Annual Performance Report
FFY 2010

Tennessee Department of Education
Division of Special Education and
Special Populations

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State of Tennessee

Part B Annual Performance Report for Federal Fiscal Year (FFY) 2010

Overview of the Annual Performance Report Development

The attached document is the Tennessee Department of Education (TDOE) *Part B Annual Performance Report (APR) for FFY 2010.* The APR provides information specific to measuring the State's progress on indicators identified by the United States Department of Education, Office of Special Education Programs OSEP).

Based on a determination of "needs assistance", as reported to TDOE in the OSEP SPP/APR Report of June, 20, 2011, the following technical assistance and related improvements have occurred, especially relative to **Indicator 15**: TDOE revised compliance monitoring tools and processes to ensure all individual student findings of noncompliance were tracked, that all Local Education Agency's (LEAs) corrections to individual student noncompliance were verified and that additional data were reviewed and found correct to assure the correct implementation of regulatory requirements. Technical assistance to the State provided the tools needed for these revisions. All monitoring data were collected and verifications of corrections were tracked through an Excel workbook developed by consultants with *Special Education Data Services and Information System (SPEDSIS)* and the *Mid-South Regional Resource Center (MSRRC).* The compliance monitoring system was evaluated and revised so that improvements to the system enabled the TDOE to document noncompliance data and verify the LEA's corrections at the individual student level (prong 1). Additional data were reviewed (prong 2) in all areas of noncompliance until the LEA was verified to be 100% compliant. All monitoring was conducted and corrections were verified at 100% compliance no later than 365 days from the LEA's Date of Notification. As a result of these efforts, the percent of noncompliance corrected within one year improved from 98.89% for FFY 2009 to 100% for FFY 2010.

Additionally, TDOE received technical assistance in other APR areas from the OSEP State contact, the Data Accountability Center (DAC), the National Post School Outcomes Center (NPSO), and TDOE staff from other Divisions.

Tennessee Race to the Top (RTTT) Award

Tennessee was selected, in 2010, to receive $500 million for education in the federal government's RTTT competition. These funds allow Tennessee to implement a comprehensive set of school reform plans. RTTT is an unprecedented federal investment designed to reward States leading the way in comprehensive, coherent, statewide education reform across four key areas:

- Adopting standards and assessments that prepare students to succeed in college and the workplace
- Building data systems that measure student growth and success, and inform teachers and principals how to improve instruction
- Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most
- Turning around the lowest-performing schools

TN's strategic plan for reaching RTTT reforms across these four key areas, may be found at: http://state.tn.us/education/doc/TDOE_Strategic_Plan.pdf.

To complete this document:

1. Data were gathered from Federal Data Reports, State End of Year (EOY) Reports, State and Federal statistical analysis reports, parent surveys, monitoring information, advocacy and local education agency (LEA) personnel whenever possible. The Office of Data Services reformatted some information into tables that could be used for completion of indicators.

2. All indicator chairpersons were assigned tasks specific to overall management and accountability as well as specific timelines for completion of assigned indicators. The SPP/APR Director was responsible for overall completion and submission of the final APR.

3. The Tennessee Department of Education (TDOE) SPP/APR Director contacted the State Advisory Council requesting member participation. Each chairperson was then responsible for communication with stakeholders connected to their indicator and for ensuring that all information and suggestions were considered in the development and finalization of each indicator. Staff from the TDOE's various Division's and members of the State Advisory Council provided feedback. Additionally, chairpersons were involved in establishing, updating and, in some cases, conducting improvement activities.

4. TDOE reports annually to the public on the State's progress or slippage in meeting "measurable and rigorous targets" found in the SPP/APR through the State's website. *The State Report Card,* an electronic document also found on the State's website, is available by the middle of each school year (for the previous school year) and serves to notify the public of each LEA's performance on the targets of the SPP/APR.

5. Draft indicators were submitted to the State Advisory Council on ***October 24, 2011 and January 9, 2012*** for exchange of information and review. The document was also submitted to TDOE's federal technical assistance center, Mid-South Regional Resource Center (MSRRC) in January, 2012, for review prior to the finalization of the entire document.

The APR will be publicly disseminated throughout the State via website at: www.state.tn.us/education/speced/data_reports.shtml.

Part B State Annual Performance Report (APR) for FFY 2010

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 graduation rate calculation and timeline established by the Department under the ESEA.

FFY	*Measurable and Rigorous Target*
2010	*Increase the graduation rate of students with disabilities 1.5% per year.*

Actual Target Data for FFY 2010

# of students with disabilities graduating with regular diplomas **(6,180)**
Divided by the # of students with disabilities exiting school **(7,251)**
(Students that graduated with a regular diploma or received a certificate)

6,180 / 7,251 x 100 = 85.2%

The data used to measure Indicator 1 are based on data the State is required to report to the Department under Title 1 of the Elementary and Secondary Act (ESEA) as part of its Consolidated State Performance Report (CSPR) Section 1.8.1. Data used to measure this indicator match data submitted in Section 1.8.1 of Part I of Tennessee's 2010-2011 CSPR for the subgroup of Children with Disabilities (IDEA) submitted in December 2011.

Graduation requirements that must be met for all students, including students with disabilities, to receive a regular high school diploma, are listed below:

REQUIREMENT	NUMBER OF UNITS
English	4.0
Mathematics	4.0
Science	3.0
Social Studies	3.0
Foreign Language	2.0
Fine Arts	1.0
Physical Education & Wellness	1.5
Personal Finance	0.5
Elective Focus	3.0

To earn a regular high school diploma all students must earn the prescribed 22 unit minimum and have a satisfactory attendance and discipline records.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

The ESEA graduation rate target of 90% was not met; however, TDOEs target of an increase of 1.5% per year was exceeded. Data for FFY 2010 reveals an 85.2% graduation rate of students with disabilities whereas in FFY 2009, the percentage was 67.9%. This represents a 17.3% improvement from FFY 2009. This increase may be attributed in part to the use of a National Governor's Association (NGA) adjusted cohort graduation rate. For FFY 2010, TDOE was granted approval to adjust NCLB Workbook procedures to define the graduation rate as 5 years plus any summer school terms including the summer school term after 12th grade for students with disabilities, students with limited English proficiency and students attending middle college high schools.

