseline year of 2012-13 results and school level determinations will be made according to the Closing the Achievement Gap targets rather than statewide performance. Closing the Achievement Gap is determined by comparing the percent of students who are proficient or advanced in the 2012-13 baseline year with 100% proficiency. The benchmark for Closing the Achievement Gap is that 50% of the gap will be closed over a six year period.

| FFY | Measurable and Rigorous Target |
|-------------------|---|
| 2012 (2012-13) | <p>Indicator 3A: For the 2012-13 baseline year, to meet requirements for Closing the Achievement Gap, an LEA must perform at or above the state average in both reading and mathematics for the IEP subgroup.</p> <p>Indicator 3B: Increase the participation rate of students in the state assessment to 96.2%</p> <p>Indicator 3C: Pennsylvania will close the achievement gap by 50% in six years, using 2012-13 assessment data as the baseline.</p> |

3A - Actual AMO Target Data for FFY 2012

Districts with a disability subgroup that meets the State's minimum "n" size AND met the State's AMO target for the disability subgroup.

| Year | Total Number of Districts | Number of Districts Meeting the "n" size | Number of Districts that meet the minimum "n" size and met the AMO for FFY 2012 | Percent of Districts |
|-------------------|---------------------------|--|---|----------------------|
| 2012 (2012-13) | 665 | 635 | 245 | 38.6 |

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3B – Actual Participation Target Data for FFY 2012

**Table 3.2
Disaggregated Target Data for Reading/Literature Participation, FFY 2012**

| Statewide Assessment 2012-13 | | Reading Assessment Participation | | | | | | | | |
|---|--|----------------------------------|------------|------------|------------|------------|------------|-------------|---------|-------------|
| | | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Grade HS | Total | |
| | | | | | | | | | | Number |
| a | Children with IEPs | 21,369 | 22,483 | 22,231 | 22,790 | 22,776 | 22,761 | 19,229 | 153,639 | |
| b | IEPs in regular assessment with no accommodations | 7,827 | 7,178 | 6,638 | 7,468 | 7,922 | 8,002 | 8,528 | 53,563 | 34.9 |
| c | IEPs in regular assessment with accommodations | 11,227 | 12,814 | 13,152 | 12,727 | 12,344 | 12,038 | 7,847 | 82,149 | 53.5 |
| d | IEPs in alternate assessment against grade-level standards | | | | | | | | | |
| e | IEPs in alternate assessment against modified standards | | | | | | | | | |
| f | IEPs in alternate assessment against alternate standards | 2,101 | 2,231 | 2,211 | 2,338 | 2,204 | 2,294 | 1,506 | 14,885 | 9.7 |
| g | Overall (b+c+d+e+f) | 21,155 | 22,223 | 22,001 | 22,533 | 22,470 | 22,334 | 17,881 | 150,597 | 98.0 |
| Children included in a but not included in the other counts above | | | | | | | | | | |
| | In your narrative, account for any children with IEPs who did not participate. | 214 | 260 | 230 | 257 | 306 | 427 | 1,348 | 3,042 | 2.0 |

A total of 3,042 students with IEPs (2.0%) are categorized as non-participants for purposes of the reading/literature assessments. The reasons for not participating include non-attempts with no exclusion marked (1,947), extended absence (240), parental exemption for religious reasons (208), absence without a make-up completed (121), ELL students in their first year of enrollment in United States schools (54) and other miscellaneous reasons (472). In addition, there were 300 students with disabilities who did not participate in the reading assessment due to medical emergencies.

Table 3.3
Disaggregated Target Data for Mathematics/Algebra I Participation, FFY 2012

| Statewide Assessment 2012-13 | | Mathematics/Algebra I Assessment Participation | | | | | | | | |
|---|--|--|------------|------------|------------|------------|------------|-------------|---------|-------------|
| | | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Grade HS | Total | |
| a | Children with IEPs | 21,379 | 22,482 | 22,228 | 22,791 | 22,778 | 22,762 | 19,229 | 153,649 | |
| b | IEPs in regular assessment with no accommodations | 7,580 | 6,949 | 6,347 | 7,031 | 7,511 | 7,816 | 8,172 | 51,406 | 33.5 |
| c | IEPs in regular assessment with accommodations | 11,524 | 13,084 | 13,481 | 13,194 | 12,793 | 12,267 | 8,207 | 84,550 | 55.0 |
| d | IEPs in alternate assessment against grade-level standards | | | | | | | | | |
| e | IEPs in alternate assessment against modified standards | | | | | | | | | |
| f | IEPs in alternate assessment against alternate standards | 2,101 | 2,231 | 2,211 | 2,338 | 2,204 | 2,294 | 1,505 | 14,884 | 9.7 |
| g | Overall (b+c+d+e+f) | 21,205 | 22,264 | 22,039 | 22,563 | 22,508 | 22,377 | 17,884 | 150,840 | 98.2 |
| Children included in a but not included in the other counts above | | | | | | | | | | |
| | In your narrative, account for any children with IEPs who did not participate. | 174 | 218 | 189 | 228 | 270 | 385 | 1,345 | 2,809 | 1.8 |

A total of 2,809 students with IEPs (1.8%) are categorized as non-participants for purposes of the mathematics/Algebra I assessments. The reasons for not participating include non-attempts with no exclusion marked (1,788), extended absence (236), absence without a make-up completed (110), parental exemption for religious reasons (208), and other miscellaneous reasons (467). In addition, there were 296 students with disabilities who did not participate in the reading assessment due to medical emergencies.

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3C – Actual Performance Target Data for FFY 2012

**Table 3.4
Proficiency on the Statewide Reading/Literature Assessments, FFY 2012**

| Statewide Assessment 2012-13 | | Reading Assessment Performance | | | | | | | | |
|---------------------------------|--|--------------------------------|------------|------------|------------|------------|------------|-------------|---------|-------------|
| | | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Grade HS | Total | |
| | | | | | | | | | Number | % |
| a | Children with IEPs | 21,155 | 22,223 | 22,001 | 22,533 | 22,470 | 22,334 | 17,881 | 150,597 | |
| b | IEPs in regular assessment with no accommodations | 4,721 | 3,689 | 2,548 | 2,544 | 2,659 | 3,246 | 2,738 | 22,145 | 14.7 |
| c | IEPs in regular assessment with accommodations | 2,744 | 2,628 | 1,990 | 2,163 | 2,962 | 3,797 | 2,145 | 18,429 | 12.2 |
| d | IEPs in alternate assessment against grade-level standards | | | | | | | | | |
| e | IEPs in alternate assessment against modified standards | | | | | | | | | |
| f | IEPs in alternate assessment against alternate standards | 1,206 | 1,339 | 1,100 | 1,272 | 1,214 | 1,435 | 1,141 | 8,707 | 5.8 |
| g | Overall (b+c+d+e+f) Baseline | 8,671 | 7,656 | 5,638 | 5,979 | 6,835 | 8,478 | 6,024 | 49,281 | 32.7 |

Table 3.5
Proficiency on the Statewide Mathematics/Algebra I Assessment, FFY 2012

| Statewide Assessment 2012-13 | | Mathematics/Algebra I Assessment Performance | | | | | | | | |
|---------------------------------|--|--|------------|------------|------------|------------|------------|-------------|---------|--------|
| | | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Grade HS | Total | |
| | | | | | | | | | | Number |
| a | Children with IEPs | 21,205 | 22,264 | 22,039 | 22,563 | 22,508 | 22,377 | 17,884 | 150,840 | |
| b | IEPs in regular assessment with no accommodations | 5,116 | 4,637 | 3,191 | 3,241 | 3,169 | 2,955 | 1,759 | 24,068 | 16.0 |
| c | IEPs in regular assessment with accommodations | 4,120 | 4,859 | 3,442 | 3,595 | 4,271 | 3,499 | 1,347 | 25,133 | 16.7 |
| d | IEPs in alternate assessment against grade-level standards | | | | | | | | | |
| e | IEPs in alternate assessment against modified standards | | | | | | | | | |
| f | IEPs in alternate assessment against alternate standards | 1,011 | 1,196 | 1,257 | 1,383 | 935 | 1,171 | 839 | 7,792 | 5.2 |
| g | Overall (b+c+d+e+f) Baseline | 10,247 | 10,692 | 7,890 | 8,219 | 8,375 | 7,625 | 3,945 | 56,993 | 37.8 |

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

For indicator 3A, Pennsylvania has established 2012-13 as the baseline year, and thus progress or slippage will be reported in the FFY 2013 SPP/APR.

For indicator 3 B, the participation target for both reading and mathematics is 96.2% and was exceeded in both content areas.

For indicator 3C, Pennsylvania has established 2012-13 as the baseline year and thus progress or slippage in meeting the targets for Closing the Achievement Gap will be reported in the FFY 2013 SPP/APR. Comparing data from the prior reporting period with the current year would be inappropriate due to changes in assessments that occurred for 2012-13. Specifically, changes were made at the secondary level where the Keystone Exams in Algebra I, Biology, and Literature, already aligned to the Pennsylvania Core Standards, replaced the 11th grade PSSA. Further, the PSSA-Modified was discontinued at all grade levels.

The BSE continues to collaborate with PDE's Bureau of Assessment and Accountability (BAA) to develop effective policies and practices related to assessment of students with disabilities and to provide ongoing training to LEAs within the Commonwealth. The following improvement activities were implemented during the 2012-13 school year:

Getting Ready for 2013 State Assessments

All LEAs in the Commonwealth administer the PSSA, and training is provided on an annual basis to ensure that schools have the required information and tools needed to conduct valid assessments. This training was offered via webinar presentations during October 2012. Assessment specialists from the BAA presented information on the PSSA mathematics, reading, writing and science assessments. Similarities and changes to the previous test administration were highlighted. In addition, information on Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) and the National Assessment of Educational Progress (NAEP) was discussed.

PSSA Accommodations Guidelines Training for Students with IEPs and Students with 504 Plans and PSSA Accommodations Guidelines Training for English Language Learners (ELLs)

PDE held two webinars in January 2013. Presenters reviewed regulations regarding the participation of students with disabilities in state assessments, techniques for making decisions concerning accommodations for students with IEPs and 504 Plans, and accommodations for students with various types of disabilities. Accommodation guidelines for ELLs were presented. Test security and administration procedures were also discussed.

2013 Pennsylvania Alternate System of Assessment (PASA) Training Series

The PASA Training of Trainers videoconference session provided new and updated critical information regarding administration of the PASA, and served as a refresher of key information for teachers and individuals who have responsibility for providing support and training to teachers. Administration manuals used for follow-up training were provided to participants and all materials and other information were made available via the web. Dr. Naomi Zigmond, University of Pittsburgh, presented the first training session in January 2013, which was followed by the two related training webinars described below.

Using Assessments and Accommodations for Effective Instruction for Students with Visual Impairments

This webinar series offered practical strategies for service providers of students with visual impairments to plan for appropriate assessments, accommodations, and effective instruction with their students. Addressing the unique educational and functional needs of students with visual impairments, including those with multiple disabilities, requires an integrated and systematic plan. The plan includes assessment, data analysis and reporting, standards-based IEP goals and objectives, progress monitoring, and developing appropriate testing and instructional accommodations and modifications.

Providing Accommodations for Students Who are Non-Verbal Who Take the PASA

This session provided critical information regarding use of accommodations for students who are non-verbal and participate in the PASA. Emphasis was placed on use of the adapted version tailored to students who cannot use speech to answer oral-response test items. Examples of acceptable accommodations, compared to modifications that affect scoring, were presented. Participants reviewed the differences and the relationship between adaptations and student scores, accommodations and modifications, the unique features of the adapted version of the PASA, and the tools needed to make decisions about appropriate modes of presentation and student response. Participants included teachers that administer the PASA to students who are non-verbal, assessment coordinators, school administrators, and IU consultants.

Pennsylvania Value Added Assessment System (PVAAS)

School districts, charters schools and comprehensive Career Technology Centers (CTC) across the Commonwealth received web-based reporting through the Pennsylvania Value-Added Assessment System (PVAAS). PVAAS is data that offers an objective and more precise way to measure student progress and the value schools and districts add to students' educational experiences. Districts and schools are using PVAAS progress data, in conjunction with achievement data, to ensure that all students, including ELLs and students with disabilities, are on the trajectory to proficiency. Utilizing all available data, educators are able to make data-informed instructional decisions to ensure the academic growth and achievement of all students.

Achievement results and growth results must be used together to get a complete picture of student learning. PVAAS is a statistical analysis of the PSSA assessment data that provides districts and schools with progress data to add to achievement data. This lens of measuring student learning provides educators with valuable information to ensure they are meeting the academic needs of cohorts of students, as well as individual students.

PVAAS provides two types of information: growth data on cohorts of students and student level projection data. The system analyzes available data from previous years to help schools evaluate how much cohorts of students have gained in a school year by answering questions such as: *Did a group or subgroup of students make a year's worth of academic growth for a year's worth of schooling?* The results are available for public viewing at both the district and school level.

The projection data uses the data already analyzed to help schools predict future performance by answering questions such as: *What is the likelihood of a student being proficient on a future PSSA?* Projection data can be used for intervention planning and resource allocation. These data are not available for public viewing due to student confidentiality. The PDE has developed numerous resources and materials to assist educators, school boards, parents, and communities in their understanding of Value-Added and its importance in student learning.

eMetric

All LEAs in Pennsylvania are currently using eMetric to access student performance results on the PSSA for all students, including ELLs and students with disabilities. This school improvement tool is used to create tables, graphs, or external files of summaries of assessment results. The PDE continues to provide free access to all school entities in Pennsylvania, including IUs, CTCs and Approved Private Schools (APS). During FFY 2012, PDE offered training sessions at multiple sites across the state on the use of the eMetric online tool. The interactive seminars included an overview of PSSA results and an in-depth look at the eMetric data interaction website. Participants had the opportunity to access and analyze their individual school and state data to identify specific groups that needed further analysis.

Reading, Writing, Speaking, Listening Initiative and Students with Disabilities

The training activities, technical assistance, and resources provided through this initiative are consistent with current research around effective instruction in the area of literacy. Events and materials were designed to support educators as they plan and prepare (Danielson, Domain 1) and instruct (Danielson, Domain 3) in reading, writing, speaking and listening for students with various strengths and needs, including ELLs and students with disabilities. These topics aligned with foundational as well as comprehension-related Pennsylvania Core Standards. Examples included how children learn to read, why children have difficulty, how to teach effectively, how to interpret literacy data and link it to instruction, and skills necessary for reading closely and understanding literature and non-fiction text.

During FFY 2012, the literacy initiative conducted 12 statewide trainings with approximately 1,675 participants. In addition, the literacy consultants provided 92 presentations, technical assistance, and/or coaching to LEAs, with approximately 1,929 participants. Participants of statewide trainings of the literacy initiative, and participants receiving training and technical assistance included: superintendents, principals, administrators, supervisors, vocational education directors, pupil services staff, education specialists, school psychologists, school counselors, IT specialists, school nurses, dental hygienists, home and school visitors, special educators, general educators, IU Technical Assistance Consultants (IU TAC), occupational therapists, physical therapists, social workers, behavior analysts, educational interpreters, paraprofessionals, parents/family members, students, advocates, higher education, agencies, instructional advisors, coaches, APS staff, Board Certified Behavior Analyst staff, PDE staff, etc.

Mathematics and Students with Disabilities

The training activities, technical assistance, and resources provided through this initiative are consistent with current research around effective instruction in the area of mathematics. That focus, coupled with emerging research in the field of how students learn mathematics, provides the foundation for training activities and technical assistance delivered by this initiative.

During FFY 2012, LEAs had the opportunity to send pairs of educators (special education and general education teachers) to participate in algebra lesson study. This training examined the cycle of supporting student learning through strategic planning, assessing to determine if the

desired learning took place and determining next steps, all from a professional learning community perspective. LEAs also had the opportunity to encourage individual teachers to take an online course designed to improve algebra content knowledge from both a procedural and conceptual understanding basis. Participants in the online course worked on generalizing their new understandings so that student learning and the associated supports are based on current research and effective instructional strategies, several of which were modeled during the course. Other related training events and technical assistance emphasized instruction aligned with the Pennsylvania Core Standards, mathematical practices and de-tracking so that all students, including students with disabilities and ELLs, have access to rigorous core math instruction and research-based supports that are matched to their existing instructional needs in this content area.

During FFY 2012, the math initiative conducted 6 statewide trainings with approximately 1,763 participants. In addition, the math consultants provided 44 presentations, technical assistance, and/or coaching to LEAs, with approximately 650 participants from the same groups described above.

ELLs and Students with Disabilities

There are over 47,000 ELLs in Pennsylvania enrolled in the vast majority of LEAs. More than 200 different languages are spoken by students who are ELLs, with 90 of these languages spoken by fewer than four students. To ensure equity in education, it is imperative to continue to provide information and supports to educators to enhance teacher quality and programmatic equity for ELLs, and ELLs with disabilities.

During FFY 2012, professional development sessions provided up-to-date information related to standards, instruction, assessment, curriculum frameworks, and resources with the purpose of increasing educators' expertise in working with this particular population. Intended training outcomes were tied to the empowerment of all educators who work with ELLs to be able to support students in the process of developing English language proficiency in listening, speaking, reading and writing. All sessions highlighted current research and best practices that have been deemed effective in assisting ELLs with reaching academic standards as well as developing English language proficiency. There was also an emphasis on meeting the needs of ELLs with IEPs and the importance of including English as a Second Language (ESL) teachers in evaluation and IEP teams. The core content of training sessions was related to effective instructional and assessment practices implemented in the context of collaboration among all educators who support the education of ELLs, including ELLs with disabilities, in an effort to meet the needs of diverse learners and help them to achieve academic success, stay in school, graduate and pursue post-secondary opportunities.

During FFY 2012, the ELLs for Students with Disabilities initiative conducted five statewide trainings with 828 participants. In addition, the ELLs for students with disabilities consultants provided approximately 100 presentations, technical assistance, and/or coaching to LEAs, with approximately 480 participants.

Response to Instruction and Intervention (RtII) Initiative

RtII in Pennsylvania refers to the use of a standards-aligned, comprehensive school improvement framework and/or multi-tiered system of support, and may also be used as an alternate method for identifying students with learning disabilities.

RtII technical assistance and training seeks to promote interdisciplinary collaboration and learning opportunities to assist educators with bridging research and practice, fidelity of implementation, alignment with Pennsylvania Core Standards, family involvement, and data-based decision-making using reliable and valid data sources and second order change or transformational, shared leadership. The overarching goal of Pennsylvania's RtII initiative is to improve the quality of instructional practices toward increasingly better outcomes for all students, including ELLs and students with disabilities. In addition to the RtII statewide trainings and technical assistance provided to LEAs during FFY 2012, trainings were provided related to RtII and ELLs, RtII and students with disabilities, and Secondary RtII.

During FFY 2012, the RtII initiative conducted five statewide trainings with approximately 1,739 participants. In addition, the RtII consultants provided 212 presentations, technical assistance, and/or coaching to LEAs, with approximately 2,880 participants.

Standards Aligned System (SAS) and Students with Disabilities

The Standards Aligned System (SAS) is a comprehensive, research-based resource that supports Pennsylvania schools and educators in their efforts to improve student achievement for all students, including students with disabilities. The SAS identifies six interdependent elements that research shows impact student achievement: Standards, Assessments, Curriculum Framework, Instruction, Materials & Resources, and Safe and Supportive Schools. The systematic and systemic implementation of these six interdependent elements ensures that all students, including students with disabilities, receive equitable access and meaningful participation relative to standards-aligned, general education core curriculum, instruction and assessment and a continuum of instructional and intervention supports that are matched to changing student needs as they matriculate toward graduation. All SAS training activities are designed to support educators to prepare students for post-secondary success in a global economy.

The SAS portal, <http://www.pdesas.org>, is designed to organize and deliver educational content carefully aligned to the Pennsylvania Core Standards and provides educators with integrated classroom tools to enhance their teaching effectiveness. The Pennsylvania Core Standards provide educators and parents with a clear and consistent understanding of what all students are expected to know and be able to do in preparation for college and career in a global economy.

Assessment tools available on SAS offer educators the opportunity to tightly align instruction, assessment, and targeted intervention for all students. As an example, the Classroom Diagnostic Tools (CDT) is a set of online assessments designed to provide diagnostic information to guide instruction and intervention. The CDT is offered in grades 6-12 and is available for use in schools and classrooms throughout the school year. The available assessments include Math, Algebra 1, Algebra 2, Geometry, Science, Biology, Chemistry, Reading/Literature, and Writing/English Composition. The CDT is based upon the content covered in the Pennsylvania Core Standards and includes an interactive reporting suite allowing teachers to design instruction and assessment for all students based upon data aligned to student need throughout the school year. Beginning in May 2014, the CDT will also be available for students in grades 3-5 in Reading, Math, Science, and Writing.

Additionally, SAS offers tools for Curriculum Mapping, an ePortfolio, a Professional Development Center with free course offerings, and Professional Learning Communities

allowing Pennsylvania educators opportunities for networking, communicating, and collaborating on best practices that benefit all students.

Standards Aligned Individualized Education Programs (SA-IEPs)

The Standards Aligned IEP train-the-trainer materials were developed to guide IEP teams through the process of teaching in a standards aligned system, assessing students against Pennsylvania Core Standards (including the SAS Curriculum Framework components), writing standards-aligned IEPs to address specific needs, and monitoring the progress of students throughout the year. The foundation of a standards-aligned IEP is standards aligned instruction for all students in all settings. For educators needing additional training on standards aligned instruction, a separate set of training materials is also available.

Autism Initiative

PATTAN's autism initiative has focused on providing intensive skill training for a wide range of public school professionals in critical areas that promote academic, social and language development. Specific activities have including on-site consultation and coaching in relation to a comprehensive, evidence-based approach to instruction for students with autism. During the 2012-2013 school year, over 240 public school sites received direct on-site support. Three hundred forty sites are receiving such support in the 2013-2014 school year. An implementation checklist (PATTAN Autism Initiative Applied Behavior Analysis Supports Site Review Tool) with an established inter-observer agreement of 95% yielded data demonstrating that participating sites increased their application of evidence-based instruction by over 30% of the criteria listed on this rigorous implementation tool.

Almost 900 professionals, paraprofessionals, parents and collaborating agencies received direct competency-based instruction in critical teaching skills, such as errorless teaching, error correction, and other instructional methodologies derived from the field of applied behavior analysis. The National Autism Conference, held at Penn State University in August 2012, allowed school staff to acquire basic and advanced training related to effective transition, inclusive practices, academic instruction, and effective instruction for critical social and communication skill sequences. A series of training videos has been developed and is available through the PATTAN website; this provides immediate access to teachers looking to build critical foundational skills for students with autism. The needs of professionals serving students with higher-functioning autism were addressed through a five-part webinar. Over 900 people participated in the training series.

During FFY 2012, the autism initiative conducted 11 statewide trainings with approximately 2,240 participants. In addition, the autism consultants provided approximately 1,200 presentations. Professional development for progress monitoring will continue to be incorporated and provided through both initiatives.

State Assessment Transition

The Keystone Exams became a component of the state's high school graduation requirements in 2010. Pennsylvania has developed an extensive plan to make the assessment transition as seamless as possible. PDE, BSE and PaTTAN have been providing on-going training to the field regarding changes in assessment requirements and the transition plan for state assessments. This training will continue.

Public Reporting Information for FFY12

Public reports of assessment results conforming to 34 CFR §300.160(f) are located at <http://paayp.emetric.net>, and assessment results by accommodation type with the unit of analysis as the state, LEA and the school are located at http://www.portal.state.pa.us/portal/server.pt/community/special_education/7465.

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

| Statement from the Response Table | State's Response |
|-----------------------------------|------------------|
| Not applicable | Not applicable |
| | |
| | |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

The USDE approved Pennsylvania's ESEA Flexibility Request, which included new targets as described above. The goals and provisions of the waiver will guide the BSE in revising improvement activities. BSE will also consult with its stakeholders.

In addition to the above described improvement activities implemented in FFY 2012, Pennsylvania's approved waiver describes technical assistance and professional development improvement activities for the 2013-2014 school year, which will continue to focus extensive resources on supports for schools and LEAs. Key among those is the SAS Portal, the School Performance Profile, the Pennsylvania Institute for Instructional Coaching, the Pennsylvania Inspired Leadership Program, Classroom Diagnostic Tools and Comprehensive Planning Tools.

(1) Academic Recovery Liaisons

New for 2013-14, Pennsylvania has initiated use of Academic Recovery Liaisons (ARL). Title I schools designated as priority schools will receive targeted resources, including assignment of an ARL. PDE will provide a regionally assigned ARL to facilitate and oversee the priority school's use of the training, technical assistance, and tools available from PDE. Where there are needs associated with special populations, such as students with disabilities, the ARL will facilitate connection between school leaders and the appropriate PDE resources, such as PaTTAN. ARLs will work with Pennsylvania partners such as the Mid Atlantic Comprehensive Center, the Regional Education Lab and others. Each ARL will be assigned to his/her priority school for a three year period.

Within the context of RtII the following targeted technical assistance will be available to LEAs for the 2013-2014 school year:

(2) Effective Instruction for All Learners: Embedded Formative Assessment Professional Learning Community Training Series

School-based teams will improve student learning through planned implementation and coaching in the area of formative assessment and evidence based practices aligned to five key learning strategies. Teams develop competencies for the interpretation and application of formative assessment data relative to five strategies and refine their ability to adapt instruction and enhance student outcomes. Professional learning in the area of formative assessment occurs within the context of a professional learning community to support the learning needs of diverse learners.

(3) Classroom Diagnostic Tool

These free statewide on-line diagnostic assessments, offered in grades 6-12 (and expanding), align to the Pennsylvania Core Standards in reading, mathematics, and science as well as the Keystone Exams. The diagnostic assessment results enable Pennsylvania teachers to use data to inform and differentiate instruction for all students.

(4) Mathematics

- Keystone Algebra Course for Special Education Teachers – This online course will strengthen teachers' content and pedagogical knowledge of the content contained on the Algebra 1 Keystone Exam.
- Algebra Lesson Study: Collaboration between Special Education and Secondary Mathematics – This guided professional practice model will allow participants to experience every stage of the lesson study process first hand. It will simultaneously instruct and prepare participants to lead a school/district through a cycle of lesson study.
- RtII in Mathematics for Elementary and Secondary Schools – These series will help schools monitor student learning and intensify instruction.

(5) English Language Learners

- Tier One: ELLs and the Pennsylvania Core Standards (elementary and secondary).
- RtII and ELLs: Monitoring ELLs' progress in ESL instruction (listening, speaking, reading and writing) and literacy development in a multi-tiered system of support.
- Development and implementation of a Trainer of Trainer (TOT) module on RtII and ELLs for IU RtII point person, with the purpose of building capacity in this area.
- Development and implementation of a TOT module on literacy development and second language acquisition, including data interpretation for IU Literacy point person.
- Designing and developing intensive and systematic interventions for ELLs in Tier One.

(6) Literacy

- effective analysis and use of data to determine instructional needs: DIBELS Next;
- procedures for data collection: DIBELS Next;
- enhancing standards aligned instruction at Secondary Tier 1: The ANSWER Key to Open Response;
- higher level questioning and response: Socratic Seminar focus on diverse learners;
- increasing oral language development: K-3; and
- developing literacy in the Career and Technical Center setting.

(7) Supporting Students with Intellectual Disabilities

- Use of PA/NCSC (National Center and State Collaborative) Resources; Students with Significant Cognitive Disabilities (students eligible for the alternate assessment) and Struggling Learners (e.g., ELLs, socio-economically disadvantaged, students with disabilities who do not qualify for the alternate assessment) will be supported in several ways.
- Pennsylvania Core Content Connectors in Math and ELA: Originally developed by NCSC as bridges to the Common Core for students with significant cognitive disabilities, some are directly linked while others represent a link to practices that support learning of core content. The core content connectors exemplify a reduced depth and breadth of the full content. Using content experts, these have been aligned to Pennsylvania Core Standards and are to be prioritized as eligible content to be aligned with the state's Alternate Assessment.
- NCSC Resources with PA Alignment: Instructional resources to support instruction that target learning aligned to the core content connectors have been developed in math and continue to be developed in ELA. These resources are currently being reviewed and aligned to the practices and content representing PA initiatives. Before release, they will all be customized to reflect alignment with PA content through the Pennsylvania core content connectors. These resources will provide teachers knowledge about what to teach and suggestions in regard to how to teach and assess the content.
- Professional Development 2013-14: These resources are in process of being embedded with the professional development associated with the RtII initiative and Tier 3 Interventions. The reading and math initiatives have committed to professional development in regard to instruction, the core content connectors and the NCSC resources within their initiatives for 2013-14. Pennsylvania is also looking to expand this learning within the autism initiative.

Timeline and resources: PDE, BSE and PaTTAN will provide the training and support to schools and LEAs outlined above throughout the 2013-14 school year.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

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

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

Measurement:

Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Overview of Issue/Description of System or Process

Definition of Significant Discrepancy and Methodology

Data for indicator 4A were collected under section 618 of the IDEA (Report of Children with Disabilities Subject to Disciplinary Removal) for 2011-12, submitted November 1, 2012. As described in detail in the SPP, Pennsylvania determined that an LEA had a significant discrepancy by comparing the suspension/expulsion rates for children with IEPs among LEAs in the state. To establish baseline, Pennsylvania calculated the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs for LEAs within the state, inclusive of all school districts and charter schools. Pennsylvania determined the state's baseline rate to be 0.78%. A school district or charter school is determined to be significantly discrepant if its rate is two times or greater than 0.78%. Discipline data for all school districts and charter schools are analyzed annually for this indicator.

SPP targets were established to reduce both the number of LEAs with a discrepancy and the magnitude of the discrepancy. Historically, and continuing for this reporting period, no charter school has met the state's criteria as having a significant discrepancy. Thus, with stakeholder input, SPP targets for indicator 4A were established to reduce significant discrepancies in school district rates. If annual review of discipline data finds that a charter school (or schools) met the criteria for significant discrepancy, the targets will be revised with stakeholder input.

Pennsylvania has consistently defined the measure of significant discrepancy as two times or greater than the state baseline rate of 0.78%. In FFY 2011, 13 school districts were identified as having a significant discrepancy. A minimum "n" size of 10 students suspended or expelled greater than 10 days was used, resulting in 16 school districts and 11 charter schools being excluded from the calculation.

| FFY | Measurable and Rigorous Target |
|---------------------------------|---|
| 2012 (using 2011-12 data) | Indicator 4A: No more than 2.0% of the school districts in the Commonwealth (n=10 of 500) will suspend students with disabilities for more than 10 days at a rate greater than 2 times the statewide baseline rate of 0.78%. |

Actual Target Data for FFY 2012 (using 2011-2012 data)

In FFY 2011, 13 school districts (2.6% of school districts and 2.0% of all LEAs) suspended students with disabilities at a rate greater than two times the state baseline rate of 0.78%; therefore the SPP target of 2.0% of school districts was not met.

Districts with Significant Discrepancy in Rates for Suspension and Expulsion

| Year | Total Number of LEAs | Number of LEAs that have Significant Discrepancies | Percent |
|---------------------------------|----------------------|--|---------|
| 2012 (using 2011-12 data) | 661 | 13 | 2.0 |

Review of Policies, Procedures, and Practices (completed in FFY 2012 using 2011-2012 data):

Prior to June 30, 2013, the BSE conducted an on-site review in all 13 school districts that were identified as having a significant discrepancy. In preparation for the review, each LEA was required to prepare and analyze its suspension data, including an examination of patterns and trends, and policies and procedures for functional behavioral assessment, manifestation determinations, IEPs, procedural safeguards and provision of FAPE to students whose removal constitutes a change of placement. The LEA provided a list to the BSE of all students with disabilities who were suspended during the entire year.

To determine compliance with requirements of 34 CFR §300.170(b), the BSE reviewed the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and implementation of procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA. The BSE reviewed the LEA's self-assessment during an on-site visit. The Monitoring Chairperson also reviewed a sample of at least 20% of the files of students who were suspended or expelled and considered all data to determine whether the LEA was in compliance with IDEA requirements.

The BSE found noncompliance in seven of the 13 LEAs that had been identified with a significant discrepancy, and notified these seven districts that noncompliance had been identified and required the districts to revise the noncompliant policies, procedures and practices as soon as possible, but not later than one year from notification. The BSE has verified through on-site reviews of policies, practices and procedures, as well as reviews of

updated data from student files, that the districts are correctly implementing the specific regulatory requirements and have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02. BSE verified that all corrective action of noncompliance in these seven LEAs was completed within timelines.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2012

Pennsylvania continues to monitor suspension and expulsion rates of students with disabilities. Statewide, less than 1% of the total population of students with disabilities is suspended or expelled for greater than 10 days in a school year. There were 349 LEAs in Pennsylvania (211 school districts and 138 charter schools) that did not suspend or expel *any* students with disabilities. The FFY 2011 suspension and expulsion rate of 0.46% is over 40% lower than the state baseline rate of 0.78%, and virtually matches the rate observed the previous year.

2013 Pennsylvania Positive Behavior Support (PAPBS) Network Implementers' Forum

Beginning in FFY 2009, BSE initiated a focused improvement activity that targeted a small number of school districts that had a significant discrepancy in rates of suspension on a persistent basis. BSE and PaTTAN hosted a "Suspension Seminar" and mandated the attendance of those school districts. In FFY 2010, the suspension seminar was incorporated into the Pennsylvania Positive Behavior Support Network Implementers' Forum and a specific strand of sessions was developed for those school districts persistently identified with significantly discrepant rates of suspension. Four target school districts were identified in spring 2013 as needing intensive support in reducing the suspension rates of students with disabilities. This number is consistent with the number of school districts identified the previous year, and a marked decrease from 12 school districts identified in 2011 using the same criteria.

Each target district was required to develop a district core team to address the issue of suspension/expulsion of students with disabilities for greater than 10 days in a school year. The district core team was comprised of secondary principal(s), special education/pupil personnel administrator, superintendent, secondary guidance counselor, and secondary school psychologist. Optional members could include teachers and parents. To support each of the four target school districts, Indicator 4 Support Teams were established, and were comprised of a BSE advisor, an educational consultant from PaTTAN and a technical assistance consultant (TAC) from the local IU. All support team members have knowledge and expertise in the area of positive behavior support, including compliance and/or best practice. In preparation for the Implementers' Forum, an indicator 4 orientation webinar was conducted for core and support team members to clearly define roles and responsibilities.

Throughout the course of the 2013 forum, district core teams attended general sessions to learn about evidence-based behavior practices in a multi-tiered system of support, and specially designated indicator 4 closed sessions that addressed the following: culturally responsive behavior management strategies; federal and state regulations for suspension and expulsion of students with disabilities; data collection, reporting, and desired outcomes; utilization of the Team-Initiated Problem Solving (TIPS) model to effectively and efficiently run data-driven team meetings; and success stories and strategies employed by LEAs that

evidenced positive effects in reducing their suspension rates. During the forum the district core teams began to develop an action plan to reduce the suspension rate of students with disabilities, with all plans completely developed following the close of the forum.

District core teams are being provided with ongoing technical assistance and support throughout the 2013-14 school year. The series of site visits provides opportunities for the support teams to assist the district core teams with collection, organization and analysis of district suspension/expulsion data, and implementation of an action plan for reducing suspension rates for students with disabilities. These activities focus on the development and/or implementation of IEPs, procedural safeguards and the use of positive behavior interventions and supports and monitoring and documenting progress of the action plan. All site visits for subsequent professional development provided to the district core teams are logged by the support teams to monitor team progress.

BSE Cyclical Monitoring

As a component of cyclical monitoring, BSE reviews LEA suspension policies, procedures and practices, as well as a comparison of suspension rates for students with and without disabilities within that particular LEA. Suspension data are provided by the LEA as part of a self-assessment, and then confirmed through on-site review of policies, procedures and practices and student records. Data for an entire school year are analyzed. The BSE Monitoring Chairperson reviews a sample of files of students who have been suspended, including a focused review of students with intellectual disabilities (since there are additional, more protective rights afforded to students with intellectual disabilities in Pennsylvania). The BSE considers all data and determines if there are violations of 34 CFR §300.170(b) or other related requirements that require correction of local policies, procedures and practices. If so, the LEA must develop a corrective action plan, which includes correction of all noncompliant policies, procedures and practices, as well as student-specific correction. Timelines may not exceed one year from the notification of noncompliance. All corrective action required from FFY 2011 cyclical monitoring for this indicator has been completed by LEAs and closed by the BSE.

During the 2012-13 school year, PaTTAN offered professional development sessions focusing on providing educators with practical management strategies for students with emotional/ behavioral disabilities. These included:

Prevent, Teach and Reinforce (PTR): The School-based Model of Individualized Positive Behavior Support

This training, facilitated by Dr. Rose Iovannone of the University of Southern Florida, addressed scientifically validated practices of functional behavior assessment, reinforcement and teaching new behaviors. During this training session participants were taught the five steps of the PTR process: teaming, goal setting, assessment, intervention and evaluation. Follow up support from Dr. Iovannone was provided to interested participants using online meetings.

Universal Screening for Behavior: Exploring Systematic Screening tools in Pennsylvania

Universal screening is an essential component of three-tiered models of prevention and intervention for both academic and behavioral issues. The PAPBS Network explored ways to support schools as they introduce systematic screening tools that can help Pennsylvania schools inform the design, implementation, and evaluation of three-tiered models of prevention. Information was gathered from pilot schools in five LEAs upon completion of two measures: the Student Risk Screening Scale for internalizing and externalizing behaviors, and the Social Skills Improvement System Performance Screening Guide (Elliott & Gresham, 2007). These measures were administered three times throughout the year (fall, winter, and spring) during regularly scheduled meetings coordinated by the school principal and PaTTAN. Additionally, the pilot sites provided the following information at the end of the school year:

- academic: course failures, grade point average, curriculum-based measures—reading, and PSSA test scores;
- behavioral: office discipline referrals, suspension and expulsion rates, and attendance referrals: mental health counseling, pre-referral intervention team; and
- overall performance: retention in grade and school drop-outs.

RENEW Project Piloted

Rehabilitation for Empowerment, Natural Supports, Education, and Work (RENEW) is a tertiary level intervention within the PBIS framework and an evidence-based practice. Developed in 1996 for students with serious emotional disorders, RENEW is a structured school-to-career transition planning and individualized wraparound process that focuses on developing positive social support within family and community settings, and a youth's self-determination skills. It is a student-driven process using person-centered planning. The goals of RENEW include high school completion, employment, postsecondary education/training, and community inclusion.

The RENEW process involves a student being paired with a RENEW facilitator. They work together on "maps," leading to discussions about goals, ambitions and potential barriers to them. Once done with the maps, the student selects an individualized team comprised of school staff, family members, community supports, etc. to work towards his or her goals. Pennsylvania recently completed a pilot year of RENEW. Seven pilot sites across the state – five high schools, one middle school, and one alternative school – trained and worked with PaTTAN and their IUs. Each site included a team of staff members (administrators, general and special education teachers, school psychologists, school counselors, behavior specialists, and social workers) and trained RENEW facilitators. Participation in RENEW resulted in increases in academic credits earned, improved attendance, and fewer office discipline referrals for youth who participated in the intervention. During the 2013-14 school year, the pilot sites will continue, and 10-15 new RENEW sites will be added.

Data-Based Problem Solving: A Four Step Process

During 2012-13, a series of trainings, led by Karen Childs of Florida's PBS project, occurred to address data collection within each tier of a multi-tiered system of support.

A webinar provided an introduction to a team-based, structured problem-solving process using behavior data. The series provided an in-depth description of the 4-Step Problem Solving Process applied to a school's core (Tier 1) behavior system. Participants learned possible data sources for identifying problems, monitoring progress, determining fidelity of implementation, and the questions that guide the process.

Action plans were developed by participants to help them implement each component covered within the various sessions.

Classroom Management Training Modules: A Toolkit for Principals

This toolkit was intended to provide school administrators with professional development on classroom management. The training provided five modules designed by the PaTTAN based on the following evidenced-based practices:

- Maximizing Structure and Predictability
- Post, Teach, Review, Monitor and Reinforce Expectations
- Actively Engage Students in Observable Ways
- Acknowledging Appropriate Behavior
- Responding to Inappropriate Behavior

Trainer notes and additional resource materials accompany each module to ensure school administrators have the knowledge necessary to deliver the content of the modules to their staff and to facilitate conversations regarding effective classroom management practices and strategies.

Classroom Management Self-Study

The Classroom Management Self-Study took place in the summer of 2012, with the goal of creating a synchronistic learning opportunity that allowed participants to work through effective, evidence based classroom management strategies at their own pace. The content and learning objectives were structured around a secured wiki site that contained streaming media videos of the instructional content and corresponding assignments. To maximize engagement, electronic polls were employed throughout the six self-study webinars, and participants completed required application and practice assignments. PaTTAN behavior consultants provided virtual assistance throughout the self-study time period using designated office hours for phone support and technical assistance. Additional coaching and consultation were extended through assignment feedback and correspondence on the wiki space.

The Quality Indicators of Emotional Support Services and Programs (QIESSP)

In the spring of 2013, the publication, The Quality Indicators of Emotional Support Services and Programs (QIESSP), was released. This publication was developed to assist LEAs when examining programs and services offered to students with emotional support needs. The document addressed the following elements within eight domains:

- **Academic Instruction and Support** – standards-aligned instruction with modifications, adaptations, and accommodations in the least restrictive environment, with effective instruction;
- **Social-Emotional Instruction and Support** – the use of a variety of approaches and skills to meet group and individual instruction student needs, with opportunities for practice, feedback, and generalization;
- **Behavior Management** – strategies for prevention, intervention, and crisis de-escalation, with a focus on positive, proactive discipline for individuals and groups of students;
- **Collaboration and Communication** – the ways that staff, programs, and families communicate and work together to promote successful outcomes for students;
- **Evaluation and Assessment** – processes involved in evaluation and reevaluation, documenting and reporting progress toward IEP goals, grading and report cards, determining ongoing needs and IEP development;
- **Post-Secondary Transition** – systems and practices involved in post-high school planning and transition, as well as graduation data;
- **Staff-Student Interactions** – the emotional climate of the LEA with regard to the unique needs of students with emotional support needs;
- **Professional Development** – procedures for hiring and retaining qualified individuals to work in the emotional support program.

School-Based Behavioral Health Performance Grants

Five establishment grants were awarded during the 2012-13 school year. The purpose of the establishment grants was to support the development of a continuum of School-Wide Positive Behavioral Interventions and Supports (SWPBIS). The focus of the grants was on universal prevention at tier 1, strategic intervention at tier 2 and intensive service delivery or crisis management needs of school aged students (tier 3 interventions). The LEAs awarded these grants were charged with bringing together educational, clinical, protective and correctional services in an integrated system of practice that utilized a continuum of services.

During the 2012-13 school year, 16 expansion grants were also awarded. The purpose of these grants was to support expansion of SWPBIS in sites established within the PAPBS Network. These performance grants were limited in focus to one of the following three grant priorities:

- adoption and administration of systematic universal screening of behavior as a mechanism to address early indicators of at-risk student behavior within the context of multi-tiered systems of support;
- person centered planning models, including high fidelity wraparound or RENEW as part of the tertiary system of intervention;
- integration of Student Assistance Program within the SWPBIS core teams.

Community of Practice (CoP)

The BSE/PaTTAN continued to convene the CoP on SBBH, which is comprised of multiple child and youth serving departments and agencies as well as parent and advocacy groups. The CoP and PAPBS Network promoted training and technical assistance to LEAs in order to support their efforts in addressing improved school climate and the implementation of a tiered system of behavioral supports for students. The SBBH CoP and the PAPBS Network: promoted Positive Behavioral Interventions and Supports (PBIS) as a decision-making framework; established and sustained a cadre of trainers (PBIS Facilitators) to provide training and technical assistance to schools interested in implementing PBIS; developed curricula to support training on all three tiers of PBIS; conducted a set of professional development trainings to develop knowledge and skills among school-wide facilitators, district and building coaches, and school teams on establishing Tier 2 systems, data, and practices; held monthly meetings or trainings for district and building coaches to support implementation of PBIS; participated and continues to participate in a three state proposed Institute of Educational Science grant and demonstration study to pilot an Interconnected Systems Framework model to enhance school mental health supports within a multi-tiered framework; hosted the annual PBIS Implementers Forum, which showcases the implementation efforts of districts/schools/ and early childhood sites and conducted a statewide evaluation (4th year) of Pennsylvania schools implementing PBIS.

Bullying Prevention Work Group

PaTTAN collaborated with the Center for Safe Schools team to establish ways in which SWPBIS and the Olweus Bully Prevention frameworks could coexist within a school building. Consultation and coaching on bullying and cyber-bullying was delivered to school teams. As a result of the collaboration, a webinar was designed and delivered by PaTTAN and the Center for Safe Schools.

Correction of FFY 2011 Findings of Noncompliance

| | |
|--|---|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) using 2010-2011 data | 6 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the district of the finding) | 6 |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | 0 |

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Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|------------|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | 0 |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”) | N/A |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

Not Applicable. All noncompliance was corrected within one year.

Verification of Correction (either timely or subsequent)

In FFY 2011, the State notified six districts that noncompliance had been identified and required the districts to correct noncompliant policies, procedures and/or practices as soon as possible, but not later than one year from notification. Technical assistance was provided to these districts and BSE verified through on-site follow-up and file reviews that the districts were correctly implementing the specific regulatory requirements. BSE has verified that all corrective action of noncompliance in these six school districts has been completed in accordance with the requirements of OSEP Memorandum 09-02.

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|------------|
| 1. Number of remaining findings made during FFY 2010 (in the period from July 1, 2010 – June 30, 2011 using 2009-2010 data), noted in OSEP’s July 1, 2013 FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not Applicable. There are no remaining findings of noncompliance from FFY 2009 or earlier.

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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 2012 APR, on the correction of noncompliance that the State identified in FFY 2011 as a result of the review it conducted pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each LEA with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> | <p>The State notified six districts that noncompliance had been identified and required the districts to correct noncompliant policies, procedures and/or practices as soon as possible, but not later than one year from notification. The State provided technical assistance to these districts and verified, through on-site follow-up and file reviews, that the districts were correctly implementing the specific regulatory requirements. BSE has verified that all corrective action of noncompliance in these six school districts has been completed and all six school districts have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02. All noncompliance was corrected within one year.</p> |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities included in the SPP are being implemented as described.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

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

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

Measurement:

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

Overview of Issue/Description of System or Process

Definition of Significant Discrepancy and Methodology

Pennsylvania uses a comparison to the state average as the methodology for identifying LEAs with a significant discrepancy. Using data collected under section 618 of the IDEA (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) for the school year 2011-12, submitted November 1, 2012, Pennsylvania compared the rates of suspensions/expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the state. Pennsylvania calculated a state level suspension/expulsion rate to set a single "state bar," then calculated an LEA rate for each racial/ethnic group, and next compared each LEA's rate for each racial/ethnic group to the single state bar.

LEAs were identified as having a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of students with disabilities using the following criteria:

- LEA had a total enrollment of students with disabilities of at least 40;
- LEA had suspended or expelled at least 10 students for greater than 10 days in the school year;
- LEA had at least 10 students of one race suspended or expelled; and
- the rate at which students of any race were suspended or expelled by an LEA was at least 1.5 times the state suspension rate for all students with disabilities in the reporting year (i.e., single bar applicable for all races).

Sixty-four LEAs were excluded from the analysis because the total enrollment of students with disabilities was less than 40. There were 574 LEAs excluded from the analysis because

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fewer than 10 students with disabilities were suspended or expelled for greater than 10 days. Finally, 11 LEAs were excluded from the analysis because fewer than 10 students of one race were suspended or expelled for greater than 10 days.

| FFY | Measurable and Rigorous Target |
|---------------------------------|--------------------------------|
| 2012 (using 2011-12 data) | 0% |

Actual Target Data for FFY 2012 (using 2011-2012 data)

| |
|----|
| 0% |
|----|

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

| Year | Total Number of Districts | Number of Districts that have Significant Discrepancies by Race or Ethnicity | Percent |
|---------------------------------|---------------------------|--|---------|
| 2012 (using 2011-12 data) | 661 | 12 | 1.8% |

4B(b). Districts with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

| Year | Total Number of Districts | Number of Districts that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. | Percent |
|------------------------------|---------------------------|---|---------|
| 2012 (using 2011-12 data) | 661 | 0 | 0% |

Review of Policies, Procedures, and Practices *(completed in FFY 2012 using 2011-2012 data)*

Based on the criteria and methodology described above, BSE identified 12 LEAs as having a significant discrepancy in rates of suspension and expulsion by race or ethnicity. The BSE conducted on-site reviews in all 12 LEAs prior to June 30, 2013.

In preparation for the on-site review, each LEA completed a Facilitated Self Assessment (FSA), which required the LEA to examine and describe its written policies, procedures and practices for suspension of students with disabilities. The LEAs provided written responses to a series of probes designed to gather information and gain insights from the LEA team.

During the review, the BSE examined the following:

- LEA’s written policies and procedures for suspension of students with disabilities;
- LEA suspension data for racial/ethnicity categories where discrepancies exist;
- LEA’s FSA responses regarding building and LEA-wide suspension patterns;
- LEA’s professional development program, including training focused on opportunities to increase understanding of the ways in which race, culture, ethnicity and language can influence student behavior and disciplinary practices;
- LEA’s use of data to plan and implement effective behavior support; and
- information from interviews of LEA personnel.

The BSE also conducted a student file compliance review for a minimum 20% sample of suspended students, selected by the BSE chairperson.

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The BSE conducted all reviews as described above, and determined that none of the LEAs had 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. Therefore, the state did not issue findings of noncompliance for indicator 4B(b).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2012

Pennsylvania’s FFY 2011 performance was 0% (100% compliance.) Pennsylvania maintained its performance for this reporting period. This meets the SPP target.

Pennsylvania provides ongoing training for BSE staff regarding monitoring procedures and protocols used to review LEA suspension and expulsion practices for students with disabilities, including a focus on significant discrepancy by race/ethnicity.

PaTTAN contracted with Dr. Gretchen Generett of Duquesne University to facilitate a Professional Learning Community on Cultural Competency. The members, comprised of PaTTAN educational consultants, focused their areas of study on design and delivery of behavior related trainings and technical assistance that addresses culturally relevant practices. In FFY 2012, the workgroup conducted a needs assessment to prioritize focus areas, and is implementing the “Courageous Conversations about Race” (Singleton and Linton) protocol for 2013-14. The workgroup is exploring the possibility of establishing pilot sites for 2014-15.

As referenced in previous APRs, there is substantial overlap in the LEAs that are identified with a significant discrepancy in suspension rates under indicators 4A and 4B. Therefore, improvement activities targeted to reduce overall suspension rates in 4A have a positive impact upon suspension rates in 4B. An extensive description of these improvement activities can be found in indicator 4A of this APR.

Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|--|------------|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) using 2010-2011 data | 0 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the district of the finding) | N/A |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | N/A |

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Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|------------|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | N/A |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | N/A |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

Not applicable

Verification of Correction (either timely or subsequent)

Not applicable

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|------------|
| 1. Number of remaining findings for FFY 2010 (in the period from July 1, 2010 – June 30, 2011 using 2009-2010 data), noted in OSEP's July 1, 2013 FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not applicable

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

Not applicable

| Statement from the Response Table | State's Response |
|-----------------------------------|------------------|
| Not applicable | Not applicable |
| | |

**Annual Performance Report
Part B**

**Pennsylvania
February 3, 2014**

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2013**

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities included in the SPP are being implemented as described. BSE has added a new improvement activity for FFY 2013:

Dr. George Sugai, University of Connecticut, will present at Pennsylvania's 2014 PBIS Implementers Forum on Cultural Relevance and PBIS.

Timeline and resources: Spring 2014, Dr. Sugai and PaTTAN consultants.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

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

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

| |
|---|
| <p>Measurement:</p> <p>A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p> <p>B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p> <p>C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p> |
|---|

| FFY | Measurable and Rigorous Target |
|---------------------------|---|
| 2012 (2012-13) | <p>The percent of children with IEPs aged 6-21 served inside the regular class 80% or more of the day will be 65.0%.</p> <p>The percent of children with IEPs aged 6-21 served inside the regular class less than 40% of the day will be 8.0%.</p> <p>The percent of children with IEPs aged 6-21 served in separate schools, residential facilities or homebound/hospital placements will be 3.3%.</p> |

Actual Target Data for FFY12

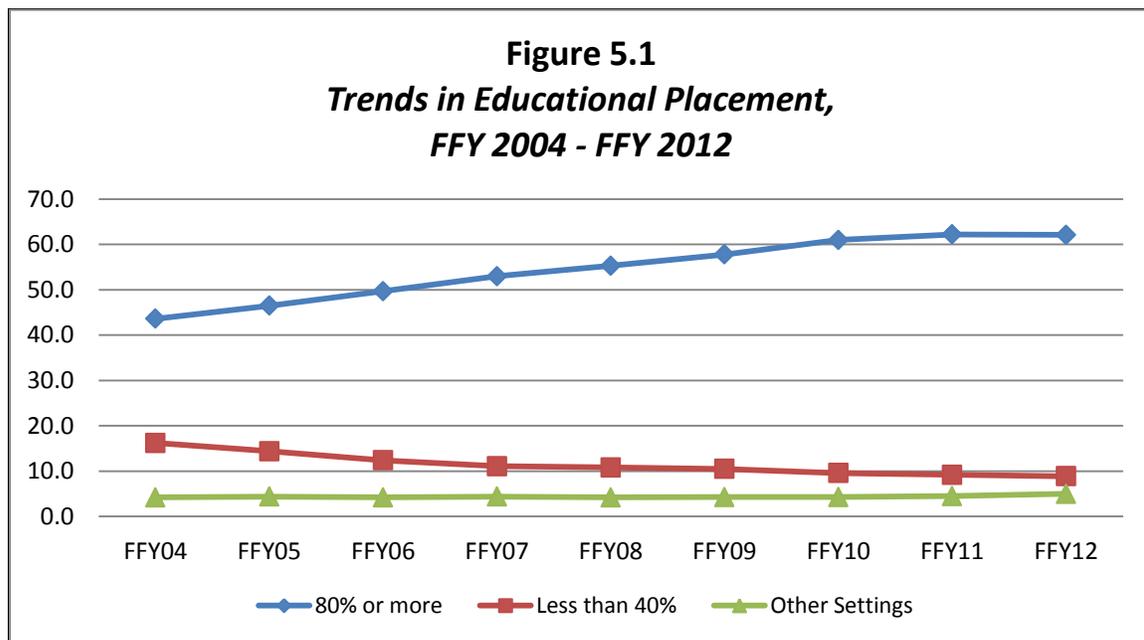
**Table 5.1
Distribution of Students with IEPs Aged 6-21 by Setting, FFY 2012**

| <i>LRE Category</i> | <i>Percent</i> |
|--|----------------|
| Served inside the regular class 80% or more of the day | 62.1 |
| Served inside the regular class less than 40% of the day | 8.9 |
| Served in separate schools, residential facilities, or homebound/hospital placements | 5.0 |

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

As reported in the FFY 2007 SPP and APR, BSE set new and rigorous targets that emphasize movement across the entire continuum of options and project substantial progress on an annual basis. BSE has committed significant resources to monitoring and improvement activities for this indicator.

The FFY 2012 target for students with disabilities served inside the regular class 80% or more of the day is 65.0%. The observed proportion for this setting is 62.1%. This represents a decline of 0.1% from FFY 2011 and the target was not met. However, Figure 5.1 demonstrates the substantial overall progress observed from baseline of 18.5% for indicator 5A.



For students with disabilities served inside the regular class less than 40% of the day, the target for FFY 2012 is 8.0%, while the observed proportion is 8.9%. Though the target was not met, this is a decrease of 0.3% from the prior year, and again demonstrates progress for this indicator. Overall, the downward slope of the line in Figure 5.1 illustrates substantial progress of 7.3% from baseline for indicator 5B.

The target for indicator 5C for FFY 2012 is set at 3.3%, and the observed proportion is 5.0%. The SPP target was not met, and slippage was observed. From FFY 2011 to FFY 2012, 45 LEAs reported an increase of 10 or more students in separate settings. Reasons provided for these increases included court and agency placements, improved data reporting, acceleration in mental health and behavioral needs, and transient and transfer populations. Figure 5.1 shows that performance on indicator 5C has been relatively stable over time.

Reporting on indicator 5C encompasses several types of settings. For some of these, students are placed by entities other than the LEA. Pennsylvania is continuing to implement improvement activities as described in the SPP and APR and will solicit ongoing stakeholder input to address desired progress toward targets.

During the 2012-13 school year, PaTTAN offered professional development sessions focusing on inclusive educational practices for students with disabilities. A description follows.

Inclusive Education Leadership Series (IELS)

Each of the PaTTAN offices provided training and support to school teams to help increase inclusive practices within their school buildings. Each school district selected one school team to participate in the training. The identified team included the following representatives: principal or assistant principal, special education administrator, parent(s), general education teacher and special education teacher. The core team participated in on-site visits to their schools from PaTTAN consultants and/or IU consultants and completed homework assignments and pre/post assessments. Participants learned to utilize resource materials to increase knowledge and skills of all school personnel to educate all students in the least restrictive environment and to collect and analyze student data. The training provided teams the necessary skills to function as change agents in their schools and to demonstrate a culture of learning and teaching to support students with disabilities in the general education environment with appropriate supplementary aids and services. Eight teams across the state participated in the training.

National Institute for School Leadership (NISL) - Students with Disabilities Training

This three-day training was designed by NISL and BSE to prepare principals and assistant principals to exercise strategic and systematic leadership in inspiring, mentoring and mobilizing faculty and staff to address the learning needs of students with disabilities. Participants designed and developed continuous professional learning systems for faculty, with a focus on supporting all students, including inclusive practices for students with disabilities. Forty-seven principals obtained an increased understanding of their role in identifying characteristics of a robust special education service delivery model and how to advance improved instruction for all students. The program focused on five main topics, all with improved instructional and leadership practices at the core: Regular and Special Education Collaboration; Interventions and the RtII process; Adapting Instruction for Diverse Learners; Assessment and Accountability; and IEPs.