See http://www.ed.gov/admins/lead/account/stateplans03/tncsa.pdf (page 53)

This year, FFY 2010, the CSPR section 1.8.1 (page 61) does include the graduation rate calculation for the students with disabilities (IDEA) subgroup and that same rate is reported as the measure for this APR indicator.

Data for this Indicator for the APR submission due February 2012 reflect the State's change to NGA cohort graduation rate calculation and will be considered a new baseline.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Beginning with 2005-06 data, compare graduation rates statewide and by LEA to analyze the need for improvement. Identify LEAs with graduation rates lower than the State average for youth with IEPs.	Due to lack of a clearly defined outcome, this activity was not implemented for FFY 2010. TDOE has provided a revised improvement activity that utilizes graduation rates in more practical and measurable ways for LEAs. (See Revisions Table below.)
Award AYP grants to LEAs who failed to meet ESEA scores for High School graduation rates for students with disabilities. Note for FFY 2010: Improvements reported for this activity are now based predominately on AYP scores for SWDs.	20 LEAs were awarded AYP Grants for failing to meet AYP in reading and/or math for students with disabilities. Improvement activities on the LEA level included tutoring, parent training, teacher training and alternative programming for students suspended or placed in separate facilities. These grants support the LEAs in adopting practices that improve classroom instruction, technology integration and effective inclusion strategies designed to ensure student success. Improvements were evaluated through on-site review of expenditures, proposed strategies implementation and teacher interviews to determine the usefulness of LEA improvement activities to student progress. In order to ensure continued progress measurement, a TDOE employee was hired specifically for monitoring and evaluating these grants through on-site visits. Continue activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Secure technical assistance from the MidSouth Regional Resource Center (MSRRC) and other resources, as guided by the MSRRC, in developing new graduation rate improvement activities to be reported on in the FFY 2010 APR.	Through consideration of Technical Assistance resources, TDOE has added revisions as indicated below.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
Due to lack of a clearly defined outcome, TDOE is revising the first improvement activity above as follows: TDOE will review graduation rates, identify top performing LEAs and determine what effective graduation practices these LEAs are implementing. Selected LEAs will be contacted to share practices that have led to improved graduation rates. Dissemination will occur (e.g., panel presentation at State annual special education conference, newsletter or by some other dissemination means.)	2011-2012 and ongoing	TDOE Staff LEA Staff

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.
(20 U.S.C. 1416 (a)(3)(A))

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

FFY	*Measurable and Rigorous Target*
2010	*Decrease the dropout rate of students with disabilities1.5% per year.*

Actual Target Data for FFY 2010

# of students with disabilities who dropped out	**(2,0480)**
Divided by the # of students with disabilities in grades 9-12 in 2009-2010 school year (Students that graduated with a regular diploma or received a certificate)	**(48,229)**

2,048 / 48,229 = 4.2%

The data reported above for FFY 2010 provide the annual event school dropout rate from Title I ESEA data (CSPR section 1.8.2, page 62) for the 2009-2010 school year. This dropout rate for all subgroups reported, including the students with disabilities (IDEA) subgroup, is calculated using the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's (NCES) Common Core of Data (CCD) for the previous school year (2009-2010), as required in the instructions for CSPR section 1.8.2.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Year-to-year comparison of progress or slippage on this indicator indicates slippage of 0.9% in FFY 2010 as compared to 3.3% in FFY 2009. The State target of 1.5% decrease was not met. The increase in dropout may be attributed to the Tennessee Diploma Project that became operational during the 2009-2010 school year. New rigorous content standards, new assessments and new high school graduation requirements were implemented FFY 2009 and may have influenced the dropout rate. Another contributing factor which may have affected the dropout rate is the economy. The economy may have forced some students to leave school in order to help support their families.

Tennessee Diploma Project link: http://www.tn.gov/education/TDP/index.shtml

CSPR link: http://www2.ed.gov/admins/lead/account/consolidated/sy09-10part1/tn.pdf

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Conduct review of dropout rates for all LEAs and identify those falling above an established target for focused monitoring and development of improvement planning as warranted.	Due to lack of a clearly defined outcome, this activity was not implemented for FFY 2010. TDOE has provided a revised improvement activity that utilizes dropout rates in more practical and measurable ways for LEAs. (See Revisions Table below.)
Development of an Early Warning Data System (EWDS) for dropout prevention: This is part of Tennessee's Race To The Top Project (RTTT). The Early Warning Data System will consolidate student grades, behavior and attendance data into a dashboard for teachers and administrators to inform prevention, intervention and recovery strategies to ensure that students graduate college and career ready.	The Early Warning Data System is in the final stages of development and should be available for use by LEAs for the 2011-2012 school year. It has been announced that only data for 9th graders will be collected the first year of implementation. Activity completed. (See Revisions Table below for TDOEs plan for future reviews of the EWDS.)
Identify LEAs with highest dropout rates for students with disabilities. (20 %+). Technical assistance will then be provided for those LEAs as designed by members of the graduation-drop out taskforce. This task force is led by the special education coordinators of the State's Regional Resource Centers. TA details will be documented by the task force. Action plans relative to reducing rates will be developed and implemented and rates will be compared from year to year in order to determine if TA and action plans have been effective.	Progress was made through technical assistance provided by the task force through trainings with LEA staff and included: credit recovery, use of graduation coaches, distance learning, dual enrollment opportunities, CTE emphasis, service learning, afterschool opportunities, mentor programs, differentiated instruction, career exploration and learning style inventories. TDOE has developed new dropout prevention initiatives. The task force has completed its goals and has been disbanded. This improvement activity has been completed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
Due to lack of a clearly defined outcome, TDOE is revising the first improvement activity above as indicated below: TDOE will review dropout rates, identify top performing LEAs and determine what effective dropout prevention practices these LEAs are implementing (i.e., Work-Based Learning Programs, etc). Selected LEAs will be contacted to share prevention practices that have led to decreased dropout rates. Dissemination will occur (e.g., panel presentation at State annual special education conference, newsletter or by some other dissemination means.)	2011-2012 and ongoing	TDOE Staff LEA Staff
The EWDS provides an "early warning" about students who may be at risk of dropping out based on attendance, behavior and course completion data. Due to completion of the development phase of the EWDS (second improvement activity above), TDOE will seek to determine its effectiveness through LEA use of the system and its effects on student progress.	2011-2012 and ongoing	TDOE Staff LEA Staff