Membership, Participation and Learning (MPL): Educating Students with Complex Support Needs in General Education Classrooms

Facilitated by PaTTAN and IU inclusive practices TACs, MPL involves a three-year district commitment that provides teachers, supporting staff and families with extensive professional development to implement educational practices that support the achievement of students with significant disabilities in the general education classroom. PaTTAN and IU TACs provided ongoing training and technical assistance for LEAs continuing with MPL. BSE and PaTTAN have made a commitment to examine the efficacy of the MPL protocol, including the evaluation of student outcomes resulting from MPL. Activities included a review of the literature addressing educational outcomes for students with complex instructional and support needs in inclusive educational settings and convening of a focus group of national experts on inclusive educational outcomes to critique the current MPL protocol and make recommendations to PaTTAN for improvements. In 2012-13, over 100 participants were involved in this program.

Supplementary Aids and Services (SAS) Consideration Toolkit: Facilitator Training

The SAS Consideration Toolkit is used to analyze the instructional, physical, and social environment of a general education classroom from the perspective of an individual student. The intended outcome of using the toolkit is to identify a list of environmentally-referenced supplementary aids and services to enhance participation and learning for a student with a disability in the general education classroom.

The facilitator's training series prepared 132 participants to facilitate a SAS Consideration Toolkit with a student team and create a plan for implementing the toolkit into their practice on a routine basis.

Inclusive Practices for Students Ages 14-21: Considerations and Concepts Webinar

Research shows that inclusion in general education classes is one of many factors that lead to positive outcomes for students with disabilities. IDEA and Chapter 14 require an individualized, assessment-based approach to secondary transition. With nearly 200 participants attending, this webinar examined effective transition strategies that address the individual needs of students while maximizing participation in the general education curriculum.

Plan and Implement Instruction for Students with Complex Support Needs in General Education Classes

As IEP teams of students with complex support needs determine special education supports and services to be delivered in general education classrooms, teams need the knowledge and skills to ensure meaningful progress of the student. During this training, 283 participants were provided with the foundational knowledge, skills and resources necessary for planning, implementing and assessing effective instruction for students with complex support needs in general education classrooms. A framework that outlines the process for planning and implementing instructional practices aligned to grade level standards, of which assessment is a component, was shared. Skills were practiced and assessed utilizing student profiles.

Co-Teaching Connections: Critical Information for School Leaders

Co-teaching is one of the ways schools are meeting the need for increased achievement and individualization of instruction for students with disabilities. With nearly 240 participants attending, this webinar defined and expanded the critical role administrators have in ensuring that successful co-teaching practices benefit all students as well as effectively supporting teachers in this work. Administrators were provided with information on available planning tools and resources to assist them as they carefully consider the implementation or expansion of co-teaching in their buildings.

Pennsylvania Low Incidence Institute

BSE and PaTTAN hosted the Low Incidence Institute in August, 2012, which focused on topics related to serving students and young children with deafness and hearing loss, deaf-blindness, blindness, visual impairment, intellectual disabilities, traumatic brain injury and multiple disabilities. Within the institute, there was a strand of sessions that addressed inclusive educational practices for students with low incidence disabilities. A two and a half

day session, conducted by a national leader in braille literacy, was offered at the 2013 Low Incidence Institute entitled, "Blockbuster Braille: Creating Reading Superstars." The first day centered on strategies to develop early literacy in a tactual medium for young children. On the second and third days, practical assessment and instructional strategies for literacy development were presented. Participants received an update on the adoption of a Unified English Braille code to illustrate how the literacy and numeracy braille codes will change over the next few years. Approximately 30 teachers attended the training in this strand.

Advancing the Literacy Skills of Students who are Deaf or Hard of Hearing

PaTTAN continued its commitment to advance the literacy skills of students who are deaf or hard of hearing with a two-day workshop at the Low Incidence Summer Institute, followed by the development of an intervention study group for teachers of students who are deaf or hard of hearing - PA Literacy Study (PALS). These efforts were led by international researchers who provided statewide support to 18 PALS teachers and 2 administrators during subsequent meetings throughout the year.

Additionally, PaTTAN provided a Literacy Toolkit Training Series which included a progressive sequence of interactive webinars focused on expanding the instructional interventions used to promote literacy achievement. Each of the three sessions provided training to more than 100 participants. The webinar presentations and handouts are available and archived on the PaTTAN website, with plans to include all of the webinars following their broadcasting. Trainings will continue through FFY 2013.

Quality Programs for Students with Visual Impairments (QPVI)

The goal of QPVI is to improve outcomes for all students with visual impairments by building quality educational programs for each student. This is a proven, structured process that helps LEAs continuously improve and demonstrate accountability, regardless of student educational placement. The QPVI process is staff-driven, collaborative, and sustainable over time. It is designed to take a student's educational team through a series of steps to improve programming and outcomes for that student. Establishing standards of practice to use student data for decision making supports improved outcomes for each child. Current standards of practice in the field of visual impairment, special and general education that are research or evidence based, guides this process. PaTTAN is currently supporting six programs serving students with visual impairments in Pennsylvania, which includes approximately 70 teachers and 1100 students.

The Summer Academy for Students who are Blind or Visually Impaired

In collaboration with the Bureau of Blindness and Visual Services (Office of Vocational Rehabilitation), PaTTAN sponsored the Summer Academy for Students who are Blind or Visually Impaired: Enhancing Independence Skills for Students Transitioning to Post-Secondary Education. This academy is a two-week program designed to build independence in daily living and travel skills, as well as further developing skills in self-advocacy, social skills, career awareness and accessing technology skills. Twenty-four students currently enrolled in 9th, 10th or 11th grade live in a closely supervised dormitory setting at a rehabilitation center. Comprehensive reports were developed and disseminated to the students' rehabilitation counselors, parents, teachers and IEP teams. Plans are

currently being developed to move the academy to a college campus and expand it to three weeks.

Special Education Paraprofessionals

The goal of the special education paraprofessional initiative is to provide ongoing in-service training opportunities for special education paraprofessionals to assist them in reaching and maintaining qualified status as required by Pennsylvania regulations, as well as providing information to administrators related to best practices in supervision and utilization of paraprofessionals in the field.

Sessions designed for special education paraprofessionals allow them to explore various topics relevant to their work from their unique perspective as part of the educational team. Paraprofessionals learn ways to appropriately support students with disabilities while actively promoting self-determination and independence.

Information available for school leaders provides guidance on the use of special education paraprofessionals in a manner that supports current best practices and ensures paraprofessionals have the professional development they need as they support students with disabilities across a range of settings.

For 2013-14, PaTTAN will continue to provide training for special education paraprofessionals. Trainings can be accessed online at <http://pattan.framewelder.com>.

Credentials of Competency Issued to Paraeducators in Pennsylvania

Two types of special education paraprofessionals provide support in Pennsylvania schools. Instructional paraprofessionals work under the guidance of both general and special education teachers to support educational programming. Paraprofessionals may be called classroom aides, teacher assistants, instructional aides, or job coaches. Personal care assistants provide one-to-one, non-instructional support to individual students for activities of daily living, health, behavior, etc.

The Credential of Competency for Special Education Paraeducators in Pennsylvania is a completely voluntary program for paraprofessionals and school districts that choose to participate. The Credential of Competency is one way a special education paraprofessional may reach qualified status as required by state regulations. When a school district or IU administrator has verified a special education paraprofessional's competence in each of the ten standards outlined in the Competency Assessment Checklist, the Checklist document is submitted to the BSE. Upon review and approval of the submitted documents, the applicant is issued a Credential of Competency for Special Education Paraeducators in Pennsylvania. The state has issued over 13,000 credentials since 2003, including over 400 credentials in FFY 2012.

Knowledge and Skill Development for Special Education Paraprofessionals in Pennsylvania: 2012-2013 Training Series

PaTTAN's Special Education Paraprofessional Training Series was designed to provide practical information regarding methods and strategies that may be used by special education paraprofessionals working with students with disabilities in a variety of educational settings. Sessions from the series are available online. These sessions assist special education paraprofessionals to gain knowledge related to the standards listed in the Pennsylvania Credential of Competency Checklist, and obtain in-service training hours required by Pennsylvania regulations. The 2012-13 training series covered a variety of topics, including: The Paraprofessional's Role in Supporting Students with Traumatic Brain Injuries; The Paraprofessional's Role in Promoting Peer Relationships and the Use of Peer Supports; What Special Education Paraprofessionals Need to Know About Response to Instruction and Intervention; The Special Education Paraprofessional's Role in Supporting Students in Culturally-Diverse Classrooms; and The Special Education Paraprofessional's Role in Supporting Students Who Are English Language Learners.

Sessions were recorded and posted to the online training site for special education paraprofessionals (<http://pattan.framewelder.com>).

During FFY 2012, 3,254 certificates of attendance were issued to Pennsylvania's paraprofessionals for participation in live videoconferences or webinars. Additionally, 9,945 certificates of attendance were issued to paraprofessionals for participation in on-demand online training sessions.

PaTTAN Publications

The following publications, developed during the 2012-2013 and early 2013-2014 school years, align with and support PaTTAN's work for this indicator:

- Assistive Technology for Students With Disabilities: A Closer Look at Acquisition and Funding;
- Pennsylvania's Supplementary Aids and Services Toolkit: An Overview for Parents;
- Special Education Leader: Educational Benefit Review;
- Special Education Leader: Special Education Paraprofessional Supports in Inclusive Schools;
- Teachers' Desk Reference: Chapter 15/Section 504 Services;
- Teachers' Desk Reference: Preparing for an IEP Team Meeting;
- Teachers' Desk Reference: Supplementary Aids and Services;
- Teachers' Desk Reference: Teachers and Special Education Paraprofessionals Working as a Team to Support Students;

- Teachers' Desk Reference: Using Questions Strategically to Enhance Learning; and
- Writing Effective IEP Goals.

All publications are available for immediate download from the PaTTAN website and paper copies are available at the PaTTAN resource table at the annual PDE conference, and are available in public areas in each of the PaTTAN offices.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

BSE continues to implement the improvement activities described in the SPP. The following additional resources are planned for FFY 2013:

(1) Project MAX: Maximizing Access and Learning

The PDE has been awarded a five year State Performance Development Grant (SPDG) that is designed to increase the capacity of LEAs and schools to provide all students, including those with complex instructional needs, with maximum access to and learning of the general education content and curriculum. PaTTAN is implementing an evidence-based professional development effort funded by this OSEP SPDG. The grant focuses on building capacity of LEAs and IUs to provide students with complex instructional needs with access to and learning of grade level academic standards, including Pennsylvania Core Standards. This innovative project is built on the principles of implementation science and is designed to impact LEAs and IUs across the Commonwealth over the five years of the project. The Project MAX Practice Profile outlines optimized practices in the areas of: leadership, curriculum/instruction/assessment, individualized student supports, collaboration, family partnerships and least restrictive environment. Project MAX teams participate in an intensive summer institute, followed by monthly team meetings and structured on-site professional development aligned to the Project MAX Standards-Aligned Unit Planning Process. LEAs and IUs will be supported to scale up this work across schools/programs in subsequent years of participation.

Timeline and resources: During 2013-14, implementation will occur with six IU teams and five LEA teams with intensive PaTTAN support. Recruitment and readiness activities will also occur for teams in nine additional IUs which will begin their first year of implementation in summer 2014.

(2) Starting Points and Possibilities: Promoting Inclusion Learning and Relationships for Students with Complex Needs

PaTTAN is building web-based resources on the topic of natural peer supports, which will include a video series as well as accompanying resources. The purpose of this video series is to provide information on natural peer supports to school leaders, teachers, paraprofessionals, families and students. Expert support was provided by Dr. Erik Carter of the Vanderbilt Kennedy Center. These five video sessions will provide the essential information needed to develop the structures that promote inclusion, learning, and

relationships between students with and without disabilities, with special focus on students with complex instructional needs. Dr. Carter will describe the evidence base and the necessary components for developing an effective peer support program. These sessions are supported with video documentary of actual peer support programs occurring within Pennsylvania. Each session will guide schools in identifying crucial elements to launch new or continue current efforts in implementing natural peer support programs. The video series and resources will be rolled out over the 2013-14 school year.

Timeline and resources: PaTTAN educational consultants, Dr. Erik Carter; implementation began fall, 2013.

(3) Principal's Learning Series

In partnership with the Leadership Initiative, PaTTAN developed a multiple-session, sustained training geared towards building the capacities of school leaders and their instructional core team to address data, systems and practices to support inclusive education for students with disabilities.

Timeline and resources: PaTTAN educational consultants, IU TAC, LEA teams; implementation began fall, 2013.

(4) The Critical Role of Principals in Meeting the Needs of Students with Disabilities

This training has been developed to replace IELS. The purpose is to ensure that principals deepen their capacity for effectively meeting the needs of diverse learners and increasing achievement for all students. Participation will focus on having principals learn and apply specific knowledge and skills and instructional strategies proven to be effective in improving achievement for all students. The program will guide participants in reviewing multiple data sources to inform decision-making, examining current leadership practices, using formative assessment to guide their development, and planning and implementing evidence-based intervention strategies.

Timeline and resources: PaTTAN educational consultants, IU TAC, principals; implementation began fall, 2013.

(5) PaTTAN Publications

The following publications are currently being developed for completion by the end of the 2013-14 school year:

- Fit and Healthy for Life: Physical Education for Students With Disabilities
- Special Education Leader: Classroom Diagnostic Tools

Timeline and resources: PaTTAN, in collaboration with BSE, will continue to publish these resource documents throughout the 2013-14 school year.

Part B State Annual Performance Report (APR) for FFY 2012

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

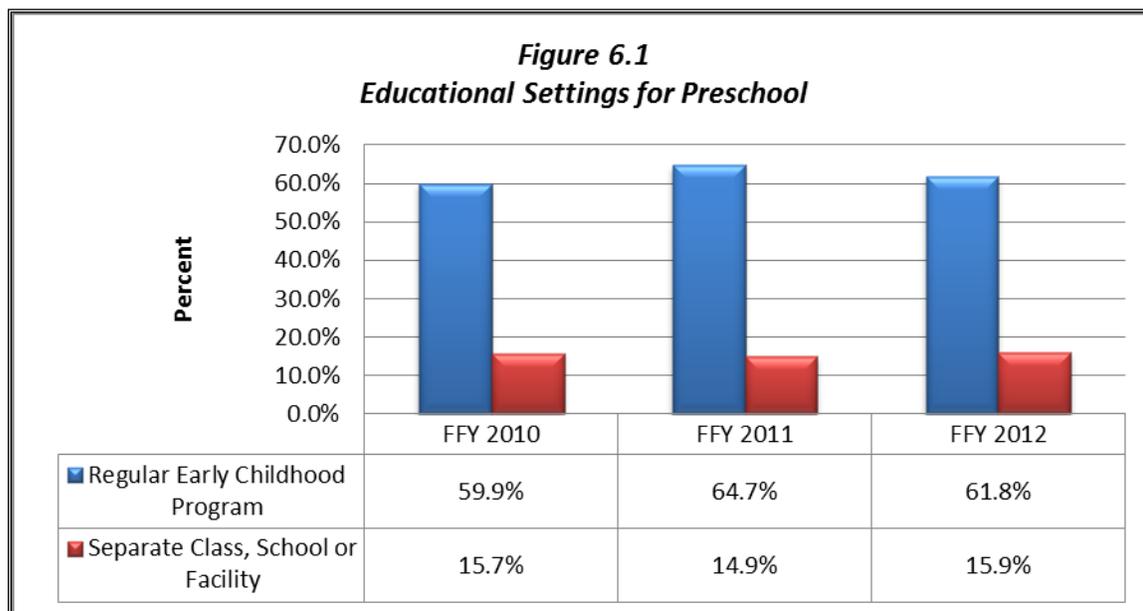
- A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.
- B. Percent =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

| FFY | Measurable and Rigorous Target |
|---------------------------|---|
| 2012 (2012-13) | <p>65.19% of children aged 3 through 5 with IEPs attended an early childhood program and received a majority of their special education and related services in the regular early childhood program.</p> <p>14.49% of children aged 3 through 5 with IEPs received the majority of their special education and related services in a separate special education class, separate school or residential facility.</p> |

Actual Target Data for FFY 2012

| | |
|---------------------------|---|
| 2012 (2012-13) | <p>61.82% of children aged 3 through 5 with IEPs attended an early childhood program and received a majority of their special education and related services in the regular early childhood program.</p> <p>15.88% of children aged 3 through 5 with IEPs received the majority of their special education and related services in a separate special education class, separate school or residential facility.</p> |
|---------------------------|---|

Comparison Data FFY 2010 through FFY 2012



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

Data for preschool educational environments for FFY 2012 was collected through the early intervention data information system and included children who were reported on December 1, 2012 as submitted to OSEP on February 1, 2013. Pennsylvania did not meet its targets for this indicator. Although Pennsylvania has shown slippage from FFY 2011, progress was made above baseline data established in FFY 2010 for children receiving service in a regular early childhood program.

Additional analysis of the data identified some shifts in relation to where services are provided. The data did not show a significant increase in children receiving services in separate classes, schools or residential facilities, but rather received their services in home settings or service provider locations while they continue to participate in early childhood environments.

In FFY 2012, preschool early intervention programs participating in the state inclusion grant program were involved in the following activities to increase the number of children participating in early childhood programs:

- developed a video of interviews with staff in early childhood programs relating their experiences serving children with disabilities. The video also included interviews with family members who talked about their children moving from a specialized setting to an inclusive classroom;
- opened a reverse mainstreaming classroom that allowed typical children to attend as well as children with disabilities;
- acted as guest teachers in early childhood settings and modeled strategies for early childhood staff;

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- created an assistive technology lending library which allowed early childhood programs to borrow adaptive materials to meet the needs of all children; and
- trained staff in the collaborative consultation model of service delivery.

The BEIS continues to support training and technical assistance initiatives for all preschool early intervention programs. In addition, inclusion grants continue for preschool early intervention programs that are performing at lower levels on this indicator. The purpose of the grants is to increase the number of children in inclusive programs. Six programs are participating in the grant program for FFY 2013. Grantees are required to: 1) establish baseline data and set targets for improvement; 2) develop a plan to build community early childhood partners with child care programs, Head Start programs and other early childhood programs in their local community; and 3) appoint a staff person to provide support and consultation for the early childhood preschool programs with whom they are partnering, and participate in targeted training and technical assistance through Early Intervention Technical Assistance (EITA).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

A review of targets, improvement activities, timelines and resources implemented and completed in FFY 2012 found that all activities remain appropriate as established in the State Performance Plan and Annual Performance Reports and will continue for FFY 2013.

The following new improvement activity has been added:

Revisions were made to the data reporting screens in the data management system to ensure alignment with the educational environments decision tree. The prompts for users were revised to ensure an easier method of collecting and reporting data per federal reporting requirements. Training and explicit instruction for reporting of educational environment for preschool children will continue. Targeted technical assistance will be provided to those programs that experienced decreases in categories A1 and B1.

Timeline and resources: BEIS staff throughout FFY 2013.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

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

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

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

Summary Statements for Each of the Three Outcomes:

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.

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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.

Actual Target Data for FFY 2012

| Summary Statements | Actual FFY 2010 (% and number of children) | Actual FFY 2011 (% and number of children) | Actual FFY 2012 (% and number of children) | Target FFY 2012 (% of children) |
|--|--|--|--|--|
| Outcome A: Positive social-emotional skills (including social relationships) | | | | |
| 1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program | 77.9 n = 4,975 | 76.6 n = 4,107 | 88.8 n = 10,925 | 71.3 |
| 2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program | 57.8 n = 4,975 | 54.1 n = 4,107 | 65.5 n = 10,925 | 55.5 |

| Outcome B: Acquisition and use of knowledge and skills (including early language/communication) | | | | |
|--|-------------------|-------------------|--------------------|------|
| 1. Of those children who entered the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program | 76.7 n = 4,977 | 76.4 n = 4,120 | 89.6 n = 10,931 | 73.4 |
| 2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program | 48.2 n = 4,977 | 51.9 n = 4,120 | 63.2 n = 10,931 | 47.7 |

| Outcome C: Use of appropriate behaviors to meet their needs | | | | |
|--|------------------|-------------------|--------------------|------|
| 1. Of those children who entered the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program | 74.6 n =4,976 | 75.6 n = 4,101 | 88.1 n = 10,913 | 71.3 |
| 2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program | 58.0 n =4,976 | 57.5 n = 4,101 | 67.5 n = 10,913 | 57.3 |

Actual Number and Percent of Children by Progress Categories for FFY 2012

| A. Positive social-emotional skills (including social relationships): | Number of children | % of children |
|--|---------------------------|----------------------|
| a. Percent of children who did not improve functioning | 81 | 0.7 |
| b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 833 | 7.6 |
| c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach | 2,858 | 26.2 |
| d. Percent of children who improved functioning to reach a level comparable to same-aged peers | 4,367 | 40.0 |
| e. Percent of children who maintained functioning at a level comparable to same-aged peers | 2,786 | 25.5 |
| Total | 10,925 | 100.0 |

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| B. Acquisition and use of knowledge and skills (including early language/communication and early literacy): | Number of children | % of children |
|--|---------------------------|----------------------|
| a. Percent of children who did not improve functioning | 72 | 0.7 |
| b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 870 | 7.9 |
| c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach | 3,078 | 28.2 |
| d. Percent of children who improved functioning to reach a level comparable to same-aged peers | 5,081 | 46.5 |
| e. Percent of children who maintained functioning at a level comparable to same-aged peers | 1,830 | 16.7 |
| Total | 10,931 | 100.0 |

| C. Use of appropriate behaviors to meet their needs: | Number of children | % of children |
|--|---------------------------|----------------------|
| a. Percent of children who did not improve functioning | 83 | 0.7 |
| b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 885 | 8.1 |
| c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach | 2,581 | 23.7 |
| d. Percent of children who improved functioning to reach a level comparable to same-aged peers | 4,561 | 41.8 |
| e. Percent of children who maintained functioning at a level comparable to same-aged peers | 2,803 | 25.7 |
| Total | 10,913 | 100.0 |

Discussion of Summary Statements and A-E Progress Data for FFY 2012

FFY 2012 data is derived from almost 11,000 children who entered the preschool early intervention program starting in July 2009 and who exited the program in FFY 2012 (2012-2013). Children completed at least six months of early intervention services and they could have received up to 36 months of early intervention services.

Based on the actual scores of child assessment tools, the entry data was matched to the 7-point Child Outcome Summary Form (COSF) developed by the Early Childhood Outcome Center. Pennsylvania defines “comparable to same aged peers” as a score of 6 or 7 on the COSF.

In analyzing the data for the three outcomes, similar patterns can be found. For summary statement 1 for all three outcomes, the percent of children who entered the program below age expectations and substantially increased their rate of growth by the time they exited ranged between 88-89%. For summary statement 2 for all three outcomes, the percent of children who were functioning within age expectations by the time they exited ranged between 63-67%.

The targets established for all summary statements across the three outcome areas were met. There were significant increases in performance from FFY 2011 in both summary categories. The improvement rates ranged between 21-26%.

In spring 2013, Pennsylvania began an in-depth analysis of its child outcome data. The review included an analysis of entry and exit ratings, changes between entry and exit ratings and reliability analysis. Inferential analysis consisted of several regression models to consider statistically significant associations between rating changes (i.e., progress or regress) and demographic characteristics such as race/ethnicity, and primary disability category.

Key findings from this analysis for preschool children during their time in the Part B preschool program included the following:

- overall, the data suggest high levels of inter-rater reliability (0.923);
- all children are making progress across all three child outcomes;
- the amount of time in months children were served has a significant and positive effect on ratings changes regardless of a student’s entry rating; and
- being white or non-white does not have a significant predictive effect on changes in outcomes ratings areas.

A separate data analysis was conducted on the scores of children who entered Pennsylvania’s early intervention programs in the Part C infant/toddler program and continued through the Part B preschool program. There were approximately 1,000 children in this analysis. Key findings included:

- children receiving both infant/toddler and preschool services are rated more reliably (0.931) than those children receiving infant/toddler services or preschool services only services.
- the total time of service in both infant/toddler and preschool settings is associated with positive ratings changes in the acquisition and use of knowledge/skills area;

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- being white or non-white does not have a significant predictive effect on changes in outcomes ratings areas;
- developmental delay as a primary disability category is associated with positive ratings changes within the acquisition and use of knowledge/skills area; and
- speech and language as a primary disability category is associated with positive ratings changes in the acquisition and use of knowledge/skills, and negatively associated with ratings changes in the positive social and emotional skills and use of appropriate behavior to meet their needs outcomes areas.

The results of the additional analysis of the early childhood outcome data will be reviewed to develop a plan for disseminating the information on a statewide level and for determining statewide technical assistance activities based on the data.

BEIS advisors and technical assistance consultants from EITA will continue to provide on-site technical assistance to early intervention programs to ensure that accurate and reliable child outcome data is collected and that children are making adequate progress. Technical assistance, focused on program management, data quality and child progress activities, will be provided to those identified programs.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

Pennsylvania has met all targets established for this indicator. Improvement activities were implemented in FFY 2012 as described in the SPP and outlined in the APR submitted in February, 2013.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities described in the SPP will continue.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
(20 U.S.C. 1416(a)(3)(A))

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

| FFY | Measurable and Rigorous Targets |
|-------------------|--|
| 2012 (2012-13) | <i>School Age</i> |
| | Using the NCSEAM Survey, the 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 will be 35.65%. |
| | <i>Preschool</i> |
| | The percent of parents with a child receiving preschool special education services who report that preschool early intervention facilitated parent involvement as a means of improving services and results for children with disabilities will increase to 88.2%. |

Actual Target Data for FFY12

School Age Programs (Bureau of Special Education)

Pennsylvania continues to use the National Center for Special Education Accountability and Monitoring (NCSEAM) Survey as the measure for this indicator for parents of school age students with disabilities. A copy of the school age survey can be found in Pennsylvania’s SPP. The NCSEAM standard for school facilitated parent involvement was developed by a group of stakeholders as a part of the NCSEAM National Item Validation Study. This standard, based on the Rasch analysis framework, creates an “agreeability” scale with corresponding calibrations for each survey item. Survey items with lower calibrations are easier to agree with, while items with higher calibrations are more difficult to attain. A respondent’s survey answers are compiled into a single measure. This measure is then compared to the standard established by the stakeholder group. A more complete explanation of the scoring process can be found in Pennsylvania’s SPP.

The sampling plan for this indicator was approved by OSEP in Pennsylvania’s FFY 2005 SPP and is continued for this submission. The present cohort consists of the same set of

LEAs on the same schedule as was devised in the original submission. The sampling plan also includes all LEAs that have been established since the original approval.

For the current year, the number of valid surveys returned was approximately the same number returned in FFY 2011 (1,879 vs. 1,883, respectively). The number of parents with a school age child receiving special education services who report that schools met the NCSEAM standard for school-facilitated parent involvement as a means of improving services and results for children with disabilities increased from 743 to 794. The percent of respondents at or above the indicator 8 standard is 42.26%, an increase of 2.8% over the level observed the previous year. These data are provided in Table 8.1.

**Table 8.1
Results of the Administration of the NCSEAM School Age Parent Survey**

| <i>FFY</i> | <i>Number at or above the Indicator 8 standard</i> | <i>Percent at or above the Indicator 8 standard</i> | <i>Number of valid responses</i> |
|------------|--|---|----------------------------------|
| 2008 | 751 | 34.49 | 2,177 |
| 2009 | 731 | 34.30 | 2,131 |
| 2010 | 708 | 39.31 | 1,801 |
| 2011 | 743 | 39.46 | 1,883 |
| 2012 | 794 | 42.26 | 1,879 |

Pennsylvania exceeded the FFY 2012 target of 35.65% established in its SPP for this indicator.

For the current reporting year, the school age NCSEAM survey was distributed to 16,154 parents of students from 134 LEAs. Included in this distribution was an over-sampling of parents of Black or African American (not Hispanic) and Hispanic students to compensate for historically lower response rates within these groups.

The representativeness of the school age race/ethnicity categories in the survey results (see Table 8.2) was tested using the +/-3% tolerance level established by the Response Calculator developed by the National Post School Outcome Center (NPSO). The oversampling again had the desired effect of improving the representativeness of the respondent group, as all racial/ethnic categories fall within these tolerance levels.

**Table 8.2
Race/Ethnicity of School Age Students
Represented by Parent Respondents**

| | <i>Total Respondent Group¹</i> | <i>State Race/Ethnicity Population</i> |
|---|---|--|
| <i>Race/Ethnicity</i> | <i>Percent</i> | <i>Percent</i> |
| American Indian or Alaskan Native | <1.0 | <1.0 |
| Asian | 1.5 | 1.4 |
| Black or African American (not Hispanic) | 14.8 | 17.5 |
| Hispanic or Latino | 10.5 | 9.2 |
| White (not-Hispanic) | 71.8 | 69.7 |
| Native Hawaiian or Other Pacific Islander | <1.0 | <1.0 |
| Multiracial | 1.1 | 2.0 |

Table 8.3 shows the representativeness of school age students whose parents responded to the survey when examined by disability category. Overall, the proportions of the disability categories are relatively close to the proportions observed in the December 1 Child Count. Each of the disability categories, with the exception of specific learning disabilities, falls within the +/- 3% tolerance level established by the Response Calculator. The proportion of parents of students with specific learning disabilities, who had been underrepresented for four consecutive years, is 0.1% above the tolerance level as a result of the state's efforts to improve respondent representativeness. The proportion of respondents who are parents of students with autism, overrepresented in FFY 2011, now falls within the tolerance level.

¹ To protect confidentiality, Pennsylvania is providing percentages to describe these respondents.

**Table 8.3
Disability Category of School Age Students
Represented by Parent Respondents**

| | <i>Total Respondent Group²</i> | <i>State Disability Population</i> |
|-------------------------------|---|------------------------------------|
| <i>Disability</i> | <i>Percent</i> | <i>Percent</i> |
| Intellectual Disability | 9.4 | 7.1 |
| Hearing Impairment | 1.1 | 1.0 |
| Speech or Language Impairment | 13.9 | 16.0 |
| Visual Impairment | <1.0 | <1.0 |
| Emotional Disturbance | 6.8 | 8.6 |
| Orthopedic Impairment | <1.0 | <1.0 |
| Other Health Impairment | 12.8 | 11.2 |
| Specific Learning Disability | 42.3 | 45.4 |
| Deaf-Blindness | <1.0 | <1.0 |
| Multiple Disabilities | 1.2 | 1.1 |
| Autism | 11.2 | 8.6 |
| Traumatic Brain Injury | <1.0 | <1.0 |

As described in the SPP, BSE continues to interview parents of students with disabilities as a component of cyclical monitoring. Since FFY 2007, BSE has incorporated the NCSEAM threshold item verbatim into the school age cyclical monitoring instrument. Specifically, parents were asked to respond to the statement, “The school explains what options parents have if they disagree with the decision of the school.” Table 8.4 displays the results since the NCSEAM item was incorporated into the monitoring instrument.

² To protect confidentiality, Pennsylvania is providing percentages to describe these respondents.

**Table 8.4
Results of Cyclical Monitoring Parent Interviews:
Agreement to the Threshold Item on the
School Age NCSEAM Survey**

| FFY | Percent of Parents who “Agreed” “Strongly Agreed” or “Very Strongly Agreed” |
|------------|--|
| 2007 | 90.7 |
| 2008 | 92.1 |
| 2009 | 92.0 |
| 2010 | 92.3 |
| 2011 | 91.5 |
| 2012 | 92.2 |

In FFY 2012, 834 parents in 123 LEAs were interviewed. Overall, 92.2% of the parents who responded to this question “Agreed”, “Strongly Agreed”, or “Very Strongly Agreed” with this statement, reflecting improvement from the high level observed when the item was first included in the cyclical monitoring document in FFY 2007. The FFY 2012 parental responses continue to yield additional positive information about their interactions with LEAs in Pennsylvania.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

For FFY 2012, surveys were sent statewide to all families currently enrolled in the preschool early intervention program. Of the 23,459 surveys sent and received by families, 4,432 responses to the survey were returned for a valid response rate of 19%. Table 8.5 shows the results of the survey for this indicator. In FFY 2012, 85.9% of families reported that preschool early intervention facilitated parent involvement as a means of improving services and results for children with disabilities.

**Table 8.5
Agreement to the Threshold Item on the
Family Survey for Preschool Early Intervention Programs**

| Survey Question: <i>In the past year, early Intervention staff explained what options parents have if they disagree with a decision made by EI staff.</i> | Number of Respondents |
|--|------------------------------|
| A. Number of families who agree with the statement | 1,306 |
| B. Number of families who strongly agree with the statement | 885 |
| C. Number of families who very strongly agree with the statement | 1,521 |
| D. Total number of valid surveys returned with ratings for this question | 4,323 |
| E. Percentage of families who agree, strongly agree and very strongly agree with the statement: (A+B+C)/D | 85.9% |

Table 8.6 displays the racial/ethnic representation of parents of preschool age children who returned the survey. The representativeness of the preschool race/ethnicity categories in the survey results, using the +/-3% tolerance level established by the Response Calculator developed by the NPSO, indicates that all racial/ethnic categories fall within the tolerance levels.

Table 8.6
Respondent Group by Race/Ethnicity for Preschool Children

| | <i>Total Respondent Group³</i> | <i>State Race/Ethnicity Population</i> |
|---|---|--|
| <i>Race/Ethnicity</i> | <i>Percent</i> | <i>Percent</i> |
| American Indian or Alaskan Native | <1.0 | <1.0 |
| Asian or Pacific Islander | 2.6 | 2.2 |
| Black or African American(not Hispanic) | 12.2 | 14.1 |
| Hispanic or Latino | 13.5 | 10.9 |
| White (Not-Hispanic) | 68.4 | 68.5 |
| Native Hawaiian or Pacific islander | <1.0 | <1.0 |
| Multiracial | 3.2 | 4.2 |
| Total | 100.0 | 100.0 |

Table 8.7 shows the representativeness of the preschool respondent group when examining by disability category. Using the +/-3% tolerance level established by the Response Calculator provided by NPSO, all categories fall within the +/-3% tolerance level.

³ To protect confidentiality, Pennsylvania is providing percentages to describe these respondents.

**Table 8.7
Respondent Group by Disability Category for Preschool Children**

| | <i>Total Respondent Group⁴</i> | <i>State Disability Population</i> |
|-------------------------------|---|--|
| <i>Disability</i> | <i>Percent</i> | <i>Percent</i> |
| Intellectual Disability | <1.0 | <1.0 |
| Hearing Impairment | 1.1 | 1.2 |
| Speech or Language Impairment | 37.7 | 36.4 |
| Visual Impairment | <1.0 | <1.0 |
| Emotional Disturbance | <1.0 | <1.0 |
| Orthopedic Impairment | <1.0 | <1.0 |
| Other Health Impairment | 1.1 | 1.2 |
| Specific Learning Disability | <1.0 | <1.0 |
| Deaf-Blindness | <1.0 | <1.0 |
| Multiple Disabilities | 1.3 | 1.1 |
| Autism | 8.5 | 8.2 |
| Traumatic Brain Injury | <1.0 | <1.0 |
| Developmental Delay | 48.4 | 49.8 |
| Total | 100.0 | 100.0 |

In addition to analyzing race/ethnicity and disability categories, Pennsylvania also did further analysis of the data reviewing variables such as age of the child and amount of time a child was in service to determine if these variables had an impact on the data. Neither the age of the child nor the amount of time the child was in service impacted on the family's agreement on this indicator.

⁴ To protect confidentiality, Pennsylvania is providing percentages to describe these respondents.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

School Age Programs (Bureau of Special Education)

The proportion of parents with a school age child receiving special education services who reported that schools met the NCSEAM standard for school-facilitated parent involvement as a means of improving services and results for children with disabilities was 42.26%, an increase of 2.80% from the level observed in FFY 2011. The target was met and the state is reporting progress on this indicator.

Throughout the span of the SPP, BSE has continuously increased efforts to support and improve school-facilitated parent involvement as a means of improving services and results for children with disabilities.

Enhancing Family Engagement Training Series

During FFY 2013, PaTTAN will lead LEAs, selected by means of an application process, through the Enhancing Family Engagement Training Series, designed to engage school leaders and their staff in the assessment, study and site-based advancement of research and evidence-based findings supporting family engagement strategies and practices. The training series (consisting of three regional trainings and two on-site visits), requires the site-based teams to complete a needs-based, differentiated course of study focused on one of six study modules aligned to the National Parent Teacher Association (PTA) Standards for Family-School Partnerships. School leaders and their team, which includes parents, will work in their home school environment to advance both professional development opportunities for the school community and implementation of newly learned strategies to bolster family engagement. On-site technical assistance will be provided by PaTTAN educational and parent consultants.

Indicator 8 Training Module Series

PaTTAN's Parent Engagement Team designed six interactive modules based on the National Standards for Family-School Partnerships developed by the National PTA to support the development and enhancement of parent engagement practices. The training modules, which include presentations, activities, handouts, and primary research articles, were made available on the PaTTAN family engagement website. Participants at most conferences and training sessions are made aware of the availability of these materials.

Parent Engagement Webinar Series

PaTTAN offered a parent engagement webinar series during which LEAs throughout Pennsylvania shared current practices and strategies for other LEAs to consider as a means to enhance their interactions with families. LEAs shared their rationale as well as the effects of their practices. The practices shared by LEAs aligned to the National PTA Standards for Family-School Partnerships. The webinar series was designed for school administrators, teachers, and others interested in learning how Pennsylvania leaders are addressing family engagement topics. Topics for the series included: welcoming all families into the school community; communicating effectively; supporting student success; and meaningful parent engagement. Each webinar was recorded and closed-captioned. The webinars can be accessed on the family engagement page on the PaTTAN website.

Parent Engagement Team

Through PaTTAN, the BSE employs four parent consultants, representing the western, central and eastern parts of the state. PaTTAN parent consultants receive ongoing professional development and often work alongside PaTTAN educational consultants to provide training to parents and educators on topics related to special education. All PaTTAN parent consultants are members of the Family Engagement Team. PaTTAN educational and parent consultants continued to keep current two webpages for the PaTTAN website specific to the topic of family engagement. The Family Engagement webpage highlights current training and technical assistance available to LEAs. Information regarding the indicator 8 parent survey is also posted on this site. The Parent Information webpage contains resources and support materials for families interested in learning more about special education services and supports available in Pennsylvania.

Resource Materials

BSE/PaTTAN developed and disseminated resource materials to LEAs. Phase I of the parent engagement work included development of a guide for LEAs to increase parent involvement activities. The guide is titled, *Enhancing Parent Engagement: A Practical Guide*. Three overarching categories frame this publication: leadership, relationships, and training. Each theme is developed to address both research and best practice as well as suggested considerations for implementing parent engagement strategies.

In addition, a one page publication titled, *Top Five Reasons Schools Need to Engage Parents*, provides a set of research-based principles as well as evidence-based approaches for LEAs to consider when developing partnerships with families.

PaTTAN/Parent Training and Information Centers (PTI)/Community Parent Resource Centers (CPRC) annual meeting

Members of PaTTAN's parent engagement team, including educational and parent consultants, met with members of Hispanos Unidos para Niños Excepcionales (HUNE), Parent Education & Advocacy Leadership (PEAL), Parent Education Network (PEN) and the Mentor Parent Program prior to the beginning of the school year. The meeting provided all in attendance a venue to collaborate on effective means by which to support parent engagement efforts and the opportunity to share training resources.

Indicator 8 Survey Strategies

BSE continues to work with the Pennsylvania State Data Center to refine over-sampling parameters and address underrepresented populations in the respondent group. Annual evaluation of this activity will occur throughout the remainder of the survey distribution.

BSE provides opportunities for survey recipients to engage in direct dialogue with ConsultLine personnel about questions related to the survey, and to facilitate engagement with PTIs and CPRCs in the implementation of the parent survey as well as with the SPP improvement activities.

For the third consecutive year, BSE implemented an improvement activity designed to increase the parent survey response rate. BSE sent each school district superintendent and charter school CEO a letter informing them that parents from their LEA will be participating

in the indicator 8 parent survey. Letters addressed to all parents of students with disabilities within the LEA were provided by the BSE. The purpose of the introductory letter is to increase familiarity, assist in easing anxiety, and improve the response rate. Since this activity appears to have had little effect on the response rate, BSE is evaluating the efficacy of its continued use.

Indicator 8 Parent Survey: Getting Ready Webinar

This webinar provided information, resources, and suggested practices to LEAs involved in the 2013 indicator 8 parent survey. A separate webinar for parents was recorded as a resource for LEAs. LEAs were encouraged to share the webinar so parents can fully understand the intent of the survey and are prepared to participate in it. The webinar was recorded and available for viewing and sharing throughout the 2013 survey cycle.

National Perspective on Parent Engagement: Current Trends and Practices

This session at the PDE statewide conference was presented by Dr. Karen Mapp of Harvard University. Dr. Mapp summarized the most up-to-date information on the ways that family engagement relates to improvements in student outcomes and school improvement and the characteristics of and criteria for family engagement initiatives that are effective, sustainable, and transformative for families, school staff, students and communities.

Parent Engagement Poster Session

LEAs that participated in the Enhancing Parent Engagement Training Series were encouraged to attend the 2013 PDE conference and share their school parent engagement practices. Six LEAs participated in the poster session and engaged in conversations with conference participants explaining the results of their parent engagement efforts.

Schools' Facilitation of Parent Involvement: From Statewide Reporting to Local Implementation

Batya Elbaum, Ph.D., University of Miami, the Assistant Director of PaTTAN Pittsburgh and an LEA representative presented an overview of Pennsylvania's performance on indicator 8 at the PDE annual conference. Participants also learned how this LEA engaged its school staff in the assessment, study, and advancement of parent engagement strategies and practices. Resources and professional development opportunities designed to increase authentic facilitation of parent engagement in local schools were also shared.

Pennsylvania's Supplementary Aids and Services Toolkit: An Overview for Parents

The Supplementary Aids and Services (SAS) Toolkit is a facilitated process to inform IEP teams as they develop or revise a student's IEP. This publication explains the basics of the toolkit process so that parents can determine whether it is appropriate for them to request the toolkit process for their child.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Pennsylvania has shown a slight increase of 0.2% from FFY 2011. The target has not been met for this indicator. Although Pennsylvania has not met the target for this indicator for preschool early intervention programs, further review of the family survey results indicates:

- 95% of families stated that preschool early intervention programs have helped them use information about their child's performance to support their child's learning and development at home;
- 93% of families have used information about their child's performance to make changes in how they teach their child; and
- 95% of families indicated that preschool early intervention programs provided an opportunity for parents to share what is important for their child.

To obtain additional information on local program performance on this indicator, BEIS does review other variables to ensure that families are aware of options they have if they disagree with a decision made by early intervention staff. Verification reviews with local preschool early intervention programs and observations of initial contacts, IEP meetings and service delivery sessions indicate that programs are informing families about their procedural safeguards, including all dispute resolution options. BEIS also provides early intervention personnel with the materials and training needed to discuss this information with families.

The Office of Child Development and Early Learning continues to have a special assistant on family engagement, whose role is to provide input on policy and communications throughout all early childhood programs, including early intervention. The special assistant provides support to the Parents as Partners in Professional Development initiative, a project in Pennsylvania that links family members to early intervention professional development and pre-service opportunities. Families share their insight and expertise in such roles as co-presenters, university guest lecturers and publication reviewers.

Pennsylvania continues to increase the number of parent partners in professional development events and has committed to including a parent co-presenter or partner in all statewide professional development events. Having parents as co-presenters during professional development sessions allows the opportunity for participants to gain additional insight on how to improve family engagement practices.

Parent to Parent of Pennsylvania staff also attends statewide professional development activities to increase awareness on family engagement practices as they continue to provide support and guidance to families involved in early intervention.

BEIS continues its commitment to support families in meeting the developmental needs of their child. BEIS continues to provide a range of resources designed specifically for families in early intervention. Information on these resources is provided to families upon entry into the early intervention program and throughout their involvement with early intervention.

During FFY 2012, the BEIS continued to collaborate with the Department of Health on the Hands and Voices Guide by Your Side project, which is a specialized parent support program that links families of infants/toddlers newly identified with deafness and hearing loss with trained and experienced parent guides.

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BEIS continues to utilize CONNECT Direction Services as a helpline for families during the distribution of the family survey. Parents have an opportunity to ask questions regarding the survey and access language translation services.

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

| Statement from the Response Table | State's Response |
|---|--|
| <p>In the FFY 2012 APR, the State must report whether its FFY 2012 data are from a group representative of the population, and if not, the actions the State is taking to address this issue.</p> | <p>For FFY 2012, the representativeness of all racial/ethnic categories falls within the +/- 3% tolerance levels established by the NPSO Response Calculator.</p> <p>Each of the disability categories, with the exception of specific learning disabilities, falls within the tolerance level established by the Response Calculator. The proportion of parents of students with specific learning disabilities, who had been underrepresented for four consecutive years, is 0.1% above the tolerance level as a result of the State's efforts to improve respondent representativeness. The proportion of respondents who are parents of students with autism, overrepresented in FFY 2011, now falls within the tolerance level.</p> |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

School Age Programs (Bureau of Special Education)

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities will continue as described in the SPP; the following new improvement activities, designed by PaTTAN's parent engagement training team, will be implemented for 2013-14:

(1) Indicator 8 Parent Survey: Making Meaning of the Survey

This webinar will provide viewers with a thorough understanding of how PA collects data for indicator 8, the results of PA's performance for this indicator, and the importance of family participation.

Timeline and resources: Dr. Batya Elbaum will serve as the primary presenter of this webinar. The webinar will be posted on the PaTTAN website prior to the February 2014 PDE annual conference and will be available for viewing and sharing throughout the 2014 survey cycle.

(2) PDE 2014 Annual Conference sessions:

From Information to Action: Family Engagement on a National, State and Local Level, presented by Dr. Batya Elbaum, PaTTAN, and LEA representatives.

Enhancing Family Engagement: How Do We Do It?, presented by PaTTAN educational and parent consultants with LEA representatives.

Timeline and resources: PaTTAN and LEA representatives; these sessions will take place at the PDE conference in February 2014.

(3) PaTTAN Publication

The following publication, aligned with the SPP targets, is currently being developed:
Teachers' Desk Reference: Parent Involvement

Timeline and resources: PaTTAN, in collaboration with BSE, will continue to publish resource documents throughout the 2013-14 school year.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Improvement activities as described in the SPP will continue.

The following additional improvement activities have been developed for FFY 2013:

- (1) BEIS will survey preschool early intervention programs to determine effective strategies they have utilized to facilitate family engagement. BEIS will distribute these strategies statewide to early intervention leadership and to local interagency coordinating councils.

Timeline and resources: Special assistant on family engagement and EITA will develop, distribute and analyze survey results throughout FFY 2013.

- (2) BEIS will utilize the State ICC, SEAP and program leaders to analyze survey results, identify program areas of strengths and needs and recommendations for strategies to improve performance.

Timeline and resources: Special assistant on family engagement, BEIS staff and EITA staff through committee meetings and policy work sessions throughout FFY 2103.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012 reporting period, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

Definition of "Disproportionate Representation" and Methodology

To complete its analysis for this indicator, Pennsylvania compared data collected for the Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended (Child Count) for all children with disabilities aged 6 through 21 served under IDEA and the most current general enrollment data available from the PIMS system. Specifically, the comparison for the analysis for FFY 2012 utilized the December 1, 2012 Child Count and the PIMS general enrollment data for the 2011-12 school year, the most recent data available. Pennsylvania also used the December 1, 2011 Child Count and the PIMS general enrollment data for the 2011-12 school year. As per the revised SPP/APR Indicator Measurement Table, Pennsylvania only examined data for overrepresentation.

The following methodology and criteria were applied to identify the number of LEAs with disproportionate representation of racial and ethnic groups in special education and related services:

- weighted risk ratio analysis;
- same threshold (single bar) for all racial categories;
- cut point of 3.0 for the upper bound;
- minimum cell size of 40 students with disabilities in racial category; and

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- two consecutive years of data indicating disproportionate representation.

Pennsylvania analyzed data for each LEA, and for all racial and ethnic groups in the LEA that met the minimum cell size. The decision to require two consecutive years of data is based on fluctuation in enrollment in Pennsylvania’s LEAs, especially in its charter schools.

Using the above criteria, the state determined that no LEA met the data threshold as having disproportionate representation of racial and ethnic groups in special education and related services. As stated above, Pennsylvania used a minimum cell size requirement of 40 students. There were 85 LEAs totally excluded from the calculation as a result of this requirement.

| FFY | Measurable and Rigorous Target |
|-------------------|--------------------------------|
| 2012 (2012-13) | 0% |

Actual Target Data for FFY 2012

| |
|----|
| 0% |
|----|

To determine the mean of the risk ratios, a MEANS procedure was performed on the set of risk ratios obtained from the analysis for all LEAs by race, using SAS statistical software. The results are provided in Table 9.1.

**Table 9.1
Risk Ratios by Race/Ethnicity**

| Hispanic / Latino | American Indian or Alaska Native | Asian | Black or African American | Native Hawaiian or Other Pacific Islander | White | Two or More Races |
|-------------------|----------------------------------|-------|---------------------------|---|-------|-------------------|
| 1.01 | 1.19 | 0.38 | 1.21 | 0.55 | 0.99 | 0.87 |

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

| Year | Total Number of Districts | Number of Districts with Disproportionate Representation | Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification | Percent of Districts |
|-------------------|---------------------------|--|--|----------------------|
| 2012 (2012-13) | 671 | 0 | 0 | 0 |

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

In FFY 2010, one LEA was identified with disproportionate representation of racial and ethnic groups in special education and related services. BSE conducted a review and determined that the LEA did not have disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. For FFY 2011 and FFY 2012, no LEAs were identified with disproportionate representation of racial and ethnic groups in special education and related services, and therefore none required BSE review. Pennsylvania has continued to meet its SPP target of 0% (100% compliance).

While no LEAs were identified as having disproportionate representation of racial and ethnic groups in special education and related services for the FFY 2012 reporting period, Pennsylvania has established review procedures as described in prior APRs and in indicator 10 of this APR. Pennsylvania will continue its annual review of data as required and will flag for review any LEA where disproportionate representation is indicated.

Correction of FFY 2011 Findings of Noncompliance (if State did not report 0%)

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 100%

| | |
|---|-----|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) | 0 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | N/A |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | N/A |

Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|-----|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | N/A |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | N/A |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

Not applicable

Verification of Correction (either timely or subsequent)

Not applicable

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Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011

Not applicable

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|-----|
| 1. Number of remaining FFY 2010 findings noted in OSEP's July 1, 2013 FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has not verified as corrected [(1) minus (2)] | N/A |

Verification of Correction of Remaining FFY 2010 findings

Not applicable

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2010

Not applicable

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not applicable

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

Not applicable

| Statement from the Response Table | State's Response |
|-----------------------------------|------------------|
| Not applicable | Not applicable |
| | |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

See additional improvement activity in indicator 10.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

Definition of "Disproportionate Representation" and Methodology

To complete its analysis for this indicator, Pennsylvania compared data collected for the Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended (Child Count) for all children with disabilities aged 6 through 21 served under IDEA and the most current general enrollment data available from the PIMS system. Specifically, the comparison for the analysis for FFY 2012 utilized the December 1, 2012 Child Count and the PIMS general enrollment data for the 2011-12 school year. Pennsylvania also used the December 1, 2011 Child Count and the PIMS general enrollment data for the 2011-12 school year. As per the revised SPP/APR Indicator Measurement Table, Pennsylvania only examined data for overrepresentation.

The following methodology and criteria were applied to identify the number of districts with disproportionate representation of racial and ethnic groups in specific disability categories:

- weighted risk ratio (WRR) analysis,
- same threshold (single bar) for all racial categories,
- cut point of 3.0 for the upper bound,
- minimum cell size of 40 students with disabilities in racial category, and
- two consecutive years of data indicating disproportionate representation.

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Pennsylvania analyzed data for children in each LEA in the following six disability categories: intellectual disability, specific learning disability, emotional disturbance, speech or language impairment, other health impairment, and autism, and for all racial and ethnic groups in the LEA that met the minimum cell size. The decision to require two consecutive years of data is based on fluctuation in enrollment in Pennsylvania’s LEAs, especially in its charter schools.

Using the above criteria, the BSE determined that one LEA met the data threshold as having disproportionate representation for Black or African American learning disabled students. As stated above, Pennsylvania used a minimum cell size requirement of 40 students. There were 85 LEAs totally excluded from the calculation as a result of this requirement.

To determine whether the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, Pennsylvania conducted on-site monitoring in the LEA. A description of the monitoring follows.

This LEA was previously identified as having disproportionate representation. BSE conducted a timely on-site review and determined that the LEA did not have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The LEA complied with the eligibility requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311. That conclusion was reported in Pennsylvania’s FFY 2011 APR. Nonetheless, the state is required to determine on an annual basis whether a district’s disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the same LEA is found with disproportionate representation for two years in a row. Therefore, to complete the FFY 2012 review, the BSE Advisor confirmed that the LEA’s policies and procedures that had been reviewed by BSE in the prior year and found in compliance had not changed. The BSE Advisor conducted an on-site review of LEA practices in May 2013. Records of students identified by the LEA in the racial and disability category flagged in the years subject to review were reviewed to determine compliance with IDEA related requirements. BSE determines whether the file review supports the conclusion that each student has been appropriately identified as a student with a disability. All requirements of OSEP Memorandum 09-02 apply to any findings of noncompliance, as explained in indicator 15. The LEA was determined to be in compliance with requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311.

| FFY | Measurable and Rigorous Target |
|-------------------|--------------------------------|
| 2012 (2012-13) | 0% |

Actual Target Data for FFY 2012

| |
|----|
| 0% |
|----|

To determine the mean of the risk ratios, a MEANS procedure was performed on the set of risk ratios obtained from the analysis for all LEAs by race, using SAS statistical software. The results are provided in Table 10.1.

**Table 10.1
Risk Ratios by Race/Ethnicity and Disability**

| Disability | Hispanic/ Latino | American Indian or Alaska Native | Asian | Black or African American | Native Hawaiian or Other Pacific Islander | White | Two or More Races |
|--------------------------------------|-----------------------------|---|--------------|--|--|--------------|----------------------------------|
| Autism | 0.65 | 0.97 | 0.76 | 0.73 | 1.35 | 1.39 | 1.47 |
| Emotional Disability | 0.88 | 1.63 | 0.14 | 1.98 | 0.20 | 0.73 | 0.93 |
| Intellectual Disability | 1.04 | 0.83 | 0.49 | 1.79 | 0.24 | 0.70 | 1.11 |
| Other Health Impairment | 0.91 | 1.30 | 0.28 | 0.96 | 0.75 | 1.22 | 0.82 |
| Specific Learning Disability | 1.23 | 1.23 | 0.28 | 1.34 | 0.37 | 0.88 | 0.68 |
| Speech and Language Impairment | 0.71 | 1.02 | 0.65 | 0.67 | 0.84 | 1.52 | 0.99 |

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

| Year | Total Number of Districts | Number of Districts with Disproportionate Representation | Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification | Percent of Districts |
|---------------------------|--|---|---|---------------------------------|
| 2012 (2012-13) | 671 | 1 | 0 | 0 |

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

In FFY 2010, one LEA was identified with disproportionate representation of racial and ethnic groups in specific disability categories and therefore required review. The BSE determined that the LEA did not have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. In FFY 2011, two LEAs were identified with disproportionate representation of racial and ethnic groups in specific disability categories and therefore required review. Following review, the BSE determined that these LEAs did not have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. In the current reporting period, one LEA was identified with disproportionate representation of racial and ethnic groups in specific disability categories and therefore required review. Following review, the BSE determined that this LEA did not have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Pennsylvania has continued to meet its SPP target of 0% (100% compliance).

The BSE has a comprehensive on-site process for reviewing disproportionate representation in LEAs. Ongoing training is provided to BSE staff regarding monitoring procedures and protocols used to review an LEA's child find, referral, evaluation and identification policies, procedures and practices.

As reported in prior APRs, Pennsylvania also examines all related requirements for this indicator during its on-site cyclical monitoring of LEAs. Corrective action is implemented in accordance with all requirements of OSEP Memorandum 09-02 (see further description in indicator 15).

Pennsylvania, through its PaTTAN system, continuously disseminates information and provides technical assistance to the field about evidence-based practices pertinent to this indicator, such as high quality eligibility determinations, RtII and SWPBIS. BSE has disseminated guidelines and Q/A documents to address the identification and instruction of ELLs who may be eligible for special education. These communications reinforce the critical role of the ESL teacher in preventing inappropriate referrals, as well as functioning as a team member in evaluation/reevaluation and IEP planning. Additional detailed descriptions of related improvement activities can be found in indicator 3 of this APR.

Correction of FFY 2011 Findings of Noncompliance (if State reported more than 0% compliance)

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 100%

| | |
|---|-----|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) | 0 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | N/A |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | N/A |

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Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|------------|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | N/A |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”) | N/A |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

Not applicable

Verification of Correction (either timely or subsequent)

Not applicable

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011

Not applicable

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|------------|
| 1. Number of remaining FFY 2010 findings noted in OSEP’s July 1, 2013 FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has not verified as corrected [(1) minus (2)] | N/A |

Verification of Correction of Remaining FFY 2010 findings

Not applicable

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2010

Not applicable

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not applicable

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

Not applicable

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| Statement from the Response Table | State's Response |
|-----------------------------------|------------------|
| Not applicable | Not applicable |
| | |
| | |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Pennsylvania is adding the following new improvement activity:

PaTTAN has partnered with New York University's Metropolitan Center for Research on Equity and the Transformation of Schools (the "Metro Center.") Metro Center staff will be presenting at Pennsylvania's RtII Statewide Forum in May, 2014, on the topic of Disproportionality. Additionally, PaTTAN consultants will visit the Metro Center to review the technical assistance provided by the Center to LEAs regarding RtII and Culturally Responsive Instruction. This will assist Pennsylvania in planning additional TA initiatives.

Timeline and resources: PaTTAN consultants, Metro Center personnel; implementation in 2013-14.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

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

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

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

| FFY | Measurable and Rigorous Target |
|---------------------------|--|
| 2012 (2012-13) | 100% compliance with timelines for initial evaluations |

Actual Target Data for FFY 2012

93%

Under Pennsylvania regulations in effect for FFY 2012, school districts and charter schools were required to complete an initial evaluation and provide a copy of the Evaluation Report to parents no later than 60 calendar days, excluding summer breaks, from receipt of written parental consent for evaluation.