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

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

A. Percent of the districts with a disability subgroup that meets the State's minimum "N" size that meet the State's AYP targets for the disability subgroup

B. Participation rate for children with IEPs

C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards

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

Measurement:

A. AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "N" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "N" size)] times 100.

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

C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

Targets and Actual Target Data for FFY 2010

Data gathered for Indicator 3 is based on Tennessee's NCLB report for participation and proficiency rates for the Tennessee Comprehensive Assessment Program (TCAP) in FFY 2010.

FFY	***Measurable and Rigorous Targets***									
2010	*Districts Meeting AYP for Disability Subgroup (3A)*		*Participation for Students with IEPs (3B)*				*Proficiency for Students with IEPs (3C)*			
Targets for FFY 2010	78.1%		Reading		Math		Reading		Math	
			95%		95%		83.3%		74.5%	
Actual Target Data for FFY 2010	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
	9	19.2	59155	99.2	56520	99.4	59613	38.5	56868	31.2

*This note is applicable to all Participation and Performance tables in this indicator. For grades 3-8, FFY 2010 calculations regarding the number of students with IEPs assessed are based on student assessment data provided by the Office of Assessment, Evaluation and Research. High School assessments numbers are based on the total number of 10th Grade First Time Test Takers for English II and Algebra I, the total number of 9th through 12th Grades First Time Test Takers for TCAP-Alt PA English II, Algebra I, and the total number of 3rd through 8th Grade First Time Test Takers for TCAP-Alt MAAS and TCAP-Alt PA Reading/Language Arts and Math. End of Course Assessments are given at the culmination of each required course for graduation.

3.A – Actual AYP Target Data for FFY 2010

FFY	***Measurable and Rigorous Target***
2010	*A. The percent of school districts meeting Tennessee's objectives for AYP will increase to 78.1%.* *B. The participation rate for children with IEPs in a regular assessment with no accommodations; Regular assessment with accommodations; Alternate assessment against grade level standards; Alternate assessment against alternate achievement standards will continue to meet NCLB requirements of 95% participation in Reading and Mathematics.* *C. The percent of children with IEPs scoring "Proficient or Above" against grade level standards and alternate achievement standards on statewide Reading Assessments will increase to 83.3%. The percent of children with IEPs scoring "Proficient or Above" against grade level standards and alternate achievement standards on statewide Mathematics Assessments will increase to 74.5%.*

Districts with a disability subgroup that met the State's minimum "N" size AND the State's AYP target for the disability subgroup

Year FFY 2010	**Total Number of Districts**	**Number of Districts that meet the "N" size**	**Number of Districts that meet the minimum "N" size and met AYP for FFY 2009**	**Percent of Districts**
2010-2011	**136**	**47**	**9**	19.2%

3.B – Actual Participation Target Data for FFY 2010

Disaggregated Target Data for Reading Participation

TN Statewide Assessment 2010-2011		Participation Reading							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10 HS	#	%
a	Children with IEPs	9290	9653	9173	8686	8180	7921	6710	59613	
b	IEPs in regular assessment without accommodations	2096	1432	1101	772	666	709	1630	10467	17.6%
	(%)	*22.6%*	*14.8%*	*12.0%*	*8.9%*	*8.1%*	*9.0%*	*24.3%*		
c	IEPs in regular assessment with accommodations	2747	2630	2501	2561	2461	2268	4170	19338	32.4%
	(%)	*29.6%*	*27.2%*	*27.3%*	*29.5%*	*30.1%*	*28.6%*	*62.1%*		
d	IEPs in alternate assessment against modified standards	3693	4756	4796	4543	4282	4115	0	10433	17.50%
	(%)	*39.8%*	*49.3%*	*52.3%*	*52.3%*	*52.3%*	*52.0%*	*0.00%*		
e	IEPs in alternate assessment against alternate standards	699	771	723	765	703	766	799	5226	8.8%
	(%)	*7.5%*	*8.0%*	*7.9%*	*8.8%*	*8.6%*	*9.7%*	*11.9%*		
Overall Total (b+c+d+e) Participation (%)		9235	9589	9121	8641	8112	7858	6599	59155	99.2%
		99.4%	*99.3%*	*99.4%*	*99.5%*	*99.2%*	*99.2%*	*98.3%*		
Data below are included in 'a' but not included in '**b', 'c', 'd',** or **'e'**										
f	Invalid	12	13	8	4	2	3	15	57	0.1%
g	Medically Exempt	6	7	2	2	1	10	8	36	0.1%
h	ELL/R	9	8	11	2	8	5	6	49	0.1%
i	Absent	28	36	31	37	57	45	82	316	0.5%
Overall (b+c+d+e+f+g+h+i) Total Sum = 100%		9290	9653	9173	8686	8180	7921	6710	59613	100.0%
		100%	100%	100%	100%	100%	100%	100%		