BSE collects data for this indicator from LEAs participating in cyclical monitoring. As described in indicator 15, Pennsylvania has an annual monitoring cycle, with approximately one-sixth of the state's LEAs monitored each year. LEAs submit required data for indicator 11 through a database that contains student specific and aggregated data sufficient to address all technical reporting requirements for this indicator. Data were reported as the actual number of days, not an average number of days, for the period of July 1, 2012 through June 30, 2013.

For children being evaluated for a preschool early intervention program, the initial evaluation must have been completed and a copy of the Evaluation Report presented to the parents no

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later than 60 calendar days after the preschool early intervention agency received written parental consent for evaluation.

For preschool early intervention programs, Pennsylvania collected data for this indicator through a statewide data collection and is based on actual number of days, not an average number of days for the period of July 1, 2012 through June 30, 2013.

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

| | <i>Preschool</i> | <i>School Age</i> | <i>Total</i> |
|---|------------------|-------------------|--------------|
| a. Number of children for whom parental consent to evaluate was received | 22,001 | 9,553 | 31,554 |
| b. Number of children whose evaluations were completed within 60 days (or State-established timeline) | 20,366 | 8,836 | 29,202 |
| 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) | 93% | 93% | 93% |

BSE’s review of the FFY 2012 database for indicator 11 confirms that all 717 school age students that did not receive a timely initial evaluation did receive an evaluation, although late. Of those that were late, 72% were completed within 61-90 days and 88% were completed within 120 days. Reasons for delays were primarily attributed to administrative delays, staffing issues and staff errors, as well as weather emergencies and scheduling problems over which the LEA had limited control.

For FFY 2012, 93% of preschool children were evaluated within 60 days of receiving parental consent for initial evaluation. Pennsylvania decreased the rate of compliance by 4% percent from FFY 2011. Although Pennsylvania did experience slippage from last year on this indicator, most of the programs continue to perform at very high levels. Thirty-two of the thirty-four preschool early intervention programs achieved compliance rates between 98-100%. The two remaining programs achieved lower rates of compliance and accounted for a majority of children who received late evaluations. Of the 7% of evaluations that were late, one program accounted for 82% of the late evaluations.

All 1,635 preschool children whose initial evaluation was delayed did receive an evaluation, although late. Available data indicate that the range of delays for the majority of children in preschool programs is between 1-120 days. The most common reasons for delays for preschool programs were related to procedural changes for the transition of children, personnel scheduling issues, illness, vacations, missed appointments and staff errors (delay in completing reports, reports sent late, and changes in staff assignments).

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 12

School Age Programs (Bureau of Special Education)

Compliance with timelines decreased by 2% from the prior reporting period. A total of 65% of LEAs achieved compliance at a level of 95%-100%, with the majority of these at 100%. Sixteen LEAs in five IUs accounted for 79% of the late evaluations. These five IUs are clustered in one distinct area of the state.

When comparing data from year to year, it is important to note that each year's group of reporting LEAs varies, both in composition and the extent to which the LEA has been involved in prior monitoring and corrective action related to evaluation timelines. Nonetheless, BSE has engaged in an active campaign to emphasize to all LEAs the importance of compliance with requirements for timely evaluations. Penn*Links are sent several times a year to inform superintendents and charter school CEOs about regulatory requirements as well as procedures for identification and correction of noncompliance. BSE requires LEAs to report individual student level data, and engages any LEA with less than 100% compliance in quarterly reporting and ongoing scrutiny.

The procedural safeguards initiative continued to provide recorded webinars on topics selected to respond to the needs of the field. These needs are identified through consultation with staff from the BSE and the Office for Dispute Resolution (ODR), who provide information about areas of concern that surface through the compliance monitoring process, complaint procedures, and due process hearings.

The monthly one-hour webinars are presented after school by PaTTAN and BSE staff. Participants have the ability to submit questions during the webinar, and they are answered either during the presentation or by the presenters afterwards via email. Each of the sessions is recorded and archived on the PaTTAN website so that the information is available to the public. Several hundred people participate in the series each year, and the input received from the field has been very positive. Administrators report they frequently use the webinar materials for teacher induction training and staff development.

Past webinars have addressed the evaluation and reevaluation processes. Topics included evaluation consent requirements and timelines, contents of evaluation and reevaluation reports, and conducting behavioral assessment, vocational assessment, and assessments for students with visual impairment.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Throughout FFY 2012, the two preschool early intervention programs with the most significant delays were required to participate in enforcement strategies to increase performance. These activities included:

- the development of a compliance committee to address the late evaluations and implementation of plans for improvement;
- revisions to evaluation procedures for children referred to the preschool program from the infant/toddler early intervention program;

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- revisions to internal scheduling processes to ensure the availability of personnel to complete timely evaluations;
- weekly conference calls to review data and verification of improvement activities; and
- monthly on-site visits and technical assistance by state staff to address program concerns.

Throughout FFY 2012, data for the remaining preschool early intervention programs were monitored through reporting capabilities available within the data management. BEIS staff, as well as local preschool early intervention staff, reviews data on children who were referred to the local program for evaluation to ensure that their evaluation has been completed. Data from any given point in time throughout the year can be reviewed for this indicator, which allows both state staff and local program staff to review local program data and identify individual children who have not had a timely evaluation completed.

Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance)

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 96%.

| | <i>Preschool</i> | <i>School Age</i> |
|---|------------------|-------------------|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) | 24 | 49 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | 24 | 44 |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | <i>0</i> | <i>5</i> |

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Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | <i>Preschool</i> | <i>School Age</i> |
|---|------------------|-------------------|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | 0 | 5 |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | N/A | 5 |
| 6. Number of FFY 2011 findings <u>not</u> verified as corrected [(4) minus (5)] | <i>N/A</i> | <i>0</i> |

Actions Taken if Noncompliance Not Corrected

See description below.

Verification of Correction of FFY 2011 noncompliance (either timely or subsequent)

See description below.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011

School Age Programs (Bureau of Special Education)

The process for collecting data is explained above. Annually, in July-August, BSE reviews a database in which LEAs report data from the entire year for all students who have had initial evaluations for special education. The database includes mandatory reporting fields to document that for any student where the LEA did not meet required timelines, an initial evaluation was conducted, although late, and an IEP was developed if determined appropriate. Following BSE review of the database, all LEAs are provided with written notification of their compliance status. LEAs determined to be in noncompliance are informed that they must correct the noncompliance as soon as possible but not later than one year from the notification. These LEAs are required to do quarterly reporting, through which the LEA provides updated data on all new initial evaluations. When the LEA demonstrates 100% compliance with evaluation timelines for two consecutive quarters, BSE closes corrective action. If an LEA is not demonstrating progress through quarterly reports, BSE conducts on-site reviews to assist in identifying root causes, including required technical assistance. BSE also informs the LEA of pending enforcement actions should the LEA not correct the noncompliance within the one year timeline (from the date of the original notification).

BSE conducted follow-up of all LEAs identified with noncompliance through quarterly reporting and in some instances conducted on-site reviews of student files as well as policies and procedures. Five LEAs did not achieve closure of corrective action within one year of notification. BSE advisors examined written policies and procedures and student files in each of the LEAs to verify correct implementation of 34 CFR §300.301(c)(1). Two of the five LEAs

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achieved closure within 40 additional days, one within 55 additional days, and one within 80 additional days.

As of February 3, 2014, one LEA had not corrected noncompliance. The BSE informed the LEA of enforcement actions and took the following actions to correct this noncompliance:

- BSE management conducted a conference call with the LEA's Superintendent, Board Representative, and other administrators to discuss the root cause of the LEA's continued noncompliance and agree upon explicit actions needed to resolve noncompliance;
- BSE issued additional written notice to the LEA of required actions, including other pending enforcement actions as described in the Basic Education Circular (BEC), Special Education Compliance;
- BSE required the LEA to report continuously, vs. quarterly, on timelines for each initial evaluation; and
- BSE assigned a BSE Advisor to conduct weekly on-site reviews and provide technical assistance.

As of March 28, 2014, BSE confirmed that the LEA revised its policies, procedures and practices to ensure adherence with timelines for initial evaluations. The BSE reviewed over 200 initial evaluations completed by the LEA during fall and winter of the 2013-2014 school year, and verified 100% compliance with timelines.

Therefore, the BSE confirmed that all five LEAs that did not correct noncompliance within one year of identification have achieved 100% compliance with evaluation timelines for two consecutive quarters, and BSE has closed all corrective action.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

BEIS conducted annual data reviews on initial evaluations from the statewide data management system for all preschool early intervention programs. All child records in the data management system were reviewed to determine the rate of compliance on this indicator for all programs. For those programs identified at less than 100% compliant, letters were issued to each program requiring the correction of all individual child instances of noncompliance and the assurance that all children had received an evaluation, although late.

A subsequent review of data was completed six months after the issuance of the letter to verify that all individual instances of noncompliance were corrected. An additional sampling of subsequent child records was also completed to verify that preschool early intervention programs were implementing specific regulatory requirements to ensure systematic issues of noncompliance were corrected for this indicator.

Compliance with timelines for initial evaluation is also a component of on-site verification reviews. BEIS staff conducts on-site reviews which include data reviews, review of policies, individual child record reviews and observations of evaluations. Preschool early intervention programs are required to submit an improvement plan, approved by BEIS, to address all areas of non-compliance. The plan's implementation is validated within one year of issuance of the findings report.

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Pennsylvania verifies the correction of noncompliance findings through subsequent validation reviews with preschool early intervention programs. Validation reviews, including the implementation of the improvement plan, occur through a variety of ways depending upon the identified issues. BEIS staff took the following actions to verify correction of noncompliance from on-site verifications identified in FFY 2011:

- using a data summary form, BEIS staff validated that records cited as non-compliant related to initial evaluation had been corrected and that each child who did not already have their evaluation completed during the verification review had their evaluation completed, although late;
- during a subsequent validation review, staff reviewed additional child records following the identification of noncompliance. The review of these files demonstrated 100% compliance with the requirements for timely evaluation for all programs;
- as a component of the verification process, data reviews from the early intervention data management system were also conducted. The reports were compiled to identify children who had a delay in evaluation and who subsequently had their evaluation completed, although late;
- review of policies, procedures and/or practices that contributed to noncompliance (as necessary); and
- preschool early intervention program submission of detailed improvement activities that have been conducted to achieve compliance.

Using these mechanisms for the current reporting period, BEIS has confirmed that correction of noncompliance reported in this APR has been completed, and also has verified that each early intervention program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., has achieved 100% compliance) based on a review of updated data collected within its database, 2) that each preschool early intervention program has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the preschool early intervention program, consistent with OSEP Memorandum 09-02.

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|---|-----|
| 1. Number of remaining FFY 2010 findings noted in OSEP’s June 2012 FFY 2010 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Verification of Correction of Remaining FFY 2010 findings

All 2010 corrective action for this indicator is completed and has been closed.

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Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2010

Not Applicable. There are no remaining findings of noncompliance from FFY 2010.

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Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not Applicable. There are no remaining findings of noncompliance from FFY 2009 or earlier.

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

| Statement from the Response Table | State's Response |
|--|---|
| <i>Bureau of Special Education</i> | |
| <p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> | <p>BSE has verified that 49 of 49 LEAs with noncompliance reported in the FFY 2011 APR, have corrected noncompliance and: (1) are correctly implementing 34 CFR §300.301(c)(1) (i.e., have achieved 100% compliance) based on a review of updated data collected within its database, or in some cases through both the database and on-site monitoring; and (2) have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>LEAs determined to be in noncompliance were informed that they must correct the noncompliance as soon as possible but not later than one year from the notification. These LEAs were required to do quarterly reporting, through which the LEA provided updated data on all new initial evaluations. When the LEA demonstrated 100% compliance with evaluation timelines for two consecutive quarters, BSE closed corrective action. If an LEA did not demonstrate progress through quarterly reports, BSE conducted on-site reviews to assist in identifying root causes, including required technical assistance. BSE also informed the LEA of enforcement actions should the LEA fail to correct the noncompliance within the one year timeline (from the date of the original notification).</p> |

| Statement from the Response Table | State's Response |
|---|---|
| <i>Bureau of Special Education (Cont'd)</i> | |
| | <p>As of February 3, 2014, one LEA had not corrected noncompliance. The BSE informed the LEA of enforcement actions and took the following actions to correct this noncompliance:</p> <ul style="list-style-type: none"> • BSE management conducted a conference call with the LEA's Superintendent, Board Representative, and other administrators to discuss the root cause of the LEA's continued noncompliance and agree upon explicit actions needed to resolve noncompliance; • BSE issued additional written notice to the LEA of required actions, including other pending enforcement actions as described in the Basic Education Circular (BEC), Special Education Compliance; • BSE required the LEA to report continuously, vs. quarterly, on timelines for each initial evaluation; and • BSE assigned a BSE Advisor to conduct weekly on-site reviews and provide technical assistance. <p>BSE confirmed that the LEA revised its policies, procedures and practices to ensure adherence with timelines for initial evaluations. The BSE reviewed over 200 initial evaluations completed by the LEA during fall and winter of the 2013-2014 school year, and verified 100% compliance with timelines.</p> <p>Therefore, the BSE confirmed that all five LEAs that did not correct noncompliance within one year of identification have achieved 100% compliance with evaluation timelines for two consecutive quarters, and BSE has closed all corrective action.</p> |

| Statement from the Response Table | State's Response |
|--|---|
| <i>Preschool Early Intervention Program</i> | |
| <p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each preschool early intervention program with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the preschool early intervention program, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> | <p>BEIS has verified that all programs that had a finding of noncompliance identified in FFY 2011 are correctly implementing 34 CFR §300.301(c)(1) as demonstrated by data subsequently collected through the annual data review process and validation reviews.</p> <p>BEIS has also verified that all programs that had a finding of noncompliance identified in FFY 2011 completed evaluations although late, for any child whose initial evaluation was not timely, unless the child was no longer within the jurisdiction of the preschool early intervention program.</p> |

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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

School Age Programs (Bureau of Special Education)

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Pennsylvania has reviewed improvement activities for this indicator and will continue their implementation.

Pennsylvania is adding the improvement activity described below:

SPP 11 Targeted Training

BSE examined past and present indicator 11 annual data to identify any historical and/or regional patterns. This information will be used to provide targeted training for LEAs and IUs where patterns of noncompliance exist. Participation will be mandated for the targeted LEAs/IUs but offered to all. This training will be recorded and will be posted for general access on the PaTTAN website.

Timeline and resources: BSE will offer training in the spring of 2014. Resources are BSE Part B Data Manager and Special Education Advisors.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

A review of improvement activities, timelines and resources implemented and completed in FFY 2012 found that all activities remain appropriate as established in the SPP and APRs and will continue for FFY 2013.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

- a. # of children who have been served in Part C and referred to Part 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 or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who determined to be eligible for early intervention services under 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 |
|---------------------------|--------------------------------|
| 2012 (2012-13) | 100% |

Actual Target Data for FFY 2012

98% of children referred by Part C prior to age 3, who are found eligible for Part B, have an IEP developed and implemented by their third birthdays.

Pennsylvania collected data for this indicator for preschool early intervention programs through a statewide data collection and results are based on actual number of days, not an average number of days for the period of July 1, 2012 through June 30, 2013.

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Actual State Data (Numbers)

| | |
|--|-------|
| a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination | 7,518 |
| b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday | 1,041 |
| c. # of those found eligible who have an IEP developed and implemented by their third birthdays | 5,786 |
| d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied | 414 |
| e. # of children who were referred to Part C less than 90 days before their third birthdays | 169 |
| # in a but not in b, c, d, or e | 108 |
| 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 | 98% |

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

For FFY 2012, 98% of children referred by Part C prior to age three who were found eligible for Part B had an IEP developed and implemented by their third birthday. Pennsylvania has maintained the same level of compliance as FFY 2011. Thirty-two of the 34 preschool early intervention programs achieved a compliance rate at a level between 96-100%. The remaining two programs had compliance rates that ranged between 89-94%, with one program increasing its compliance rate by 9% over FFY 2011.

Reasons for delays included delays in the evaluation process, personnel issues (e.g., scheduling, illness, vacations, inclement weather, cancellations, and missed appointments), staff errors (delay in completing evaluation reports, changes in staff assignments, documenting dates incorrectly) and delays in transition meetings for children transitioning from Part C. The total range of delays was between 1 and 225 days. All 108 children did have an IEP developed and implemented, although beyond their third birthday, as confirmed through data reports.

Throughout FFY 2012, data for the preschool early intervention programs with the lowest compliance rates were monitored on a monthly basis through reporting capabilities available within the data management system. State staff, as well as local preschool early intervention

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staff, reviewed data on each child for the development and implementation of an IEP by his/her third birthday to ensure that the IEP had been completed. Data from any given point in time throughout the year was reviewed for this indicator, which allowed both state staff and local program staff to identify individual children who have not had their IEP developed and implemented by their third birthday.

Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2011 APR)

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 98%

| | |
|---|----|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) | 12 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | 12 |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | 0 |

Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|-----|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | 0 |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | N/A |
| 6. Number of FFY 2011 findings <u>not</u> verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

All findings of non-compliance identified in FFY 2011 were corrected within one year. No further action was required related to the correction of non-compliance for findings in FFY 2011.

Verification of Correction (either timely or subsequent) and description of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011

BEIS conducted annual data reviews on the development and implementation of an IEP by a child's third birthday from the statewide data management system for all preschool early intervention programs. All child records in the data management system were reviewed to determine the rate of compliance on this indicator for all programs. Written findings of noncompliance were issued by letter for any program with a compliance rate less than 100%. Corrective action was required that included an assurance that all children for whom noncompliance was identified had an IEP developed and implemented, although late.

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A subsequent review of data completed six months after the issuance of the letter of noncompliance determined that all individual instances of noncompliance were corrected. An additional sampling of subsequent child records was also completed to validate that preschool early intervention programs were implementing the specific regulatory requirements correctly (100%) to ensure systemic issues of noncompliance have been corrected for this indicator.

Compliance with timelines for the development and implementation of an IEP by a child's third birthday is also a component of on-site verification reviews. BEIS staff conducts on-site reviews that include data reviews, review of policies, individual child record reviews and observations of evaluations. Preschool early intervention programs are required to submit an improvement plan, approved by BEIS, to address all areas of non-compliance. The plan's implementation is validated within one year of issuance of the findings report.

Pennsylvania verifies the correction of noncompliance findings through subsequent validation reviews with preschool early intervention programs. Validation reviews, including the implementation of the improvement plan, occur through a variety of ways depending upon the identified issues. BEIS staff took the following actions to verify correction of noncompliance from on-site verifications identified in FFY 2011 for this indicator:

- using a data summary form, BEIS staff subsequently verified that records cited as non-compliant relative to the development and implementation of an IEP by a child's third birthday had been corrected and that each child who did not already have an IEP developed and implemented during the verification review had an IEP developed and implemented, although late;
- during a subsequent validation review, staff reviewed additional child records following the identification of noncompliance. The review of these files demonstrated 100% compliance with the requirements for timely evaluation for all programs verified;
- as a component of the verification process, data reviews from the early intervention data management system were also conducted. The reports were compiled to identify children who had a delay in the development and implementation of an IEP by their third birthday and who subsequently had an IEP developed and implemented, although late;
- review of policies, procedures and/or practices that contributed to noncompliance (as necessary); and
- preschool early intervention program submission of detailed improvement activities that have been conducted to achieve compliance.

Using these mechanisms for the current reporting period, BEIS has verified the correction of all noncompliance identified in FFY 2011, and has verified that each preschool early intervention program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing specific regulatory requirements (i.e., has achieved 100% compliance) based on a review of updated data collected within its database, and 2) that each preschool early intervention program has developed and implemented an IEP by the child's third birthday, although late, for any child whose initial IEP was not timely, unless the child is no longer within the jurisdiction of the preschool early intervention program, consistent with OSEP Memorandum 09-02.

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Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|------------|
| 1. Number of remaining FFY 2010 findings noted in OSEP's July 1, 2013 FFY 2011 APR response table for this indicator | N/A |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Verification of Correction of Remaining FFY 2010 findings

Not applicable. All noncompliance corrected.

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not applicable. All noncompliance corrected.

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

| Statement from the Response Table | State's Response |
|--|--|
| <p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> | <p>BEIS has verified that all programs that had a finding of noncompliance identified in FFY 2011 are correctly implementing the regulatory requirements as demonstrated by data subsequently collected through the annual data review process and validation reviews.</p> <p>BEIS has also verified that all programs that had a finding of noncompliance identified in FFY 2011 developed and implemented the IEP, although late, for any child whose IEP was not developed and implemented, unless the child was no longer within the jurisdiction of the preschool early intervention program.</p> |

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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

A review of improvement activities, timelines and resources implemented and completed in FFY 2012 found that all activities remain appropriate as established in the SPP and APRs and will continue for FFY 2013.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

| FFY | Measurable and Rigorous Target |
|-------------------|--------------------------------|
| 2012 (2012-13) | 100% |

Actual Target Data for FFY 2012

| |
|-------|
| 83.2% |
|-------|

| Year | Total number of youth aged 16 and above with an IEP | Total number of youth aged 16 and above with an IEP that meets the requirements | Percent of youth aged 16 and above with an IEP that meets the requirements |
|-------------------|---|---|--|
| 2012 (2012-13) | 405 | 337 | 83.2% |

BSE collects data for this indicator from LEAs participating in cyclical monitoring, with approximately one-sixth of the LEAs engaged in on-site monitoring each year. Secondary transition probes within the BSE’s cyclical monitoring document are aligned with the National Secondary Transition Technical Assistance Center’s (NSTTAC) *Indicator 13 Checklist*. BSE monitoring chairpersons and peer monitors are trained on all components of the monitoring system, with particular emphasis for peer monitors in conducting file reviews and scoring requirements. Training includes guided practice.

The Pennsylvania State Data Center selects a representative sample of student files for monitoring, using parameters established by the BSE. Probes aligned with the *Indicator 13 Checklist* are scored as part of the comprehensive on-site file review process. In order to meet requirements (and thus be reported at 100% for this indicator), the file must have 100% compliance for all eight probes. An LEA that does not achieve 100% compliance is issued findings of noncompliance, and required corrective action is implemented, as described in indicator 15 of Pennsylvania’s SPP and this APR.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2012

Pennsylvania is reporting slippage for this indicator. In FFY 2012, BSE evaluated 405 student files for compliance with the transition requirements defined in the measurement. Three hundred thirty-seven (337) of the files had 100% compliance for all eight probes, resulting in a compliance rate of 83.2%. This was a decline of 3.4% from the 86.6% compliance level reported for FFY 2011. However, the FFY 2012 performance is 1.8% above the compliance level reported for FFY 2010, and a 7.1% improvement over the FFY 2009 baseline.

Pennsylvania’s indicator 13 compliance training initiative continued in 2012-13. Participants were administered the *Indicator 13 Pre- and Post-Survey Assessment*. These assessment results were instrumental in determining the efficacy of the training, and informing which areas of the training protocol require greater emphasis. The protocol also required pre- and post-assessment of sample student IEPs developed by participants during the course of the training series. The sample IEPs were measured against compliance with the *Indicator 13 Checklist*. Results informed areas in which focused training and technical assistance were required. Training and technical assistance provided to LEAs were delivered by PaTTAN educational consultants and IU staff, and were logged in a centralized database, with the following information recorded: training and technical assistance content, participants’ roles, and contact hours. Data from this database was used to monitor whether participating LEAs were sufficiently engaged in the training protocol and were receiving the requisite on-site training and technical assistance in a timely manner.

LEAs were also required to develop and maintain a customized *Indicator 13 Training Plan*, designed as a year-long action plan for the purpose of detailing implementation of the protocol. The plan documented the LEA's compliance with required training elements. Pennsylvania continued training and technical assistance for LEAs in need of additional training and support after the completion of their targeted cohort year.

Training and informational sessions regarding indicator 13 were provided to SEAP, parent/advocacy groups including PTIs and CPRCs, students, LEA administrators and interagency personnel. The Pennsylvania Community of Practice on Secondary Transition continues to engage in strategic planning and participation in the Annual Secondary Transition State Planning Institute as well as the Summer Leadership Academy. The State Leadership Team also participates in the Mid-Year Check and Connect Conference sponsored by NSTTAC.

Secondary Transition Focused Monitoring

In the spring of 2013, BSE continued its focused monitoring, piloted in 2012, in the area of secondary transition with nine targeted LEAs. This initiative was based on the recommendation of SEAP and was consistent with BSE's priority to improve performance for this indicator. The focused monitoring process includes: (a) a Facilitated Self Assessment (LEA reporting in a variety of topical areas, including transition program administration; age appropriate assessment; IEPs; agency involvement; parent and personnel training; and other related topics), (b) interviews with general education and special education teachers, (c) parent and student interviews and (d) file reviews.

PA Community on Transition

The vision of the PA Community on Transition is that all Pennsylvania youth and young adults with disabilities will successfully transition to the role of productive, participating, adult citizens. Youth will be empowered to recognize their talents, strengths and voice and have equal access to resources that promote full participation in the communities of their choice.

The *PA Community on Transition Conference – Empowerment in an Environment of Change* occurred in the summer of 2012. The primary purpose of this conference was to expand the capacity of schools and communities, in partnership with youth, young adults and families, in promoting the successful transition of youth/young adults with disabilities to post-school outcomes of employment, post-secondary education and training, community participation and healthy lifestyles. A variety of large group, small group, youth-engaging, and family-engaging sessions addressed aspects of preparation for post-secondary education/training, employment, and independent living, as well as data collection for indicators 13 and 14.

Pennsylvania Secondary Transition Website

Family and student outreach is a priority for the secondary transition initiative. In an effort to expand dissemination of materials and resources the www.secondarytransition.org website was created to provide youth, young adults, parents, and professionals with secondary transition resources to facilitate a young person's progress toward the attainment of post-secondary goals related to education, employment, and community living. This cross-agency website contains multiple resources that provide youth and families with information to strengthen their understanding and involvement in the transition process. Information

regarding this website was sent to each LEA in 2012-13 for distribution to all families of transition age students with disabilities. An informational webinar regarding the website was presented in the spring of 2013 and a training session was provided at the annual PDE conference.

Pennsylvania Youth Leadership Network

The Pennsylvania Youth Leadership Network (PYLN) is a team of youth leaders with disabilities from across Pennsylvania with a purpose to develop the self-determination, empowerment, and leadership of youth that promotes successful post school outcomes in the areas of education, employment, independent living, and health and wellness. These young adults act as role models and perform various types of outreach to support youth and young adults. PYLN strategizes year-round to engage youth and build youth leadership. PYLN was involved in creating materials and assessing content for the www.secondarytransition.org website. PYLN members, with the support of PaTTAN and IU staff, conducted regional sessions in the spring of 2013 for the purpose of addressing the following topics by youth for youth: self-determination, leadership and empowerment, post school education and employment, and independent living. PYLN members also presented a monthly webinar series throughout 2012-13 regarding self-determination and self-advocacy. PYLN members participate in the Pennsylvania Community of Practice on Secondary Transition and offer youth/young adult perspective to all discussions regarding post-secondary outcomes for youth with disabilities. PYLN members also collaborated with the PA Centers for Independent Living in planning and implementing the Youth Statewide Initiative to inform and engage youth and young adults with disabilities.

Leading Secondary Transition Programming for Students with Disabilities

This training initiative, facilitated by PaTTAN and IU consultants, targeted high school building level teams, led by a school principal and special education administrator who have already completed Indicator 13 training. Eight LEAs from across the state participated in this series, which consisted of eight 3-hour webinars that blend training content with on-site, team-specific guided practice. With the assistance of an IU or PaTTAN consultant, team members discussed effective transition processes and analyzed transition practices within their school. Team members were required to complete assigned activities between scheduled webinar sessions and develop a culminating project to address one or more gaps in transition practices.

Making Connections for Secondary Transition: 2012-13 Community of Practice Series

This webinar series, presented in collaboration with PaTTAN and the Center for Rehabilitation Counseling Research and Education at the George Washington University, examined secondary transition for students with disabilities as part of the broader picture of college and career readiness for all students. The series provided separate sessions targeting administrators and leaders; teachers and direct care providers; youth and young adults; and family members. A series of six topics addressed and connected several elements of effective transition planning, all of which help students to reach their post-secondary goals.

PDE Annual Conference for 2013

The 2013 PDE Conference, *Making a Difference: Educational Practices That Work*, included several sessions. Among the topics discussed were Drop Out Prevention through School-wide Positive Behavior Support; Practical Strategies for Transitioning Students with Asperger's Syndrome; Teaching Ten Important Lifetime Goals to Students with Disabilities of All Ages; Universal Design for Transition: An Innovative Model for Linking Academics and Transition Planning; Utilizing a Transition IEP checklist and a session on Pennsylvania's new www.secondarytransition.org website.

Correction of FFY 2011 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 86.6%

| | |
|---|-----|
| 1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) | 140 |
| 2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | 140 |
| 3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)] | 0 |

Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

| | |
|---|-----|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | 0 |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | N/A |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | N/A |

Actions Taken if Noncompliance Not Corrected

Not Applicable. There are no remaining findings of noncompliance from FFY 2011.