3.B – Actual Participation Target Data for FFY 2010

Disaggregated Target Data for Math Participation

TN Statewide Assessment 2010-2011		Participation Math							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10 HS	#	%
a	Children with IEPs	9287	9648	9166	8685	8178	7919	3985	56868	
b	IEPs in regular assessment without accommodations	2097	1432	1102	770	666	711	717	7495	13.2%
	(%)	*22.6%*	*14.8%*	*12.0%*	*8.9%*	*8.1%*	*9.0%*	*18.0%*		
c	IEPs in regular assessment with accommodations	2747	2633	2498	2559	2455	2258	2388	17538	30.8%
	(%)	*29.6%*	*27.3%*	*27.3%*	*29.5%*	*30.0%*	*28.5%*	*59.9%*		
d	IEPs in alternate assessment against modified standards	3690	4749	4804	4548	4286	4121	0	26198	46.1%
	(%)	*39.7%*	*49.2%*	*52.4%*	*52.4%*	*52.4%*	*52.0%*	*0.0%*		
e	IEPs in alternate assessment against alternate standards	707	777	731	766	710	770	828	5289	9.3%
	(%)	*7.6%*	*8.1%*	*8.0%*	*8.8%*	*8.7%*	*9.7%*	*20.8%*		
Overall Total (b+c+d+e) Participation (%)		9241	9591	9135	8643	8117	7860	3933		56520
		99.5%	*99.4%*	*99.7%*	*99.5%*	*99.3%*	*99.3%*	*98.7%*		
Data below are included in a but not included in **b, c, d,** or **e**										
f	Invalid	9	9	0	1	2	0	15	57	0.1%
g	Medically Exempt	6	7	2	2	1	10	8	36	0.1%
h	Absent	31	41	29	39	58	49	6	49	0.1%
Overall (b+c+d+e+f+g+h+i) Total Sum = 100%		9287	9648	9166	8685	8178	7919	3985	59613	100.0%
		100%	100%	100%	100%	100%	100%	100%		

3.C – Actual Performance Target Data for FFY 2010

Disaggregated Target Data for Reading Performance: # and % of students enrolled for a full academic year with IEPs that scored proficient or higher

TN Statewide Assessment 2010-2011		Performance Reading							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	9290	9653	9173	8686	8180	7921	6710	59613	
b	IEPs in regular assessment without accommodations	807	536	474	327	178	200	401	2923	4.9%
	(%)	*8.7%*	*5.6%*	*5.2%*	*3.8%*	*2.2%*	*2.5%*	*6.0%*		
c	IEPs in regular assessment with accommodations	307	368	407	461	210	238	502	2493	4.2%
	(%)	*3.3%*	*3.8%*	*4.4%*	*5.3%*	*2.6%*	*3.0%*	*7.5%*		
d	IEPs in alternate assessment against modified standards	1745	2147	3077	2118	1808	1598	0	12493	18.8%
	(%)	678	739	706	736	675	743	764	5041	8.5%
e	IEPs in alternate assessment against alternate standards	678	739	706	736	675	743	764	5041	8.5%
	(%)	*7.30%*	*7.7%*	*7.7%*	*8.5%*	*8.3%*	*9.4%*	*11.4%*		
Overall Total (b+c+d+e) Participation (%)		3537	3790	4664	3642	2871	2779	1667	22950	38.5%
		38.1%	*39.3%*	*50.8%*	*41.9%*	*35.1%*	*35.1%*	*24.8%*		
Data below are included in a but not included in **b, c, d,** or **e**										
f	Basic	3371	3137	2967	2249	2145	2187	2427	18483	31.0%
f	Below Basic	2327	2662	1493	2750	3095	2892	2505	17724	29.7%
g	Basic + Below Basic Total	5698	5799	4460	4999	5240	5079	4932	36207	60.7%
h	Invalid	12	13	8	4	2	3	15	57	0.1%
i	Medically Exempt	6	7	2	2	1	10	8	36	0.1%
j	ELL/R	9	8	11	2	8	5	6	49	0.1%
k	Absent	28	36	31	37	57	45	82	316	0.5%
Overall (b+c+d+e+f+g+h+i) Total Sum = 100%		9290	9653	9176	8686	8179	7921	6710	59615	100.0%
		100%	100%	100%	100%	100%	100%	100%		

3.C – Actual Performance Target Data for FFY 2010

Disaggregated Target Data for Math Performance: # and % of students enrolled for a full academic year with IEPs that scored proficient or higher

TN Statewide Assessment 2010-2011		Performance Math							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	9287	9648	9166	8685	8178	7919	3985	56868	
b	IEPs in regular assessment without accommodations	1040	479	425	208	122	112	64	2450	4.3%
	(%)	*11.2%*	*5.0%*	*4.6%*	*2.4%*	*1.5%*	*1.4%*	*1.6%*		
c	IEPs in regular assessment with accommodations	423	280	383	200	169	147	229	1831	3.2%
	(%)	*4.6%*	*2.9%*	*4.2%*	*2.3%*	*2.1%*	*1.9%*	*5.7%*		
d	IEPs in alternate assessment against modified standards	1774	1905	1674	1790	822	484	0	8449	14.9%
	(%)	*19.1%*	*19.7%*	*18.3%*	*20.6%*	*10.1%*	*6.1%*	*0.0%*		
e	IEPs in alternate assessment against alternate standards	671	740	700	718	679	737	788	5033	8.9%
	(%)	*7.2%*	*7.7%*	*7.6%*	*8.3%*	*8.3%*	*9.3%*	*19.8%*		
Overall Total (b+c+d+e) Participation (%)		3908	3404	3182	2916	1792	1480	1081	17763	31.2%
		42.1%	*35.3%*	*34.7%*	*33.6%*	*21.9%*	*18.7%*	*27.1%*		
Data below are included in a but not included in **b, c, d,** or **e**										
f	Basic	3553	3720	2710	2411	2520	1807	1013	17734	31.2%
g	Below Basic	1780	2467	3243	3316	3805	4573	1839	21023	37.0%
h	Invalid	9	9	0	1	2	0	2	23	0.0%
i	Medically Exempt	6	7	2	2	1	10	8	36	0.1%
j	Absent	31	41	29	39	58	49	42	289	0.5%
Overall (b+c+d+e+f+g+h+i) Total Sum = 100%		9287	9648	9166	8685	8178	7919	3985	56868	100.0%
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%		

Reporting Information: TDOE Report Card
http://edu.reportcard.state.tn.us/pls/apex/f?p=200:1:1915830610268196

Discussion of Improvement Activities Completed and Explanation of Progress that occurred in FFY 2010

1. 19.2 percent of the districts with a disability subgroup met the State's minimum "N" size required for Tennessee's AYP disability subgroup targets. The number of districts that did not meet AYP for SWD's with IEPs may be attributed to the Tennessee Diploma Project that became operational during the 2009-2010 school year. New rigorous content learning standards, new assessments and new high school graduation requirements were implemented during FFY 2009. In July 2010, the State Board of Education adopted new achievement levels: Advanced, Proficient, Basic and Below Basic along with new cut scores. More information regarding the Tennessee Diploma Project can be found at**:**

   http://tennessee.gov/education/TDP/index.shtml

   The total participation rate of 99.3% for SWD's with IEPs in a regular assessment without accommodations, regular assessment with accommodations, alternate assessment against modified standards and alternate assessment against alternate standards exceeded NCLB's requirements of 95% for student's participation in Reading 99.2% (same as FFY 2009) and Math 99.4% (FFY 2009 was 99.1%), which is .3 higher than FFY 2009. No slippage was reported. Tennessee used actual counts of all students who were and were not assessed in FFY 2010. This allows for an accurate percentage of students with IEPs to report their results. Tennessee continues to exceed NCLB's expectations in the area of participation.

2. Reading: The percent of SWD's with IEPs scoring "Proficient or Advanced" against grade level standards, modified achievement standards and alternate achievement standards for FFY 2010 is 38.5%--up from 24.9%. Progress was made from FFY 2009 to FFY 2010; however, NCLB targets were not met due to new rigorous expectations for all students in accordance with the Tennessee Diploma project initiative.

3. Math: The percent of SWD's with IEPs scoring "Proficient or Advanced" against grade level standards, modified achievement standards and alternate achievement standards for FFY 2010 is 31.2—up from 19.9%. Progress was made from FFY 2009 to FFY 2010; however, NCLB targets were not met due to new rigorous expectations for all students in accordance with the Tennessee Diploma project initiative.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Share information gained from research through regional trainings and training modules posted on the Web.	Collaboration with several universities across the State through specified projects provide training, workshops, in-service and conferences addressing empirical evidence on accommodations, assessment, data collection and reporting, and student achievement. Some of these projects, Project RISE through the University of Memphis, and the IRIS Center for Faculty Enhancement through Peabody College at Vanderbilt University. See: http://iris.peabody.vanderbilt.edu/ for an example of information sharing in FFY 2010. This is standard operating procedure and will be discontinued as an improvement activity.
TDOE will provide statewide trainings to LEAs on standards based IEPs to facilitate improved access to the general education curriculum and environment for students with disabilities.	Progress was made on this activity through: trainings on writing Standards-Based IEPs by TDOE staff at the Annual Special Education Conference, Webinars, local regional meetings and the Annual Special Education Supervisors Institute. Continue activity.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

None		

Part B State Annual Performance Report (APR) for FFY 2010

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

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

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

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

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

If the State used a minimum "N" size requirement, report the number of districts excluded from the calculation of rates as a result of using the minimum 'N' size.

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

Definition of Significant Discrepancy and Identification of Comparison Methodology

Tennessee's definition of significant discrepancy for an LEA is defined as 2.5% or more of students with disabilities suspended or expelled for greater than 10 days in a school year. This was calculated using the comparison to the State average and compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State.

TDOE uses a minimum "N" size of 2 or more records within a district where students were suspended/ expelled for greater than 10 days in a school year This helped assure targeted LEAs that they would not be subjected to repeated annual reviews of their policies, procedures and practices because of the data resulting from one student's suspension or expulsion.

Justification for significant discrepancy revision:
As a result of TDOE training LEAs are more accurate in keeping data for suspension and expulsion and now report more often students with disabilities who have been suspended or expelled. In addition, TDOE believed some LEAs were failing to report partial-day suspensions, in-school suspensions and what can generally be described as district-assigned 'cool-off' periods. With training on the importance of this data, LEAs have increased the accuracy and frequency of these types of disciplinary data. An increase in these previously non-reported events has accounted for LEAs reporting more students with disabilities having missed 10 or more school days in a given year due to disciplinary actions.

See SPP Ind # 4A Revision (submitted 2/1/12) for additional information on this Discrepancy definition.

Actual Target Data for FFY 2010 (using 2009-2010 data)

FFY	***Measurable and Rigorous Target***
2010 *(using 2009-2010 data)*	*The percent of LEAs having a significant discrepancy in the rates of suspension/expulsion will be reduced by 1%.*

Because the definition of significant discrepancy has been revised, FFY 2010 data will be considered baseline data and no progress or slippage will be reported.

For this indicator, report data for the year before the reporting year (use 2009-2010 data).