Verification of Correction (either timely or subsequent)

When findings of noncompliance are issued to an LEA, the LEA is informed of the regulation that is being violated (linked to federal and state regulations) and must develop a Corrective Action Verification/Compliance Plan (CAVP) that is approved by the BSE. The CAVP is also linked to technical assistance resources through the PaTTAN and IU systems. The CAVP addresses correction of policies, practices and procedures to ensure systemic correction. CAVPs include required corrective action/evidence of change, timelines and resources required, and tracking of timelines to closure. The BSE monitors implementation of the CAVP primarily through on-site reviews that include review of revised policies and procedures and verification of

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correction as evidenced by data in a sample of student files. The CAVP is monitored until all corrective action has been completed. All corrective action must be completed within one year of the notification of a finding. Because the system is web-based, BSE is able to track progress in closing the CAVP and can capture real-time data concerning status in completing corrective action.

As described in indicator 15, BSE has follow-up procedures in place to verify correction of noncompliance. In addition to systemic correction of noncompliance, BSE SPOCs conducted reviews of all individual students whose IEPs were not in compliance with indicator 13 transition requirements in FFY 2011 monitoring, and reviewed the students' updated IEPs until all noncompliance was corrected. The BSE corrected noncompliance systemically and specifically for every individual student whose IEP had noncompliance, unless the student was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02.

Correction of Remaining FFY 2010 Findings of Noncompliance

| | |
|--|-----|
| 1. Number of remaining FFY 2010 findings noted in OSEP's July 1, 2013 FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Verification of Correction of Remaining FFY 2010 findings

Not Applicable. There are no remaining findings of noncompliance from FFY 2010.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2010

Not Applicable.

Correction of Any Remaining Findings of Noncompliance from FFY 2009 or Earlier

Not Applicable. There are no remaining findings of noncompliance from FFY 2009 or earlier.

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

| Statement from the Response Table | State's Response |
|--|--|
| <p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> | <p>BSE has verified that all noncompliance identified in FFY 2011 for this indicator was corrected in a timely manner. Pennsylvania's monitoring instrument is aligned with the <i>Indicator 13 Checklist</i> developed by the National Secondary Transition Technical Assistance Center (NSTTAC). BSE has verified that each LEA with noncompliance reflected in the FFY 2011 data the State reported for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data collected through on-site monitoring; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2013

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Pennsylvania will continue the improvement activities as described in the SPP.

For 2013-14, Pennsylvania initiated an enhanced indicator 13 compliance training initiative entitled Effective Practices for Secondary Transition (EPST). EPST emphasizes the engagement of LEA general and special education administration as part of the training and technical assistance process. An administrative team from the cohort LEA is required to attend a series of two webinars and one face to face meeting and to engage in on-site planning and training. Participating LEAs submit a sample IEP from each staff member who works with transition age students. These IEPs were measured against compliance with the *EPST Indicator 13 Checklist*. The results of the checklist review were entered into a survey database and the summary results were shared with the LEA administrative team. The LEA administrative team will also complete a survey of current practices related to secondary transition. Information gleaned from these two sources informs areas in which focused training and technical assistance are required. Training and technical assistance provided to LEAs is delivered by PaTTAN educational consultants and IU staff. Plans are completed and submitted with the following information recorded: training and technical assistance content, participants' roles, and contact hours. Data from these plans is used to monitor whether participating LEAs

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were sufficiently engaged in the training protocol and were receiving the requisite on-site training and technical assistance in a timely manner.

If a cohort LEA demonstrates that it has met the requirements of the EPST Indicator 13 Checklist, the LEA completes an *EPST Self-Assessment of Current Transition Practices*. The *EPST Self-Assessment of Current Transition Practices*, is a facilitated effective practices tool based upon the Taxonomy for Transition Programming (Kohler, 1994) and includes components of school-related services that enhance transition of youth with disabilities to post-school environments: student-focused planning, student development, family involvement, program structure, and interagency collaboration. The results for this assessment permit the LEA administrative team to select two areas for focused improvement.

Timeline and resources: Training and technical assistance related to these two goal areas will be provided in 2013-14 to LEAs by PaTTAN educational consultants and IU staff. The EPST Indicator 13 training protocol is expected to continue for an additional five cohort training years.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

Measurement:

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

| FFY | Measurable and Rigorous Targets |
|-------------------|---|
| 2012 (2012-13) | <p>Indicator 14A: Increase the percent of school leavers enrolled in higher education within one year of leaving high school from 28.2% to 28.3%.</p> <p>Indicator 14B: Increase the percent of school leavers enrolled in higher education or competitively employed within one year of leaving high school from 49.2% to 49.3%.</p> <p>Indicator 14C: Maintain the percent of school leavers enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment at 66.0%.</p> |

Overview of Issue/Description of System or Process

The sampling plan for this indicator was approved by OSEP in Pennsylvania's FFY 2005 SPP and is continued for this submission. The present cohort consists of the same set of LEAs on the same schedule as was devised in the original submission. The sampling plan also includes all LEAs that have been established since the original approval. This group of LEAs provides a representative sample of leavers based on LEA size, whether the LEAs are urban, suburban or rural, disability category, race/ethnicity, and gender.

Secondary students who exited during the 2011-12 school year were provided an Exit Survey. This paper survey collected information from these student leavers that included a means to contact them one year later so that the Pennsylvania Post School Outcome Survey (PaPOS) could be administered. The data reported in this submission is a compilation of the valid responses obtained from the PaPOS survey administration conducted for those students who were considered leavers in 2011-12.

The PaPOS was administered at the LEA level. LEAs were required to make three attempts to contact each student leaver in an effort to obtain valid data for the survey. The surveys were generally administered by telephone by an adult with whom the leaver was familiar and to whom the leaver was more likely willing to disclose the information needed to complete the survey.

For the purposes of this indicator, the following federally-mandated definitions apply:

- *Higher education* means youth have been enrolled on a full- or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.
- *Competitive employment* means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.
- *Some other employment* means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).
- *Other postsecondary education or training* means youth enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, or vocational technical school which is less than a 2-year program).
- *Respondents* are youth or their designated family member who answer the survey or interview questions.
- *Leavers* are youth who left school by graduating with a regular or modified diploma, aging out, left school early (i.e., dropped out), or who were expected to return and did not.

Response Rate and Representativeness

As seen in Table 14.1, Response Rate Calculation, 3,392 youth were included in the sample. Interviews were conducted with 2,071 youth or their family members, for a response rate of 61%. This was 2% less than the rate observed in the previous year. There were 1,104 leavers (or their family members) who declined to participate in the survey, and 470 for whom contact information was no longer accurate at the time of data collection.

**Table 14.1
Response Rate Calculation**

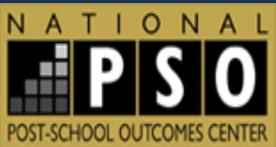
| <i>Respondent Category</i> | <i>Number</i> |
|--|---------------|
| A. Number of leavers | 3,862 |
| B. Subtract the number of youth ineligible (those who had returned to school or were deceased) | 0 |
| C. Number of youth contacted | 3,392* |
| D. Number of completed surveys | 2,071 |
| Response rate: (D/C)*100 | 61% |

*This does not include the 470 leavers for whom contact information was no longer accurate at the time of data collection.

The NPSO Response Calculator was used to calculate representativeness of the respondent group by disability, race/ethnicity, gender, and dropout status in order to determine whether the youth who responded were similar to, or different from, the total population of youth with an IEP who exited sampled LEAs in 2011-12.

According to the NPSO Response Calculator, differences between the Respondent Group and the Target Leaver Group of $\pm 3\%$ are important. Negative differences indicate underrepresentativeness of the group and positive differences indicate overrepresentativeness. In the Response Calculator, red is used to indicate a difference exceeding the $\pm 3\%$ interval, as shown in Table 14.2.

Table 14.2
Respondent Group Representativeness

| |  | | | | | | | | |
|-------------------------------------|---|--------|--------|--------|-----------|--------|----------|-------|---------|
| | Overall | LD | ED | ID | All Other | Female | Minority | ELL | Dropout |
| Target Leaver Totals | 3862 | 2319 | 471 | 405 | 667 | 1416 | 1102 | 0 | 189 |
| Response Totals | 2071 | 1204 | 219 | 239 | 409 | 772 | 480 | 0 | 43 |
| Target Leaver Representation | | 60.05% | 12.20% | 10.49% | 17.27% | 36.66% | 28.53% | 0.00% | 4.89% |
| Respondent Representation | | 58.14% | 10.57% | 11.54% | 19.75% | 37.28% | 23.18% | 0.00% | 2.08% |
| Difference | | -1.91% | -1.62% | 1.05% | 2.48% | 0.61% | -5.36% | 0.00% | -2.82% |

Representativeness of minority leavers has fluctuated from year to year, and this group is again underrepresented in the current survey. Leavers who dropped out of school also continue to be underrepresented, and this year fell within the -3.0% tolerance level. Minority respondents remain underrepresented, however the current year's performance continues to show a marked improvement from FFY 2007 when the underrepresentation for this group reached -21.56%.

There were no groups that were overrepresented in the respondent set.

The overall response rate was 61%, which means that of 3,862 students who left school, post-school outcome information was not obtained for 43% (n = 1791) of the student leavers in the sample. Of this number, 64% (1,147) were male, 65% (1,169) were white, 62% (1,115) were leavers with specific learning disabilities, 14% (252) were leavers with emotional disturbance, 9% (166) were leavers with intellectual disabilities and 9% (163) had other health impairments. With the exception of leavers with high school diplomas increasing by 4% (89%, or 1,594 of this group), the above rates for nonrespondents are comparable to that which was observed the previous year. There were no regional differences found.

Actual Target Data for FFY12

In accordance with reporting requirements for this indicator, each respondent leaver was counted in one of the five categories in Table 14.3, and only in the highest appropriate category, with "enrolled in higher education" federally defined as the highest category.

The respondent group consisted of 2,071 valid responses. Table 14.3 shows how the respondents were categorized.

Table 14.3
Assignment of Respondents
Based on Reported Post-Secondary Outcomes

| <i>Respondent Category</i> | <i>Number of Respondents</i> |
|---|------------------------------|
| (1) Number enrolled in “higher education” | 518 |
| (2) Number engaged in “competitive employment” (and not counted above) | 725 |
| (3) Number enrolled in “some other postsecondary education or training” (and not counted in 1 or 2 above) | 133 |
| (4) Number engaged in “some other employment” (and not counted in 1, 2, or 3 above) | 6 |
| Number of not engaged (not counted above) | 689 |

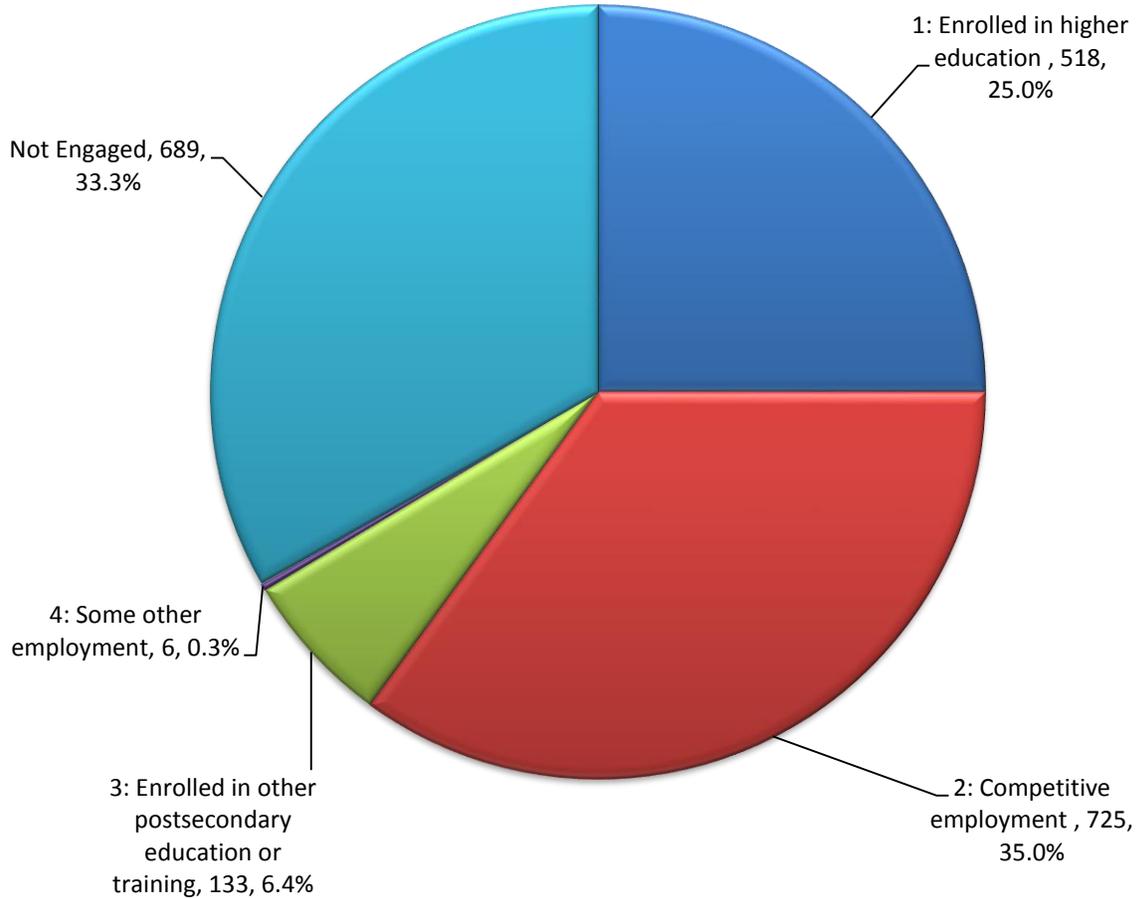
Table 14.4 displays the FFY 2012 performance using the first four categories above to calculate the engagement rates in each of the three required measurements. For two of the three measurements for this indicator (A, B and C), the SPP target has been met.

Table 14.4
FFY 12 Performance on SPP Targets

| <i>Required Measurement</i> | <i>Engagement Rate</i> | <i>FFY12 Targets</i> | <i>Met Target?</i> |
|--|------------------------|----------------------|--------------------|
| Indicator 14A: Enrolled in “higher education” | 25.0% | 28.3% | No |
| Indicator 14B: Enrolled in “higher education” + engaged in “competitive employment” | 60.0% | 49.3% | Yes |
| Indicator 14C: Enrolled in “higher education” + engaged in “competitive employment” + engaged in “some other postsecondary education or training” + “some other employment” | 66.7% | 66.0% | Yes |

The rate for higher education (14A) represents a decrease of 1.9% from the previous year, and comprises the entire difference in the rate for higher education and competitive employment together (14B) from FFY 2011. Finally, the rate for the sum of higher education, competitive employment and some other postsecondary education or training (14C) represents a 6.3% decrease from what was observed in the previous reporting period. While the rate for higher education again dips below the baseline of 28.0, the rates for the other two measures remain above their baseline rates of 49.0 and 66.0, respectively. The rate of those former students who are classified as not engaged rose from 27.0 to 33.3%. The current year’s data are graphically illustrated in Figure 14.1.

Figure 14.1
Post School Outcomes
for 2011-12 School Year Leavers in Pennsylvania



- 1: Enrolled in higher education
- 2: Competitive employment
- 3: Enrolled in other postsecondary education or training
- 4: Some other employment
- Not Engaged

| | | |
|-----------------------|--------------|--------------------------------|
| Measurement A: | 25.0% | Equals Segment 1 |
| Measurement B: | 60.0% | Equals Segments 1+2 |
| Measurement C: | 66.7% | Equals Segments 1+2+3+4 |

Outcomes were also examined by various subgroup characteristics. Figure 14.2 displays the 2011-12 school year respondent leavers in Pennsylvania and the method by which they left school. The overwhelming majority exited by graduating from high school, with smaller numbers of students reaching maximum age and dropping out. Although the largest proportion of leavers who dropped out (44.2%) report they are competitively employed, this must be balanced against the small number of drop outs that completed the survey. More confidence can be had in the proportion of respondents with high school diplomas that are competitively employed (35.9%) due to the larger number of these leavers responding to the survey. It also follows that this group was most likely to be enrolled in higher education (26.5%). Leavers who reached maximum age and dropped out of school were most likely to be not engaged (55.3% and 53.5%, respectively).

The respondent group was also examined by disability category. Figure 14.3 shows that the respondents with low incidence disabilities had the highest proportion enrolled in higher education (32.5%), followed by leavers with specific learning disabilities (27.7%). Leavers with specific learning disabilities were most likely to be competitively employed (41.1%), as were those with emotional disturbance (39.7%). Leavers with intellectual disabilities were most likely to be categorized as not engaged, 57.3%, an increase for this group of 9.0% from FFY 2011.

Hispanic/Latino and Black or African American leavers, as seen in Figure 14.4, reported high rates of non-engagement (41.4% and 36.4%, respectively). This is an increase of 5.4% for the Hispanic/Latino respondent group and 1.2% for the Black or African American group. This last group of respondents had the second highest rate of competitive employment (30.9%) after white leavers (36.6%). Setting aside results for Asian and multiracial leavers because of low response counts, white leavers were most likely to be enrolled in higher education (25.3%), followed by Black or African American leavers (23.5%) and Hispanic/Latino leavers (23.2%).

When examining outcomes by gender, Figure 14.5 shows that females were more likely than males to enroll in higher education (28.8% to 22.8%), but males were more likely to be competitively employed (38.9% to 28.5%). Similar patterns were found in FFY 2011. A higher proportion of females than males (35.0% to 32.3%) was considered to be not engaged. These rates of non-engagement increased 7.0% for females and 6.0% for males from the previous year.

Figure 14.2
Post School Outcomes
for 2011-12 School Year Leavers in Pennsylvania
by Type of Exit

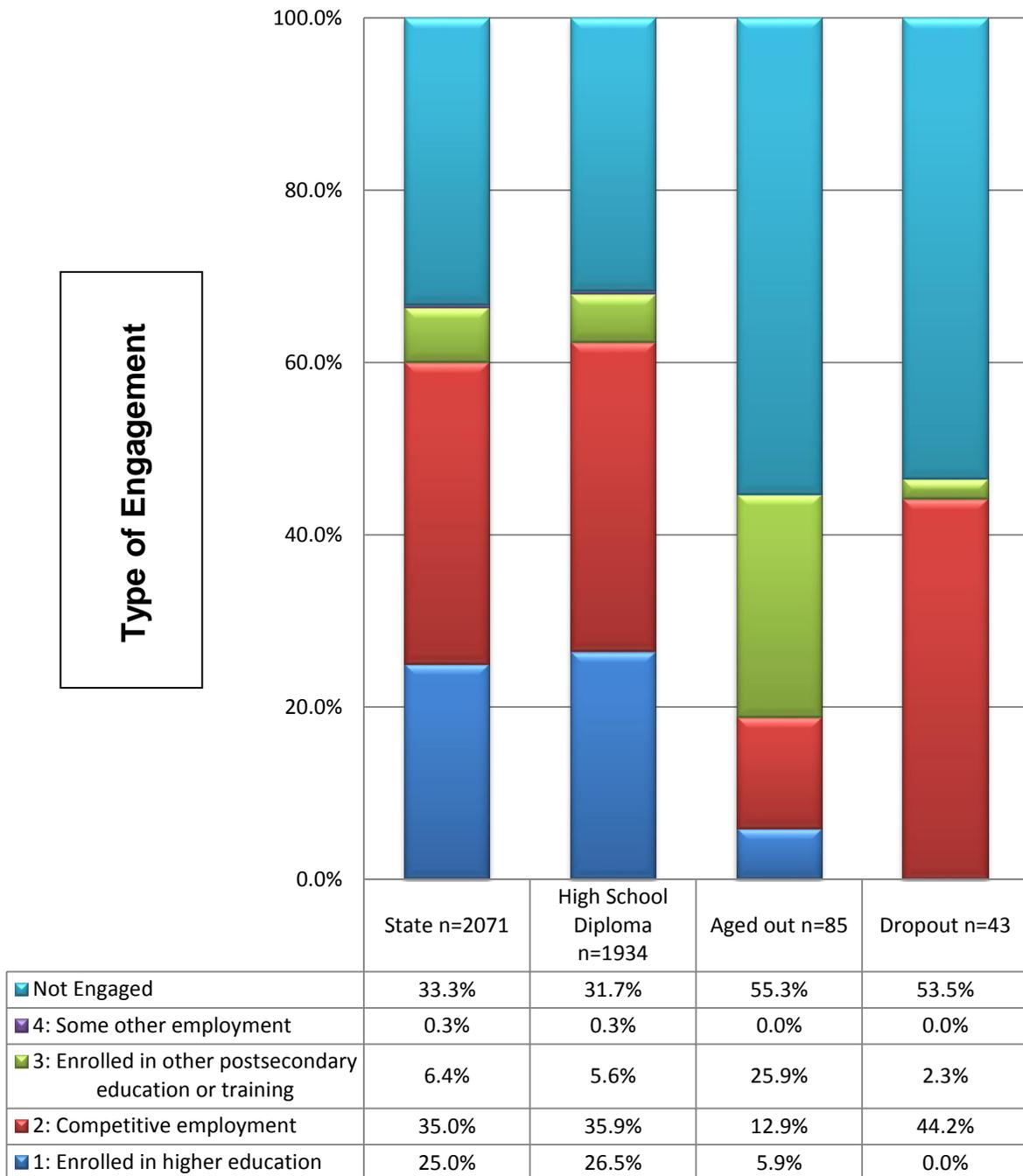


Figure 14.3
Post School Outcomes
for 2011-12 School Year Leavers in Pennsylvania
by Disability

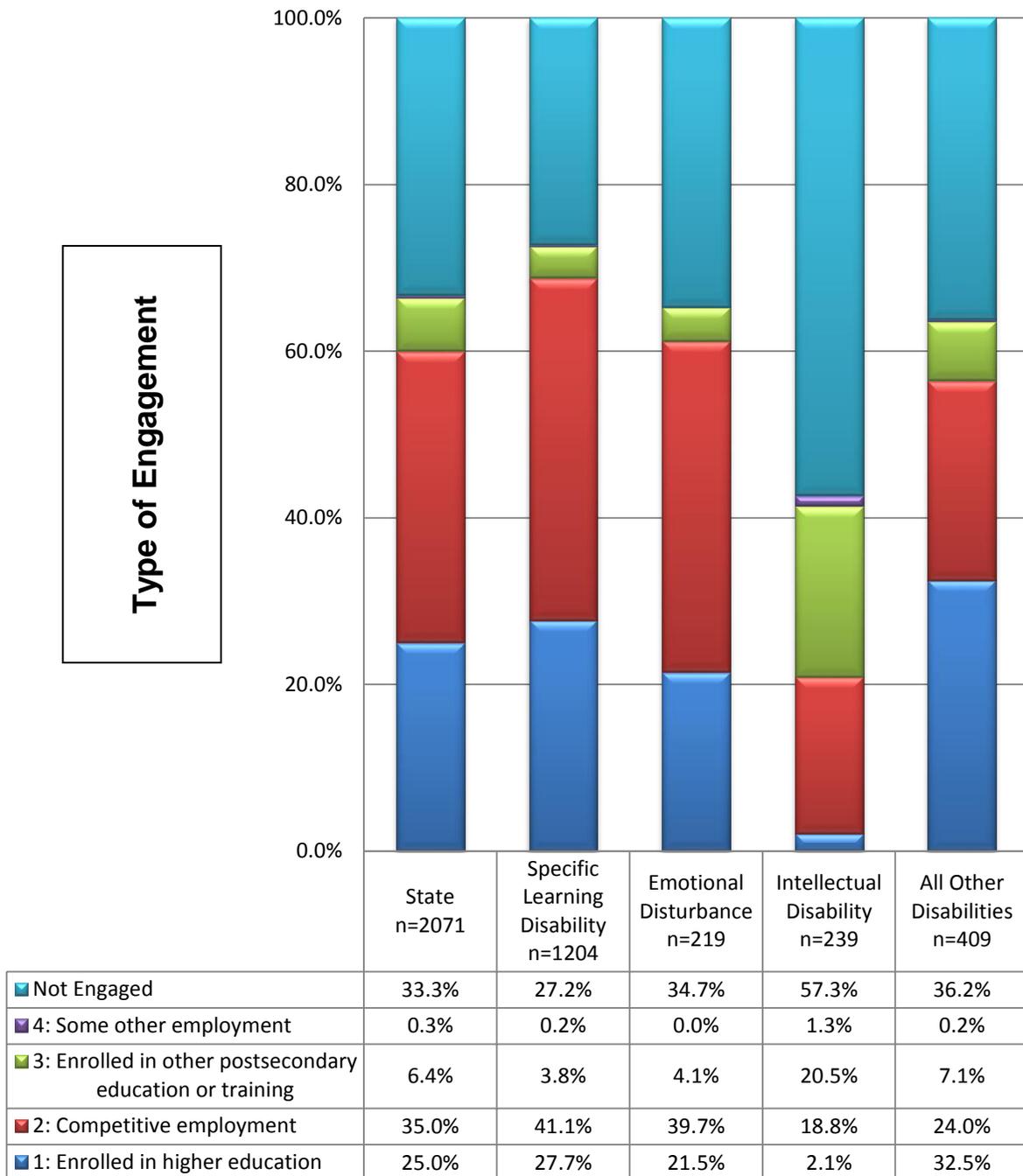
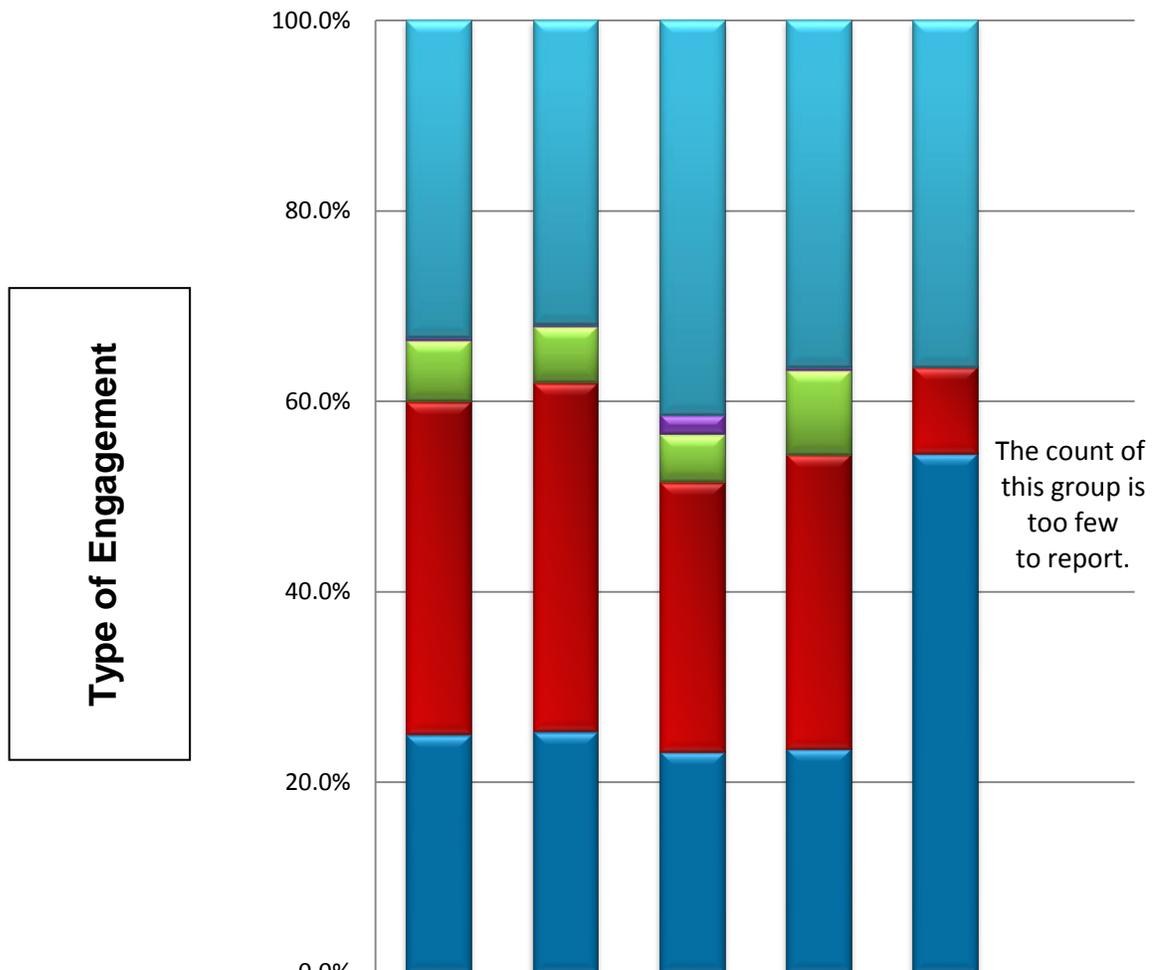
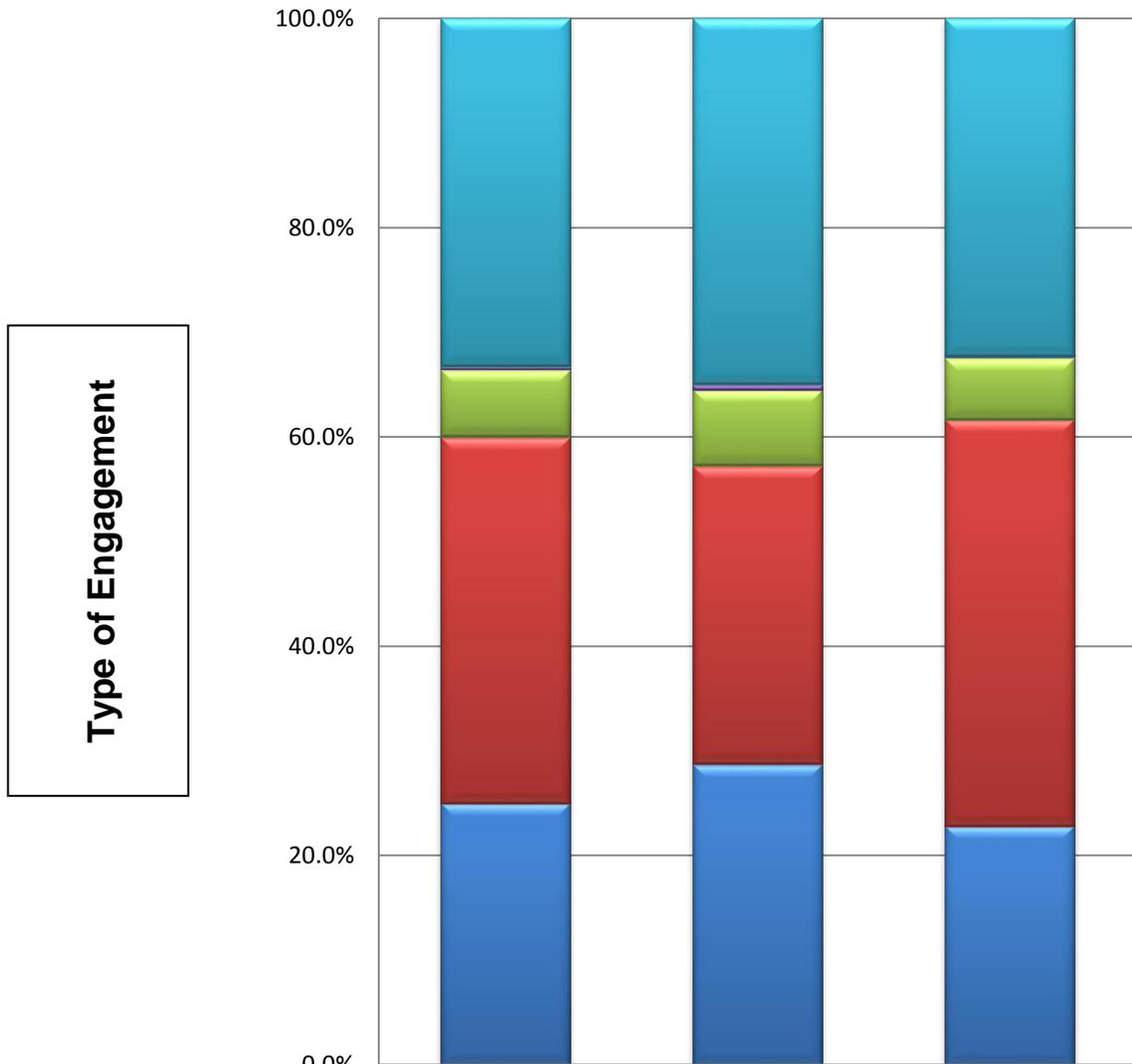