(Actual Target Data for FFY 2010) ***16/84=19%***

LEAs with Significant Discrepancy in Rates for Suspension and Expulsion

Year	**Total Number of LEAs* that met the Minimum "N" size**	**Number of LEAs that have Significant Discrepancies**	**Percent**
FFY 2010 (using 2009-2010 data)	84	16	19%

**52 LEAs were excluded based on minimum "N" size.*

Review of Policies, Procedures, and Practices:

TDOE reviews policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA by requiring each LEA identified as significantly discrepant (2.5% or greater) to provide data and information on their policies, procedures and practices through a Self-Assessment. The completed self-assessments are reviewed by TDOE staff and decisions are made as to whether noncompliance with IDEA exists according to the following criteria:

1. Culturally appropriate behavior supports
2. Availability of services to students suspended or expelled
3. Availability of an alternative school setting and criteria for required attendance
4. Available training for personnel in PBIS, including research-based practices and a 'response to intervention' framework
5. Use of data for evaluating student needs for supports
6. Appropriateness of discipline referral procedures for all ethnic groups
7. Assurance that IEP teams consider PBIS and other strategies to address behavior in the IEP process
8. Accurate reflection of current IDEA definitions of disciplinary change of placement
9. IEP requirements and services that continue for students removed in excess of 10 school days in a school year

Utilizing the criteria listed above, 16 significantly discrepant LEAs were provided data and given a prescribed time period to complete a Self-Assessment which incorporated a review of policies, procedures and practices and review of data collection procedures. Due to various factors, only 6 LEAs have responded to the Self-Assessment. No non-compliance has been identified. A final reporting on all findings will be provided in April, 2012.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
The State will review its "significant discrepancy" definition, which is now set at a low threshold, and consider/adopt changes that will result in fewer numbers of LEAs being identified for relatively small numbers of suspensions/ expulsions. This will provide a truer representation of LEAs with needs related to suspension/ expulsion.	TDOE staff reviewed the definition and adjusted it to provide a more accurate representation of LEA needs related to suspension/expulsion. This definition will be used for FFY 2011 reporting. Activity complete
The TDOE will complete indicator #4 requirements for review of policies, procedures and practices in a timely manner by setting specific calendar dates for each step of the process including data analysis, notification to districts of analysis results and review of LEA Self Assessments for noncompliance identification.	Policies, Practices and Procedures Review timelines have been established and the review is progressing as planned. This has become standard procedure. Activity complete

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
To encourage LEAs to focus on decreasing suspension/ expulsion rates TDOE will provide discretionary grants to qualified LEAs. These grants enable them to provide additional services to staff and students to prevent undue suspension/expulsion in the future.	2011-2012 and on-going	TDOE staff LEAs awarded grant

Correction of FFY 2009 Findings of Noncompliance

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) using 2008-2009 data.	**0**
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding.)	**0**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**0**

Actions Taken if Noncompliance Not Corrected
NA

Verification of Correction (either timely or subsequent)
NA

Correction of Remaining FFY 2008 Findings of Noncompliance (if applicable)

7. Number of remaining FFY 2008 findings (identified in July 1, 2008 – June 30, 2009 using 2007-2008 data), noted in OSEP's June 1, 2011 FFY 2009 APR response table for this indicator	0
8. Number of remaining FFY 2008 findings the State has verified as corrected	0
9. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	**0**

Correction of Any Remaining Findings of Noncompliance from FFY 2007 or Earlier (if applicable)
NA

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

Statement from the Response Table	State's Response
NA	NA

Part B State Annual Performance Report (APR) for FFY 2010

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.

Definition of Significant Discrepancy and Methodology (revised from FFY 2009)

Based on technical assistance provided by OSEP and DAC, TDOE has chosen to apply the *rate ratio* calculation methodology comparing the district-level suspension/expulsion rate to the State-level suspension/expulsion rate for student with disabilities ages 3 through 21 (Comparison 1 Example 4a in the 2011 OSEP Leadership Mega Conference presentation titled "Introduction to the B4 TA Guide for Suspension and Expulsion and a Peek at the National Findings"). The State has defined significant discrepancy on Indicator 4B as LEAs with rate ratios of 2.0 or greater for any racial/ethnic group with two or more students with disabilities experiencing suspension or expulsion of more than ten days in a school year. That is, a district has a significant discrepancy when the ratio comparing its suspension/expulsion rate for students with disabilities from a racial/ethnic group to the State-level suspension/expulsion rate for all students with disabilities is 2.0 or greater. (This revision also included in SPP)

Actual Target Data for FFY 2010 (using 2009-2010 data)

FFY	***Measurable and Rigorous Target***
2010 *(using 2009-2010 data)*	*0%*

For this indicator, report data for the year before the reporting year (use 2009-2010 data).

11/136 = 8.1%

Describe the results of the State examination of the data.

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

Year	Total Number of LEAs**	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent**
FFY 2010 (using 2009-2010 data)	136	11	8.1%

**Tennessee has chosen to include the total number of LEAs in the State in the denominator.

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

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards.	Percent**
FFY 2010 (using 2009-2010 data)	136	TBD	

Review of Policies, Procedures, and Practices *(completed in FFY 2010 using 2009-2010 data)*
The process followed for review of Policies, Procedures and Practices and findings will be provided in April 2012.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that occurred in FFY 2010

Improvement Activities	Discussion of Improvement Activities
Provide LEAs with "How to" information on the use of differentiated instruction at any level by disseminating information on accessing culturally-appropriate strategies for students with IEPs.	Progress was made on this activity through provision of resources regarding differentiated instruction to LEAs utilizing websites such as IRIS Center at http://iris.peabody.vanderbilt.edu/ Continue activity

Correction of FFY 2009 Findings of Noncompliance *Do not report on the correction of noncompliance unless the State identified noncompliance as a result of the review required by 34 CFR §300.170(b).*

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) using 2008-2009 data	**NA**
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**NA**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**NA**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**NA**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**NA**
6. Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**NA**

Actions Taken if Noncompliance Not Corrected
N/A

Verification of Correction (either timely or subsequent)
NA

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

Statement from the Response Table	State's Response
NA	NA

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
None		

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

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

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; and

C. In separate schools, residential facilities, or homebound/hospital placements.

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

Measurement:

A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	***Measurable and Rigorous Target***
2010	*A) Increase to 55.5% the number of children with IEPs served inside the regular class 80% or more of the day.* *B) Decrease to 12.5% the number of children with IEPs served inside the regular class less than 40% of the day.* *C) Decrease the number of students served in separate facilities to 2.08%*

Actual Target Data for FFY 2010

A. Children with IEPs served Inside the regular class 80% or more of the day: Target met

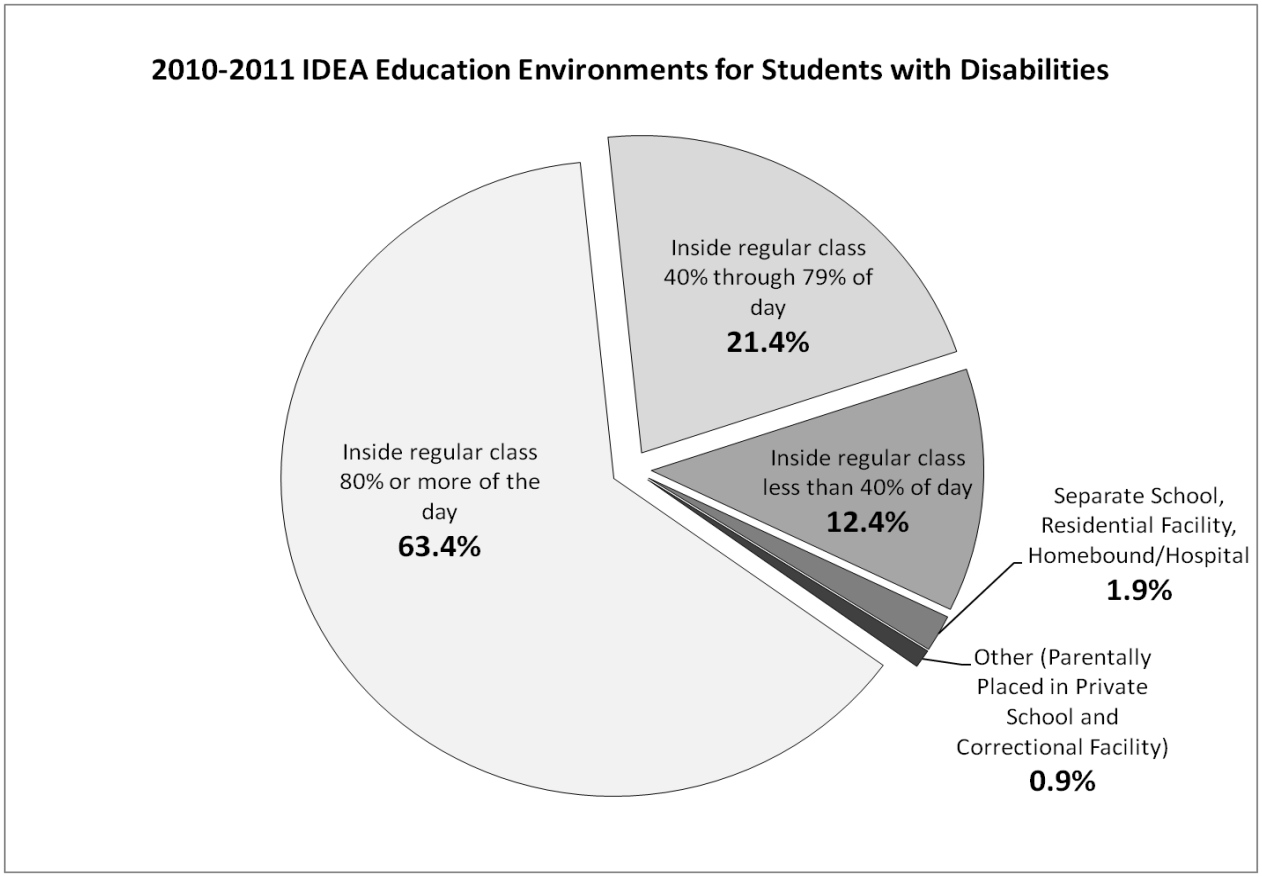
Children inside the regular class 80% or more of the day	Total number of children with disabilities	Percentage
67,929	107,167	63.4%

B. Children with IEPs served Inside the regular class less than 40% of the day: Target Met

Children inside the regular class less than 40% of the day	Total number of children with disabilities	Percentage
13,269	107,167	12.4%

C. Children with IEPs served in separate programs: Target met

Children in Separate Programs*	Total number of children with disabilities	Percentage
1,999	107,167	1.9%



* Children in separate programs include those receiving services in: separate public/private schools, public/private residential and homebound/hospital.

Source: Data from December 1, 2010 IDEA Child Count/Tennessee 2010-2011 EDFacts file N002

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

The data for the 2010-2011 school year was obtained from Table 3 of the December 1, 2010 Federal Census Report. Data reflect that 63.4% of children with IEPs were removed from Regular Class less than 21% of the day in comparison to 62.3% last school year. The State target of 55% has been met and exceeded. Data also reflects that 12.4% of children with IEPs were removed from Regular Class greater than 60% of the day in comparison to 12.6% last school year. The State target of 12.5% has been met. Children served in combined separate programs, which includes separate public/private schools, public/private residential schools and homebound/hospital placements comprised 1.9% in FFY 2010 as compared to 1.8% of children served in FFY 2009. The TDOE did meet the target.