Figure 14.4
Post School Outcomes
for 2011-12 School Year Leavers in Pennsylvania
by Race/Ethnicity



| | State n=2071 | White n=1591 | Hispanic /Latino n=99 | Black or African American n=349 | Asian n=11 | Two or more races n=<10 |
|--|-----------------|-----------------|-----------------------------|--|---------------|----------------------------------|
| Not Engaged | 33.3% | 31.9% | 41.4% | 36.4% | 36.4% | |
| 4: Some other employment | 0.3% | 0.2% | 2.0% | 0.3% | 0.0% | |
| 3: Enrolled in other postsecondary education or training | 6.4% | 5.9% | 5.1% | 8.9% | 0.0% | |
| 2: Competitive employment | 35.0% | 36.6% | 28.3% | 30.9% | 9.1% | |
| 1: Enrolled in higher education | 25.0% | 25.3% | 23.2% | 23.5% | 54.5% | |

Figure 14.5
Post School Outcomes
for 2011-12 School Year Leavers in Pennsylvania
by Gender



| Type of Engagement | State n=2071 | Female n=772 | Male n=1299 |
|--|--------------|--------------|-------------|
| Not Engaged | 33.3% | 35.0% | 32.3% |
| 4: Some other employment | 0.3% | 0.5% | 0.2% |
| 3: Enrolled in other postsecondary education or training | 6.4% | 7.3% | 5.9% |
| 2: Competitive employment | 35.0% | 28.5% | 38.9% |
| 1: Enrolled in higher education | 25.0% | 28.8% | 22.8% |

In Figure 14.1, it can be seen that 689 school leavers were considered to be “Not Engaged”. Using the tool provided by NPSO (NPSO Data Display Template), the characteristics of these respondents were examined to determine what can be learned about them. The template separates the respondents into two groups: those who have never enrolled or worked since leaving high school (41%), and those who did enroll or work since high school, but did not meet the federal criteria to be counted as engaged (58%).

Table 14.5 shows how those students who were engaged, but not to the level to be recognized as engaged using federal criteria, spent the year since leaving high school. Approximately 39% of this group (154) were employed, but worked less than 20 hours per week. There were 120 leavers (30.2%) who were employed, but at the time of the data collection had not yet reached the 90-day threshold to be included as engaged. Almost 11% of the respondents in this group (43) had enrolled in higher education (as defined earlier), but at the time of the data collection had not yet completed a full academic term. Smaller numbers of leavers, slightly more than 7% (29), were enrolled in some other postsecondary education or training program but did not complete a full term, and a similar proportion (n=30) were employed, but worked for less than minimum wage.

**Table 14.5
Leavers Participating in Post-Secondary Activities
Categorized as “Not Engaged”**

| <i>Activity</i> | <i>Number of Respondents</i> | <i>Percent of Respondents</i> |
|---|------------------------------|-------------------------------|
| 1. Enrolled in higher education, but did not complete a full term | 43 | 10.8% |
| 2. Enrolled in some other postsecondary education or training program, but did not complete a full term | 29 | 7.3% |
| 3. Employed, but had not worked at least 90 days | 120 | 30.2% |
| 4. Employed, but made less than minimum wage | 30 | 7.6% |
| 5. Employed, but for less than 20 hours per week | 154 | 38.8% |
| 6. Employed, but in a sheltered employment environment | 23 | 5.8% |

Using the NPSO Data Display Template, we learn that non-engaged leavers with specific learning disabilities comprise 52% (207) of this group, those with intellectual disabilities (66) make up another 17%, and those leavers identified as having emotional disturbance (38) and other health impairments (41) each comprise 10% of the group. Males (256) make up 64% of those not engaged; 73% of this group is white (289) and 18% (70) were Black or African American. Ninety-two percent, or 365 of those not engaged, left school with a high school diploma.

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Non-engaged leavers were asked why they were no longer enrolled in a postsecondary education or training program. Of those who provided a response, 21% indicated that they were still enrolled in their program, 17% reported that they did not complete a term because of illness. Over 11% indicated that they did not have the funds to continue, while 6% cited employment and another 6% cited transportation as reasons for not completing a term.

Leavers who are no longer employed were asked why they were no longer working. More than 11% indicated that they were currently looking for a job but unable to find one, 5% reported that they were currently enrolled in a postsecondary education or training program, 3% did not have transportation to get to work and 3% were laid off from work.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

FFY 2012 performance on SPP targets was mixed. The proportion of leavers enrolled in higher education (14A) represents a decrease of 1.9% from the previous year and that target was not met. The proportion of leavers enrolled in higher education or engaged in competitive employment (14B) shows the same decrease of 1.9%, indicating that the proportion of leavers competitively employed did not change from the previous year. Nonetheless, the target for this combined measure was achieved. Finally, there was a decrease of 6.3% in the proportion of leavers who were enrolled in higher education, engaged in competitive employment, engaged in some other postsecondary education or training or some other employment (14C), yet the target for this measure was also achieved.

Numerous training and technical assistance activities are conducted to support LEAs and IU staff to accomplish collection and analysis of indicator 14 data. PaTTAN consultants held a webinar in the fall of 2012 for LEAs participating in the indicator 14 exit cohort group. This session presented an overview of the data collection process and highlighted the importance of collecting Post School Data from hard to reach students. In Winter 2013, two additional webinars were presented for LEAs completing both the exit and post indicator 14 surveys.

PaTTAN and IU consultants conducted numerous training and technical assistance activities that impact post-secondary outcomes for youth with disabilities. Technical support for PaPOS, provided on an ongoing basis by IU TAC and supported by PaTTAN staff, includes IU staff contacting each LEA in the sample during the year to ensure that data collection is addressed in a timely manner, providing support as needed by each LEA to accomplish the goals of PaPOS, monthly IU and PaTTAN transition webinars, and the secondary transition consultants annual meeting to review requirements of PaPOS and address questions, concerns, and timelines relative to the data collection process.

In an effort to improve response rates for under-represented groups, including minorities and dropouts, additional improvement activities were implemented:

Survey Outreach via PaTTAN Website

Information is posted on the PaTTAN website regarding PaPOS survey and data collection. Highlighted on this site is information regarding strategies for contacting hard to reach students completing the PaPOS post-school survey.

Survey Outreach via PTIs and CPRCs

Through the collaboration of PaTTAN and the PTIs and CPRCs in Pennsylvania, a survey announcement was posted on the websites of HUNE, PEAL, PEN and the Mentor Parent Program. The announcement provided an overview of the exit and post-school surveys and an explanation of the important uses of the information that is collected, thus encouraging parents to support the participation of their youth in the survey process. PaTTAN piloted the announcement on the PTI and CPRC websites during the 2012-13 school year, and this activity will continue during the 2013-14 school year.

Revised PaPOS Training

The PaPOS training has added three new components to improve data collection from hard to find youth.

- Each LEA in the cohort groups (both exit and post) is provided with the NPSO Contacting Hard-to-Find Youth: Strategies for the Post-School Survey document. PaTTAN staff provides training with examples for each strategy.
- Additional emphasis was placed on underrepresented groups as part of the overview training for LEAs.
- Each LEA in the exit survey cohort group was invited to participate in a webinar to discuss the exit survey, with an emphasis on contacting students who drop out or are leavers prior to the official data collection period.

SAAFP: A Worksheet for Parents of Students with Disabilities

The Summary of Academic Achievement and Functional Performance (SAAFP) worksheet is a document that is provided to students and their parents at the conclusion of the students' high school education. The SAAFP worksheet, which parents and their children can complete together, is designed to be a useful and relevant document to assist students in the transition from high school to higher education, training, employment, and independent living.

Additional related improvement activities that support post school outcomes are presented in indicator 13 of this APR.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

Pennsylvania will continue the improvement activities as described in the SPP. In an effort to improve response rates for under-represented groups, including minorities and dropouts, additional improvement activities have been added:

PaTTAN has been working with stakeholders to develop a protocol to identify barriers LEAs are experiencing when contacting hard-to-find youth, including underrepresented minority youth. The protocol is designed to be used with a sample of LEAs that have a high percentage of hard-to-find youth. The protocol will identify strategies used to contact hard-to-

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find youth, perceived barriers and suggestions for additional supports. Results will be considered with the guidance provided by NPSO for contacting these former students and will guide future efforts in training and technical assistance provided to LEAs administering post-school surveys.

Timeline and resources: Spring, 2014; PaTTAN consultants.

The Pennsylvania Community of Practice (CoP) on Secondary Transition's website, www.secondarytransition.org, is a central information hub for youth and families. The website organizes cross-agency, secondary transition resources to facilitate a young person's progress towards post-secondary goals related to education, employment and community living. In order to better increase youth awareness of the importance of participating in both the exit survey and the post-school outcomes survey, the NPSO-developed video, "Be A Superstar – Take the Survey", has been posted to CoP's website and catalogued in the website's resource database. All LEAs administering post school surveys will be made aware of the availability of the video and will be encouraged to share this information with students when administering the exit surveys.

Timeline and resources: Spring, 2014; PaTTAN consultants.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment 1).

| FFY | Measurable and Rigorous Target |
|---------------------------|---|
| 2012 (2012-13) | 100% compliance with the requirement for correction of noncompliance within one year. |

Actual Target Data for FFY12

**Table 15.1
Percent of Compliance from the Indicator 15 Worksheet**

| <i>Preschool</i> | <i>School Age</i> | <i>Total</i> |
|------------------|-------------------|--------------|
| 98.14% | 99.53% | 99.35 |

Describe the process for selecting LEAs for Monitoring

School Age Programs (Bureau of Special Education)

School districts and charter schools are monitored on a six-year cycle. County prisons and detention facilities, as well as other facilities where children are placed by a public entity, e.g., residential treatment facilities and private residential rehabilitation institutions, are also monitored on a six-year cycle. State juvenile facilities and state correctional institutions are monitored on a three-year cycle. In this reporting period, BSE also conducted secondary transition focused monitoring. Secondary transition was selected as a focus area based on data reported in Pennsylvania's APRs and recommendations from the SEAP and other stakeholder groups. Target monitoring of any LEA may also occur at BSE discretion when information from any source, including complaint or other dispute resolution data, suggests a pattern or systemic concern that warrants review.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Preschool early intervention programs participate in verification reviews every other year. These on-site comprehensive reviews are conducted by BEIS staff to verify the preschool early intervention program's performance in six general areas: general supervision, fiscal supervision, child find and public awareness, quality early intervention framework, quality intervention service delivery and transition. Each preschool early intervention program is also required to complete a self-verification process prior to BEIS's on-site review. Additional on-site visits from BEIS staff may occur at the discretion of BEIS staff if, during the verification cycle, there is a significant decrease in program performance or individual or systemic concerns arise.

In FFY 2012, BEIS also conducted annual data reviews from the statewide data management system for all preschool early intervention programs to meet the federal requirements for the identification and correction of noncompliance on specified OSEP indicators. As with the current verification process, the annual data reviews identified area(s) of noncompliance, required correction for all areas of noncompliance, ensured all individual child instance(s) of noncompliance were corrected, as appropriate, and ensured that local EI programs were implementing specific regulatory requirements to ensure systemic issues of noncompliance were corrected.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012

School Age Programs (Bureau of Special Education)

The BSE achieved 100% compliance for this indicator in FFY 2007, 99.9% in FFY 2008, 100% in FFY 2009, 99.5% in FFY 2010 and 100% in FFY 2011. For FFY 2012, BSE is reporting 99.5% compliance. Current year and trend data demonstrate BSE's extremely high rate of compliance with this general supervisory requirement.

BSE has continued timely notification of noncompliance findings from monitoring. For FFY 2012, the duration from completion of the on-site review to issuance of the monitoring report averaged 60 days, consistent with prior reporting periods and well within the optimal timeframe articulated by OSEP.

BSE continues to focus significant personnel and technical resources on monitoring LEA compliance and outcomes. All systems for monitoring and dispute resolution are web-based,

and therefore conducive to cross-system data analysis and tracking of timelines. In FFY 2012, BSE conducted on-site cyclical monitoring of 92 school districts, 30 charter schools, 34 correctional facilities, and five private residential rehabilitation institutions, partial hospitalization programs and residential treatment facilities. Secondary transition focused monitoring was conducted in nine LEAs (see indicator 13 for additional description).

The BSE also conducted several SPP on-site follow-up reviews, which occur when analysis of 618 or other SPP-required data indicates potential noncompliance. If noncompliance is confirmed as a result of these reviews, findings are issued to the LEA and correction is required within one year of notification.

Thus, Pennsylvania fulfills the general supervision requirements for comprehensive, effective monitoring and dispute resolution, including timely identification and correction of noncompliance from multiple sources for school age children.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

For FFY 2012, 98% of all noncompliance findings from monitoring, dispute resolution activities and annual data reviews were corrected within one year from identification. One preschool early intervention program was unable to correct three findings of noncompliance within one year of notification of noncompliance. However, all noncompliance was corrected not later than 30 days beyond the one year timeline.

BEIS oversight and general supervision of preschool early intervention programs continued to occur on an on-going basis throughout FFY 2012. Each preschool early intervention program is assigned a BEIS advisor. Each BEIS advisor serves as a primary contact to each preschool early intervention program and is responsible for addressing budget issues, compliance issues, complaint issues, policy and procedural requirements and overall program performance. As a result of this involvement with local programs, each BEIS advisor has on-going contact with each of their programs. These contacts occur throughout the year during verification visits, validation visits, training and technical assistance visits, complaint investigations, biannual statewide leadership meetings and monthly regional leadership meetings. This continued attention to local programs provides BEIS staff with the ability to identify concerns and issues and establish improvement strategies and enforcement strategies in a timely manner.

BEIS continued to ensure individual as well as systemic correction of noncompliance. BEIS staff validated preschool early intervention program correction of noncompliance through validation procedures such as subsequent review of child records following on-site verification visits, preschool early intervention program submission of activities being conducted to achieve compliance, and review of policies, procedures and/or practices that contributed to noncompliance, as needed.

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Timely Correction of FFY11 Findings of Noncompliance (corrected within one year from identification of the noncompliance)

| | <i>Preschool</i> | <i>School Age</i> | <i>Total</i> |
|---|------------------|-------------------|--------------|
| 1. Number of findings of noncompliance the State identified in FFY 2011 (the period from July 1, 2011 through June 30, 2012) (Sum of Column a on the Indicator B15 Worksheet) | 161 | 1066 | 1227 |
| 2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet) | 158 | 1061 | 1219 |
| 3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)] | 3 | 5 | 8 |

FFY11 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected)

| | <i>Preschool</i> | <i>School Age</i> | <i>Total</i> |
|---|------------------|-------------------|--------------|
| 4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above) | 3 | 5 | 8 |
| 5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | 3 | 5 | 8 |
| 6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)] | 0 | 0 | 0 |

Verification of Correction for findings of noncompliance identified in FFY11 (either timely or subsequent)

School Age Programs (Bureau of Special Education)

Monitoring - Findings of noncompliance are issued by the BSE through cyclical, focused, target and SPP follow-up monitoring. When findings of noncompliance are issued to an LEA through these web-based monitoring systems, the LEA is informed of the regulation that is being violated (linked to federal and state regulations) and must develop a CAVP that is approved by the BSE. The CAVP is systemically linked to technical assistance resources through the PaTTAN and IU systems. The CAVP requires correction of policies, procedures and practices to ensure systemic correction, and includes specific required corrective action/evidence of change, timelines and resources, and tracking of

timelines to closure. The BSE monitors implementation of the CAVP primarily through on-site reviews that include review of revised policies and procedures, and correction of practices as evidenced by updated data in a representative sample of student files. The CAVP is monitored until all corrective action has been completed. All corrective action must be completed within one year of notification of a finding of noncompliance. Because the system is web-based, BSE is able to effectively track progress in closing the CAVP and can capture real-time data about the status of corrective action.

The BSE's corrective action procedures require systemic correction of policies, procedures and practices, as well as verification of correction through file reviews. Updated data must demonstrate 100% compliance with regulatory requirements prior to closure of corrective action by the BSE.

BSE also requires student-specific corrective action for all citations of noncompliance where corrective action can be implemented. This is done through the Individual Corrective Action Plan (ICAP) component of the overall CAVP web-based system. In the ICAP, the BSE reviews updated data for each student whose file included a finding of noncompliance to ensure correction (unless the student is no longer within the jurisdiction of the LEA); additionally, BSE reviews a new sample of student files to verify compliance. The ICAP process was demonstrated to OSEP during its on-site Verification Visit to Pennsylvania in November, 2010.

Database Review for indicator 11 - Annually, in July-August, BSE reviews a database in which LEAs report data from the entire year for all students who have had initial evaluations for special education. The database includes mandatory reporting fields to document that for any student where the LEA did not meet required timelines, an initial evaluation was conducted, although late, and an IEP was developed if determined appropriate. Following BSE review of the database, all LEAs are provided with written notification of their compliance status. Any LEA that has less than 100% compliance is determined to be in noncompliance, and must engage in quarterly reporting to ensure that the LEA is correctly implementing the specific regulatory requirements, and has achieved 100% compliance based on the state's review of updated data (see additional description in indicator 11).

Dispute Resolution - BSE ensures correction of systemic and student specific noncompliance identified in an LEA through the complaint system. Corrective action procedures comply with OSEP Memorandum 09-02 and requirements of 34 CFR §300.151 (b) (1) (2).

Pennsylvania has procedures in place to review, identify and correct child-specific noncompliance identified in a hearing officer's decision, as well as correction of any policies/practices/procedures that may affect other students with disabilities within the LEA. All required corrective action from this data source has been completed within one year of notification of noncompliance.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

Findings of noncompliance were issued by BEIS through on-site verification reviews, annual data reviews and complaint management and due process hearings.

Annual data reviews include a review of all child records in the data management system for all programs on compliance indicators. Written findings of noncompliance were made by letter for any program with a compliance rate less than 100%. Corrective action was required that included an assurance provided by each preschool early intervention program that all children had received the appropriate service, although late. A subsequent review of data was completed 6 months after the issuance of the noncompliance letter. An additional sampling of subsequent child records was also completed for all indicators to ensure that preschool early intervention programs were implementing the specific regulatory requirements correctly to ensure systemic issues of noncompliance have been corrected for each indicator.

Compliance indicators were also reviewed during on-site verification reviews. BEIS staff conducts on-site reviews which include data reviews, review of policies, individual child record reviews and observations. Preschool early intervention programs were required to submit an improvement plan, approved by BEIS, to address all areas of non-compliance. The plan's implementation was validated within one year of issuance of the findings report.

Pennsylvania verifies the correction of noncompliance findings through subsequent validation reviews with preschool early intervention programs. Validation reviews, including the implementation of the improvement plan, occur through a variety of ways depending upon the identified issues. BEIS staff took the following actions to verify correction of noncompliance from on-site verifications identified in FFY 2012 for this indicator:

- Using a data summary form, BEIS staff subsequently verified that records cited as non-compliant had been corrected and that each child had received appropriate services. During a subsequent validation review, staff reviewed additional child records following the identification of noncompliance. The review of these files demonstrated 100% compliance with the requirements;
- As a component of the verification process, data reviews from the early intervention data management system were also conducted;
- Review of policies, procedures and/or practices that contributed to noncompliance (as necessary); and
- Preschool early intervention program submission of detailed improvement activities that have been conducted to achieve compliance.

Using these mechanisms for the current reporting period, BEIS has verified the correction of all noncompliance identified in FFY 2011, and has verified that each preschool early intervention program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing the specific regulatory requirement (i.e., has achieved 100% compliance) based on a review of updated data collected within its database and during validation visits, and 2) that each preschool early intervention program has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the preschool early intervention program, consistent with OSEP Memorandum 09-02.

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Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011 (including any revisions to general supervision procedures, technical assistance provided and/or enforcement actions that were taken)

School Age Programs (Bureau of Special Education)

BSE's monitoring procedures, including verification of correction of noncompliance findings, are described in detail above. Through the CAVP and ICAP systems, BSE is able to ensure that all noncompliance is tracked and corrected in a timely manner. BSE has clearly defined enforcement procedures under the BEC titled, *Special Education Compliance*. There were no revisions required to BSE's general supervision procedures. See section below regarding specific enforcement actions to correct findings of noncompliance that were not timely corrected in this reporting period.

Actions Taken if Noncompliance Not Corrected

School Age Programs (Bureau of Special Education)

As of February 3, 2014, one LEA had not corrected noncompliance. The BSE informed the LEA of enforcement actions and took the following actions to correct this noncompliance:

- BSE management conducted a conference call with the LEA's Superintendent, Board Representative, and other administrators to discuss the root cause of the LEA's continued noncompliance and agree upon explicit actions needed to resolve noncompliance;
- BSE issued additional written notice to the LEA of required actions, including other pending enforcement actions as described in the Basic Education Circular (BEC), *Special Education Compliance*;
- BSE required the LEA to report continuously, vs. quarterly, on timelines for each initial evaluation; and
- BSE assigned a BSE Advisor to conduct weekly on-site reviews and provide technical assistance.

As of March 28, 2014, BSE confirmed that the LEA revised its policies, procedures and practices to ensure adherence with timelines for initial evaluations. The BSE reviewed over 200 initial evaluations completed by the LEA during fall and winter of the 2013-2014 school year, and verified 100% compliance with timelines.

Therefore, the BSE confirmed that all five LEAs that did not correct noncompliance within one year of identification have achieved 100% compliance with evaluation timelines for two consecutive quarters, and BSE has closed all corrective action.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

All noncompliance has been corrected.

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Correction of Remaining FFY10 Findings of Noncompliance

| | |
|---|------------|
| 1. Number of remaining FFY 2010 findings noted in OSEP's FFY 2011 APR response table for this indicator | 0 |
| 2. Number of remaining FFY 2010 findings the State has verified as corrected | N/A |
| 3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)] | N/A |

Correction of Any Remaining Findings of Noncompliance identified in FFY09 or Earlier

Not applicable. There are no remaining findings of noncompliance from FFY 2009 or earlier.

Additional Information Required by the OSEP FFY11 APR Response Table for this Indicator

| Statement from the Response Table | State's Response |
|--|---|
| <i>School Age Programs (Bureau of Special Education)</i> | |
| <p>When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2012 APR, the State must use and submit the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 11, 12, and 13 in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> | <p>BSE has verified that, each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>In this APR, BSE described the specific actions taken to verify correction of noncompliance.</p> <p>BSE has reported on correction of noncompliance for indicators 11, 12 and 13 within this APR.</p> |

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| Statement from the Response Table | State's Response |
|---|---|
| <i>Preschool Early Intervention Programs (Bureau of Early Intervention Services)</i> | |
| <p>When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2012 APR, the State must use and submit the Indicator 15 Worksheet.</p> | <p>BEIS has verified that each preschool early intervention program with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site verification reviews or the State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the preschool early intervention program, consistent with OSEP Memorandum 09-02. In the FFY 2012 APR, BEIS provided the specific actions that were taken to verify the correction of noncompliance.</p> |

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

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Part B State Annual Performance Report (APR) for FFY 2012

Pursuant to OSEP Memorandum 13-6 and the Part B SPP/APR Indicator Measurement Table, this indicator has been deleted from the SPP/APR, effective with the FFY 2011 submission. Data related to timely complaint management are submitted each November to the Office of Special Education Programs of the US Department of Education as part of reporting required under Section 618 of the IDEA.

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

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

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

| FFY | Measurable and Rigorous Target |
|-------------------|--------------------------------|
| 2012 (2012-13) | |

Actual Target Data for FFY12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

**Annual Performance Report
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Part B State Annual Performance Report (APR) for FFY 2012

Pursuant to OSEP Memorandum 13-6 and the Part B SPP/APR Indicator Measurement Table, this indicator has been deleted from the SPP/APR, effective with the FFY 2011 submission. Data related to timely due process hearings are submitted each November to the Office of Special Education Programs of the US Department of Education as part of reporting required under Section 618 of the IDEA.

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

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

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

| FFY | Measurable and Rigorous Target |
|-------------------|--------------------------------|
| 2012 (2012-13) | |

Actual Target Data for FFY12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

| FFY | Measurable and Rigorous Target |
|-------------------|--|
| 2012 (2012-13) | The percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements will range between 50% and 60%. |

Actual Target Data for FFY12

In FFY 2012, the Office for Dispute Resolution (ODR) received 739 requests for due process hearings, a decrease of 99 requests from the prior reporting period. Six hundred sixty-eight of the 739 requests came from parents, and were therefore subject to the resolution meeting requirements. However, because the majority of cases settle soon after the request for due process is filed, the resolution meeting can be waived or mediation utilized in lieu of the resolution meeting. Therefore, a resolution meeting does not occur in every instance.

A total of 420 resolution meetings were held. Agreement was reached in 115, or 27% of cases. Pennsylvania did not meet its SPP target range of 50-60%.

It should be noted that the 27% rate of agreements is based upon the number of cases that resolved in the first 30 days without the need for a due process hearing. Including cases that settled after the expiration of the resolution period, but prior to a hearing, would significantly increase the settlement rate, i.e., when comparing the number of requests with the number of fully adjudicated cases, the requests that settled approximated 93%.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

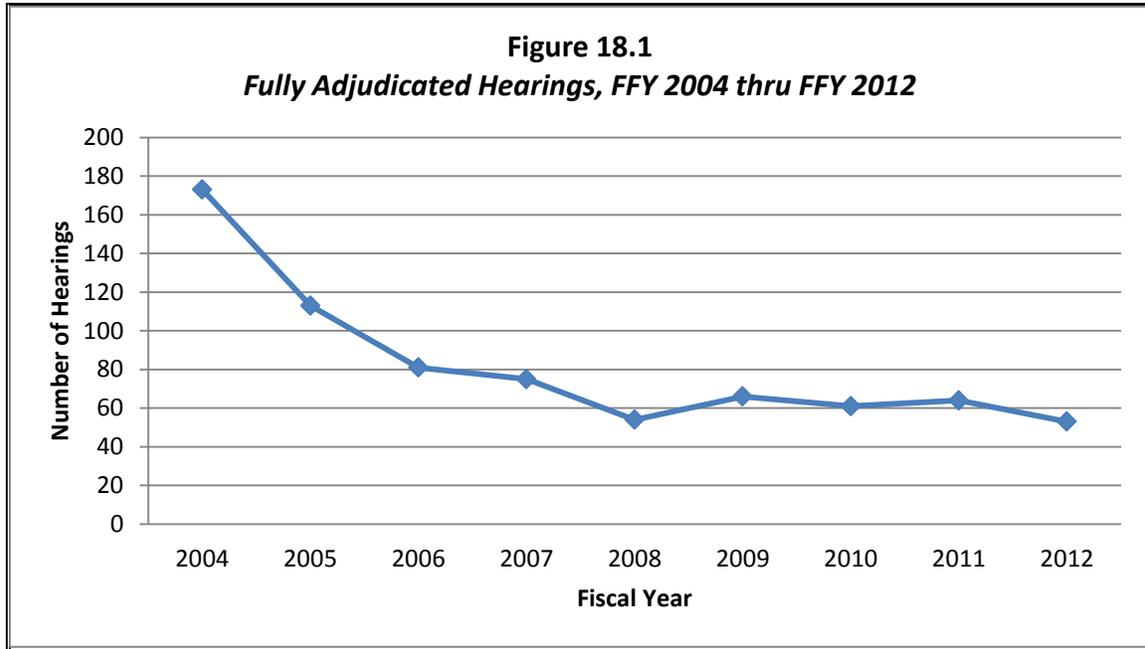
Pennsylvania is reporting slippage for this indicator, from 35% in FFY 2011 to 27% in the current reporting period. Further analysis revealed that approximately 25% of the resolution meetings held in FFY 2012 occurred within one large urban school district. The district had a 14% rate of agreements, a 10% decline from the previous year. This district's low rate of agreements had a substantial impact on the overall state-wide rate.

The number of resolution meetings held in FFY 2012 increased by 46 over the prior year. Analysis of the 2010 Part B SPPs/APRs performed by the Center for Appropriate Dispute Resolution in Special Education (CADRE) confirms that states holding more resolution meetings generally report lower rates of agreement. Pennsylvania's three year trend data (FFY 2010-FFY 2012) supports CADRE's conclusion. CADRE's most recent SPP/APR Part B Analysis reports that the FFY 2011 national rate for resolution session settlement agreements was 21.5%, with great variability observed among states. Thus, Pennsylvania's rates and trends appear to be consistent with national data. It is anticipated that these year-to-year fluctuations will continue.

ODR consulted with parent and LEA attorney representatives on the ODR Stakeholder Council regarding the challenge of improving rates of agreement reached at the resolution meeting. The attorneys concurred that the resolution period is generally an insufficient amount of time for most cases to be resolved, as time is needed for attorneys to review documents, discuss findings with their clients, formulate a comprehensive settlement position, arrange their schedules and those of their clients, and conduct the meeting. They further believe that it is unrealistic to allow only 30 calendar days to conclude a written settlement agreement that must generally be approved in a public session of a school board that meets once a month on a published, predetermined day.

In light of the economic challenges being reported by school districts and school board involvement in approval of settlements, it is expected that parties are going to continue to engage in careful, deliberate analysis of cases and settlement options, all of which takes time not contemplated by this indicator.

While indicator 18 measures a very specific process, i.e., outcomes of resolution meetings within specified timelines, the "larger picture" of resolving special education conflicts through less adversarial methods continues to reflect improvement in Pennsylvania. In FFY 2012, just 53 cases were fully adjudicated, representing 7.2% of the total requests for due process hearings. In FFY 2011, 64 cases were fully adjudicated, representing 7.6% of the total requests. Pennsylvania continues to experience a positive trend in reducing the number of fully adjudicated hearings, from the 173 observed in the baseline year of FFY 2004 (see Figure 18.1 below).

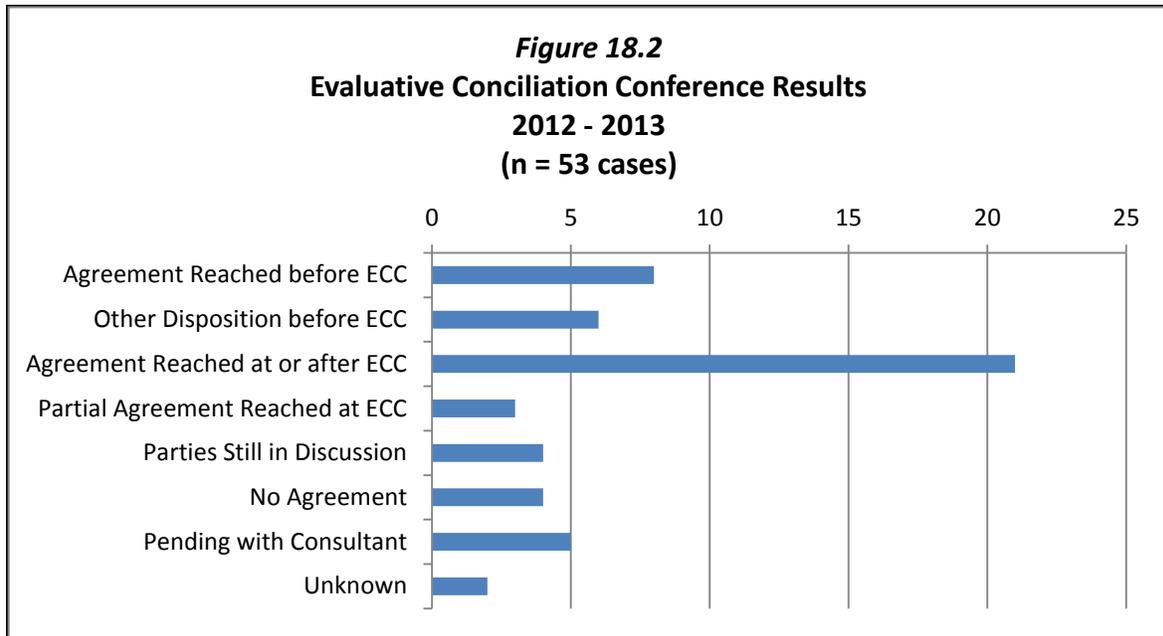


Since 2008, ODR has been offering resolution meeting facilitation in an effort to increase the rate of agreements. To encourage participation, ODR staff proactively contacts litigants to explain and offer the service. Despite these intensive efforts, the service has been underutilized and remained stagnant during this reporting period. One reason for its underutilization is the lack of attorney support for it.

As reported in detail in Pennsylvania's FFY 2010 and FFY 2011 APRs, Pennsylvania has developed a "Settlement Conference" process through which the parties to the dispute can access a hearing officer, other than the presiding hearing officer, to engage in review of their respective cases, and receive insights from a trained and objective third party. ODR worked with its Stakeholder Council to finalize design of this service. This improvement activity was initially implemented in 2011-12 and the service, now titled the Evaluative Conciliation Conference (ECC), is being utilized.

Rather than simply eliminating resolution meeting facilitation as a service offered to stakeholders, ODR is transitioning to the use of ECC consultants at resolution meetings, upon agreement of the parties, and when scheduling permits. Because the resolution meeting timeline is so short, it is not always possible to combine the two, but attempts are being made to coordinate with the parties to accomplish this.

The parties complete an evaluation immediately after the ECC is completed, which is followed up with a 3-month post ECC process, requesting input from the participants and providing specific data for ODR to determine outcomes. The following table shows results achieved in this reporting period.



As indicated in the prior APR, ODR has developed online modules for “Creating Agreement” concepts. This improvement activity includes collaboration between ODR, Temple University and Dr. Tricia Jones. ODR and Dr. Jones/Temple University developed a comprehensive conflict training program for parents and educators, consisting of Creating Agreement training, Conflict Coaching, and Conflict Resolution Education in Teacher Education training. The project, slated to begin in January 2014, will train special educators, general educators, parents of students with disabilities, parent advocates and school administrators in conflict management skills and the use of conflict coaching as an early level, preventative process to increase effective collaboration. Two districts have been invited to participate. Data from this pilot will be used to assess the efficacy of statewide training.

IEP facilitators and resolution meeting facilitators continued to receive high quality training during the reporting period. Facilitators also regularly participated in the relevant and high quality webinars provided by CADRE on topics pertinent to special education dispute facilitation.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania’s FFY 2013 SPP/APR submission.

Improvement activities will continue as described in the SPP and prior APRs.

ODR plans to target its outreach to the large urban district referenced above for its consideration of resolution meeting facilitation and/or ECC to assist in improving its agreement rates. In conjunction with this outreach, the BSE compliance advisors for this district will be consulted on ways to generate interest in use of these dispute resolution services.

Timeline and resources: ODR, BSE personnel; 2013-14.

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Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

| FFY | Measurable and Rigorous Target |
|-------------------|---|
| 2012 (2012-13) | The percent of mediations held that result in mediation agreements will range between 75-85%. |

Actual Target Data for FFY12

In FFY 2012, the ODR received 361 requests for mediation, 45% of which (162) proceeded to mediation. Agreement was reached in 126 cases, or 78%. Pennsylvania met its SPP target range of 75-85%.

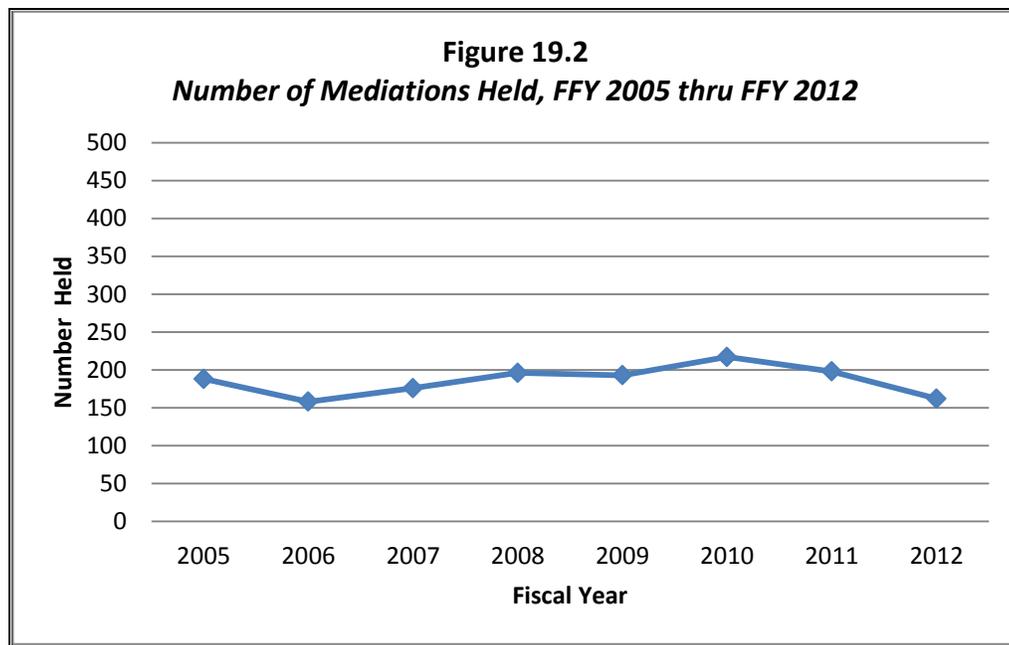
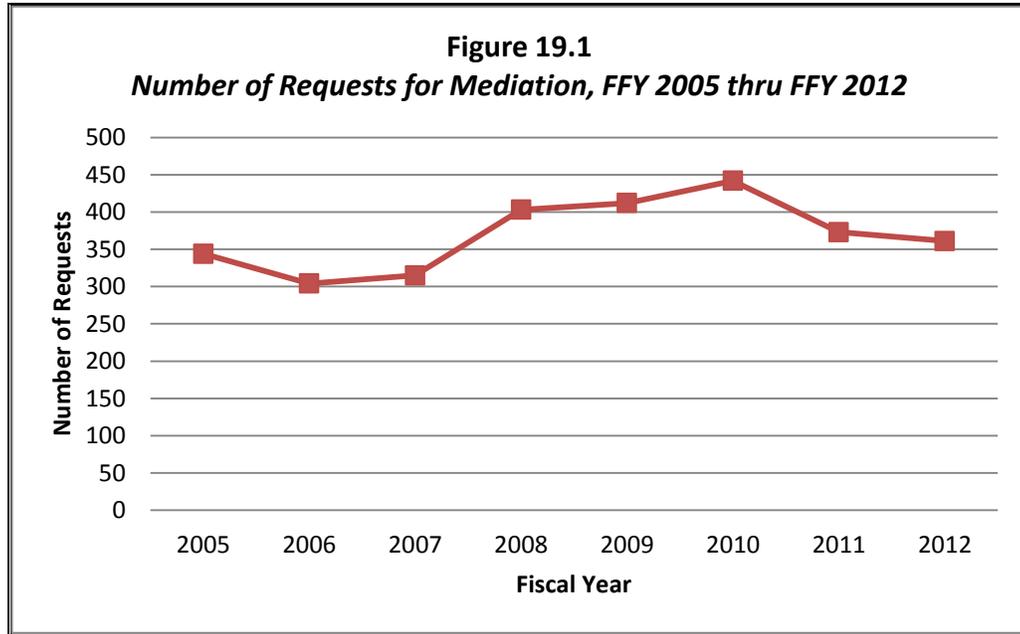
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

Although there was slight slippage from FFY 2011 to FFY 2012, Pennsylvania's mediation agreement rates have remained relatively steady for several years. The FFY 2010 rate of agreement was 76%; the FFY 2011 rate was 80%, and the FFY 2012 rate is 78%.

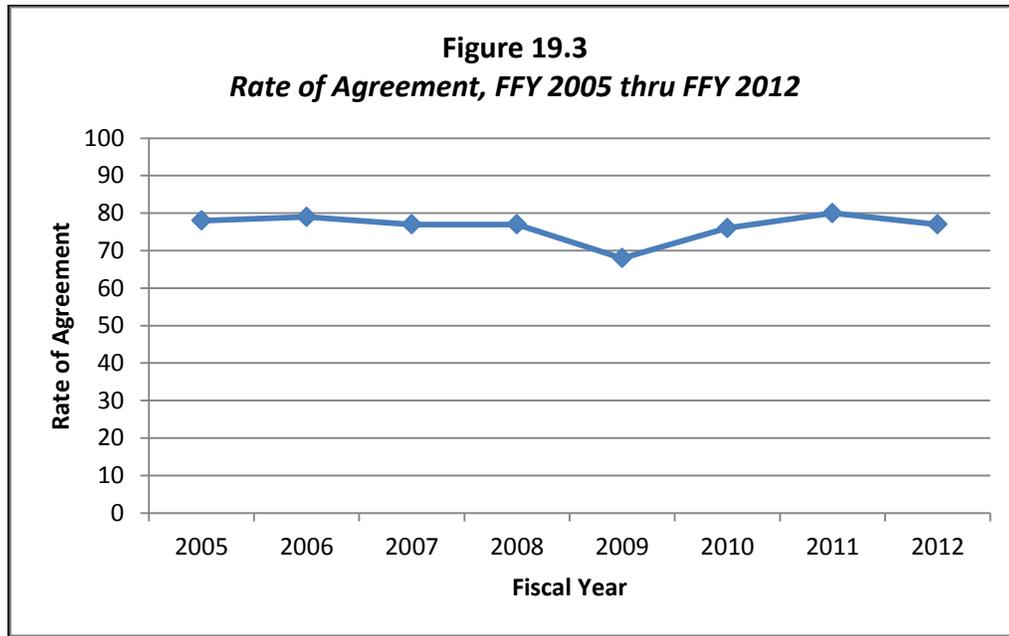
The FFY 2012 agreement rate for mediations not related to due process was 76%, while the agreement rate for mediations related to due process was 100%, an increase of 46% from FFY 2011. It is believed that the 100% agreement rate is an anomaly, since FFY 2012 data is inconsistent with prior years, where parties requesting mediation unrelated to due process were more inclined to reach agreement, as opposed to those with a pending due process hearing.

A further analysis of mediation data was conducted to identify trends (see Figures 19.1 through 19.3 below).

Figure 19.1 shows that requests for mediation were lowest in FFY 2006 and climbed steadily, reaching a peak in FFY 2010 before declining in FFY 2011 and slightly again in FFY 2012. Comparing this trend line to the trend line displayed for the number of mediations held (Figure 19.2), the lines follow a similar pattern, demonstrating consistency in the proportion of mediations across time.



With the exception of FFY 2009, the proportion of mediations held that resulted in agreements between the parties has been consistently high, near 80% (see Figure 19.3). Analysis of states' FFY 2010 Part B SPPs/APRs by CADRE concluded that over the span of the SPP, the national mediation agreement rate has remained steady, averaging 75%. CADRE's most recent SPP/APR Part B Analysis reports that the FFY 2011 national average mediation agreement rate is 75.2%. Pennsylvania's rates have exceeded 75% in all years except one.



The trends displayed in the figures above confirm the overall effectiveness of Pennsylvania’s mediation system and the improvement activities that have been designed and implemented to date. Pennsylvania continues to meet its SPP targets for this indicator.

Mediators continued to receive high quality training during the reporting period. Post mediation surveys are distributed to participants, and the results of every evaluation are shared with the assigned mediator and used to guide training agendas for mediators.

As described in indicator 18, ODR has been receiving feedback from stakeholders that facilitative processes such as resolution meeting facilitation and mediation, while useful in many circumstances, lack an evaluative component which the parties often are seeking. The data and evidence indicate that stakeholders want assistance in assessing their cases more than help in facilitating conversations. The ECC described in indicator 18 was designed to address the requests of stakeholders, and ODR is monitoring outcome data to determine whether the service is meeting stakeholder needs.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania’s FFY 2013 SPP/APR submission.

Improvement activities will continue as described in the SPP and prior APRs.

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Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement: State reported data, including 618 data, State Performance Plan, and Annual Performance Reports are:

- a. Submitted on or before due dates (first Wednesday in February for child count, including race and ethnicity; and educational environments; first Wednesday in November for exiting, discipline, personnel and dispute resolution; December 15 for assessment; May 1 for Maintenance of Effort & Coordinated Early Intervening Services; and February 1 for Annual Performance Reports).
- b. Accurate, including covering the correct year and following the correct measurement.

| FFY | Measurable and Rigorous Target |
|---------------------------|---|
| 2012 (2012-13) | Maintain 100% compliance with this indicator. |

Actual Target Data for FFY12

In FFY 2012, Pennsylvania achieved 100% compliance with the requirements for this indicator (see Attachment 2). The state submitted all required data reports complete, with high quality data, and in a timely manner.

Working with its 29 IUs, Pennsylvania continues to collect required data from school districts, charter schools and preschool early intervention programs. Data are submitted via EdFacts on or before due dates. For FFY 2012, all required reports were submitted on or before due dates. All data were accurate, including reporting the correct year and following the correct measurement.

School Age Programs (Bureau of Special Education)

Pennsylvania maintained 100% compliance with accurate submission of 618 data. Data are analyzed for each LEA and IU to ensure timely and accurate submissions. Mechanisms used to ensure accuracy include:

- updating and publishing an annual *Data Resource Guide*;
- posting all training materials, including video of trainings, FAQs, etc., online;
- conducting statewide trainings for all IU data managers and special education directors regarding submission of aggregate data tables and the December 1 Child Count collection;
- analyzing data at the IU, state data vendor, and PDE levels, addressing and correcting all flags within timelines before submission to EdFacts;
- submitting responses to requests for data notes in a timely manner after data flags are further analyzed and verified; and
- timely public reporting of LEA and statewide data, including LEA Special Education Data Reports that reflect the performance of each LEA in meeting SPP targets.

Preschool Early Intervention Programs (Bureau of Early Intervention Services)

For preschool early intervention program, BEIS supports and maintains a data management system that provides information on children and families statewide and manages all the records of children receiving early intervention services. The PELICAN data system supports referral and demographic information, coordination activities, evaluation activities, planning information, financial management, quality measures and other reporting needs for the BEIS. This data system generates documents (Evaluation and Plan Documents). Information contained in these documents is used to create reports to manage the program. One of the greatest benefits of using this information system is the development of consistent processes across all programs that ensured accurate, valid and reliable data in a timely manner.

The following mechanisms were used to ensure accurate, valid and reliable data:

- data manual/resource guides for the collection, review and reporting of data for each local program;
- all training materials and modules are available through an on-line Learning Management System for trainees. In addition, process guides, checklists and user manuals are available through the Learning Management System that provides detailed information on the requirements for reporting;
- error check processes with error reports and error check resolution;
- available training and technical assistance through EI advisors and data support staff;
- utilization of dashboards that provide a real time review of data to identify data anomalies. These dashboards can be used at both the state and local level;
- monthly distribution and analysis of data by both local programs and BEIS staff; large scale changes or inconsistencies in the data are discussed and addressed with local preschool early intervention programs;
- verification visits include a component that reviews the proficiency of local programs for data management to ensure accurate and timely data, entering data,

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and extracting and analyzing data to plan for the validation and/or remediation of systemic issues; and

- data profiles of local performance posted annually.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY12

Pennsylvania maintained 100% compliance with this indicator for FFY 2012.

School Age Programs (Bureau of Special Education)

As indicated in Pennsylvania's FFY 2010 APR, BSE worked with a committee of stakeholders to assist with the design of statewide training sessions and follow up activities at the LEA level. This group was invaluable in recommending strategies to maintain the timely and accurate submission of data at the local and state levels. Participants reviewed draft documents and recommended changes for the FFY 2012 collection and submission process; they also suggested that BSE do more frequent, regionalized training sessions to increase collaboration and communication. In addition to the regional LEA data manager's workgroup meeting format, the committee recommended a LEA team approach to training, to include special education and general education data managers, administrators, business managers and the IU data manager.

To assist LEAs in understanding all special education reporting requirements and the impact of such data, the BSE Part B Data Manager, in coordination with each IU special education data manager, hosted "Reporting Special Education Data through PennData and PIMS Information Sessions". Participants received targeted training regarding requirements for timely and accurate submission of special education student data and the impacts of such reporting on federal IDEA funding, SPP/APR Special Education Data Reports, compliance monitoring, corrective action and LEA determinations. Twenty seven regional sessions were held. Each school district and charter school was required to send participants to a session. Approximately 1,400 participants representing 520 LEAs attended this training; participants included special education supervisors, special education secretaries, PIMS administrators and other staff with responsibilities related to the collection, review, or reporting of special education data via PennData and/or PIMS. This initiative will continue in FFY 2013.

In FFY 2012, BSE continued its participation in a pilot parallel collection of special education data in the existing PennData System and PIMS. BSE continued transitioning data elements and aggregate tables throughout FFY 2012, while maintaining the PennData System to ensure congruency as well as timely and accurate data submissions. While congruency between the two systems is steadily improving, it has not yet reached the level required to eliminate the legacy collection of PennData and move solely to PIMS as the official reporting mechanism for federal EdFacts submissions. BSE personnel continue to work with the PIMS team on statewide data collections by participating in monthly calls, monthly question and answer sessions and various webinars throughout the year.

BSE advisors continued to receive on-going training regarding the Special Education Data Reports, which contributes to making the data more useful in identifying local needs and targeting resources.

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Preschool Early Intervention Programs (Bureau of Early Intervention Services)

BEIS continued to provide extensive training and technical assistance opportunities with preschool early intervention programs on the data management system throughout FFY 2012. Training and technical assistance activities occurred through on-site trainings, webinars and on-line courses. BEIS also consistently provides routine maintenance to the on-line Learning Management System to capture system functionality changes.

BEIS staff meet on a monthly basis to review updates to the data management system and discuss new implementation needs in order to assist local program in reporting valid and accurate child information. BEIS has also established a core implementation team for the data management system to develop and review statewide communications on data requirements and for analysis and development of local training needs.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY13

Targets for FFY 2013 and subsequent years will be provided in Pennsylvania's FFY 2013 SPP/APR submission.

ATTACHMENT 1
Part B Indicator 15 Worksheet

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| Indicator/Indicator Clusters | General Supervision System Components | # of LEAs Issued Findings in FFY 2010 (7/1/10 to 6/30/11) | (a) # of Findings of noncompliance identified in FFY 2010 (7/1/10 to 6/30/11) | (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. | Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other | 21 | 35 | 35 |
| 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 training program, or both, within one year of leaving high school. | Dispute Resolution: Complaints, Hearings | 4 | 9 | 9 |
| 3. Participation and performance of children with disabilities on statewide assessments. | Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other | 57 | 128 | 127 |
| 7. Percent of preschool children with IEPs who demonstrated improved outcomes. | | | | |
| 4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. | Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other | 14 | 15 | 15 |

ATTACHMENT 1
Part B Indicator 15 Worksheet

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| Indicator/Indicator Clusters | General Supervision System Components | # of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12) | (a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12) | (b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification |
|--|--|---|---|--|
| 4B. 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. | Dispute Resolution: Complaints, Hearings | 6 | 6 | 6 |
| 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 | 83 | 238 | 237 |
| 6. Percent of preschool children aged 3 through 5 – early childhood placement. | Dispute Resolution: Complaints, Hearings | 28 | 56 | 56 |
| 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 | 74 | 255 | 255 |
| | Dispute Resolution: Complaints, Hearings | 2 | 3 | 3 |

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| Indicator/Indicator Clusters | General Supervision System Components | # of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12) | (a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12) | (b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification |
|---|--|---|---|--|
| 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 | 55 | 157 | 157 |
| 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 | 2 | 2 | 2 |
| 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 | 86 | 104 | 98 |
| | Dispute Resolution: Complaints, Hearings | 15 | 25 | 25 |
| 12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. | Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other | 12 | 13 | 13 |
| | Dispute Resolution: Complaints, Hearings | 0 | 0 | 0 |

ATTACHMENT 1
Part B Indicator 15 Worksheet

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| Indicator/Indicator Clusters | General Supervision System Components | # of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12) | (a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12) | (b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification |
|---|--|---|---|--|
| 13. Percent of youth aged 16 and above with 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 service needs. | Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other | 47 | 140 | 140 |
| | 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 | | | |
| | Dispute Resolution: Complaints, Hearings | | | |
| Sum the numbers down Column a and Column b | | | 1227 | 1219 |
| Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100. | | | (b) / (a) X 100 = | 99.35% |

Attachment 2
Part B Indicator 20 Data Rubric

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| Part B Indicator 20 - SPP/APR Data | | | |
|---|---|----------------------------|--------------|
| APR Indicator | Valid and reliable | Correct calculation | Total |
| 1 | 1 | | 1 |
| 2 | 1 | | 1 |
| 3A | 1 | 1 | 2 |
| 3B | 1 | 1 | 2 |
| 3C | 1 | 1 | 2 |
| 4A | 1 | 1 | 2 |
| 4B | 1 | 1 | 2 |
| 5 | 1 | 1 | 2 |
| 6 | 1 | 1 | 2 |
| 7 | 1 | 1 | 2 |
| 8 | 1 | 1 | 2 |
| 9 | 1 | 1 | 2 |
| 10 | 1 | 1 | 2 |
| 11 | 1 | 1 | 2 |
| 12 | 1 | 1 | 2 |
| 13 | 1 | 1 | 2 |
| 14 | 1 | 1 | 2 |
| 15 | 1 | 1 | 2 |
| 18 | 1 | 1 | 2 |
| 19 | 1 | 1 | 2 |
| | | Subtotal | 38 |
| APR Score Calculation | Timely Submission Points - If the FFY 2012 APR was submitted on-time, place the number 5 in the cell on the right. | | 5 |
| | Grand Total – (Sum of the subtotal and Timely Submission Points) = | | 43 |

**Attachment 2
Part B Indicator 20 Data Rubric**

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| 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: 2/6/13 | 1 | 1 | 1 | 1 | 4 |
| Table 2 – Personnel Due Date: 11/6/13 | 1 | 1 | 1 | N/A | 3 |
| Table 3 - Educational Environments Due Date: 2/6/13 | 1 | 1 | 1 | 1 | 4 |
| Table 4 – Exiting Due Date: 11/6/13 | 1 | 1 | 1 | N/A | 3 |
| Table 5 – Discipline Due Date: 11/6/13 | 1 | 1 | 1 | N/A | 3 |
| Table 6 - State Assessment Due Date: 12/19/13 | 1 | NA | NA | N/A | 1 |
| Table 7 - Dispute Resolution Due Date: 11/7/12 | 1 | 1 | 1 | N/A | 3 |
| Table 8 - MOE/CEIS Due Date: 5/1/13 | 1 | 1 | NA | N/A | 2 |
| | | | | Subtotal | 23 |
| 618 Score Calculation | | | Grand Total (Subtotal X 1.8695) = | | 43 |

| Indicator 20 Calculation | |
|--|------------------|
| A. APR Grand Total | 43 |
| B. 618 Grand Total | 43 |
| C. APR Grand Total (A) + 618 Grand Total (B) = | 86 |
| | Total N/A in APR |
| | 0 |
| | Total N/A in 618 |
| | 9 |
| | Base |
| | 86 |
| D. Subtotal (C divided by Base*) = | 1 |
| E. Indicator Score (Subtotal D x 100) = | 100 |

*Note any cell marked as N/A will decrease the denominator by 1 for APR and 1.8695 for 618