For 2010-2011, all 136 school districts are using the statewide special education data system for reporting student level data. This consistency of data reporting provides for a high level of data accuracy as these student level data come directly from the IEP information. Tennessee continues to meet the State targets relative to this indicator. Districts in the State generally provide a continuum of placements based on the least restrictive environment.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Analyze placement data: TDOE will review and analyze placement data reported by school and districts of those LEAs awarded contracts to identify model demonstration sites using inclusionary methods and practices.	In the school year 2010-2011, 20 schools were awarded discretionary grants for inclusion. This data will serve as a baseline for tracking trend data for upcoming years. This was the first year that TDOE put measures in place to analyze inclusion grant recipients' LRE/placement data. Preliminary analysis of this data resulted in the TDOE modifying the discretionary grant application and reporting process for future grantees to enable TDOE to better identify model demonstration sites and to be more reflective of student outcomes. TDOE considers the analysis and modifications referred to above as progress for this activity. Continue activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
”Response to Intervention” Initiative: TDOE will provide multiple methods of technical assistance and training to implement multi-tiered, school-wide academic (RTI) and behavioral (PBIS) supports to enhance the capacity of general and special educators to implement research-based practices that will increase student access to the general education curriculum at grade level.	Evidence of progress on this activity is summarized below. TDOE, via the State Personnel Development Grant (SPDG), sponsored national RTI and PBIS experts as keynote speakers at its Annual Special Education Conference which was attended by over 1800 attendees. In addition, national experts provided technical assistance and guidance to State level RTI and PBIS providers to enhance statewide technical assistance efforts. The three regional SPDG RTI school consultants provided professional development (PD) and technical assistance (TA) to 1,674 participants in twenty four school districts across the three regions of the State. In addition to providing PD within school districts, SPDG staff also provided training at various conferences throughout the State to an additional 539 participants. Positive Behavioral Interventions and Supports (PBIS) and Inclusion professional development and technical assistance is provided to districts by seven institutes of higher education, namely East TN State University, Lambuth University, Middle TN State University, TN Technology University, Vanderbilt University, University of Memphis, and University of TN – Knoxville. Collectively, these IHEs delivered PBIS and inclusion professional development and technical assistance services to 78 school districts across the State, and well as attended and presented at conferences at the local, State and national level. One RTI – PBIS collaborative meeting was held in East TN to provide professional development on aligning multi-tiered levels of support in academics and behavior to maximize educational gains for ALL students. Please see revision below.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Standards Based IEPs: TDOE will provide statewide trainings to LEAs on standards based IEPs to facilitate improved access to the general education curriculum and environment for students with disabilities.	Progress made as followed: TDOE personnel provided training and professional development to six individual school districts, involving over 350 teachers. TDOE provided training to DOE staff at regional conferences and staff meetings, as well as presented at the New Special Education Supervisors Institute, TN's Annual Special Education Conference and TN's Annual Educational Leadership Conference, to disseminate this critical information to education leaders at the State and local levels. TDOE personnel are currently working on a standards based IEP rubric that will be used as a guidance tool. Continue activity.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
<u>Activity 2 Revision:</u> In order to more fully measure the enhanced capacity of educators trained, TDOE will collect data on best practices utilization through an electronic survey conducted at the end of the school year.	2011-2012 and ongoing	TDOE/SPDG Staff

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

Indicator 6: 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; 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***
2010	*The percent of preschool children with IEPs who received special education services in settings with typically developing peers (federally defined as: early childhood setting) will increase by 1%.*

Actual Target Data for FFY 2010

Not required for FFY 2010

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Individual LEA analysis will identify specific LEAs not meeting the State target of FAPE in LRE so that: a.) Immediate TA to LEAs may be planned. b.) In-service/training concerning modifications in the regular classroom for all students will be initiated. Improvement plans may be written and monitored. LEAs meeting the target may be recognized at the annual State Special Education Supervisors' Conference. East, West and Middle TN Preschool Consultants will provide training with the Special Education Office of Monitoring and Compliance to explain "federally-defined" settings.	
Collaboration with the 2005 Tennessee lottery-funded Voluntary Pre-Kindergarten classrooms initiated Fall 05 in order to increase integration of children with disabilities with typically developing peers. Request regularly scheduled meetings with the TDOE General Education Office of Early Learning and the Special Education Office of Early Childhood Preschool Department. TDOE General Education Office of Early Learning will be invited to all Special Education early childhood initiatives and meetings. TA provided by Special Education Preschool Consultants with General Education Early Learning Consultants as needed. Special Education Preschool representative will serve on the Gen Ed Voluntary Pre-Kindergarten Advisory Council.	

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Collaboration between TN SIG Early Childhood grantees with TDOE pre-school consultants to encourage integration of children with disabilities with typically developing peers in SIG preschools and "feeder" preschools. Face to face meeting during the TN Special Education Fall and Spring Staff Retreats Joint visits/trainings/TA when appropriate.	
Collaborate with Head Start, Title I, and other 3 STAR/Nationally accredited community child care centers to increase inclusionary practices. Initiate and establish relationships with agencies; document through monthly activity logs. Provide training/TA as requested and needed.	
Data verification to include: • Training on data collection and data entry • Regular report tracking • Formal verification of data • Ongoing communication between State and locate LEAs • LEA training on TEIDS data system • Site visits as needed	

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Proposed Targets	Improvement Activities	Timelines	Resources
None			

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

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

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

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

C. Use of appropriate behaviors to meet their needs.

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

Overview of Issue/Description of System or Process: Updated FFY 2010

Measurement:

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

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

C. Use of appropriate behaviors to meet their needs:

Progress categories for A., B., and C.

Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.

Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

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

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

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

Summary Statements for Each of the Three Outcomes (use for FFY 2010 and FFY 2011 reporting):

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

Measurement for Summary Statement 1: Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children

reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

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

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

Measurable and Rigorous Targets

Summary Statements	Actual FFY 2009 (% of children) N=1128	Actual FFY 2010 (% of children) N=2460	Targets FFY 2010 (% 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.	91.7%	90.8%	92.2%
2. The percent of children who were functioning within age-expectations in Outcome A by the time they exited the program.	57.4%	61.3%	57.9%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication and early literacy):			
1. Of those children who entered or exited the program below age-expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program.	89.5%	89.4%	90.0%
2. The percent of children who were functioning within age-expectations in Outcome B by the time they exited the program.	55.7%	59.2%	56.2%
Outcome C: Use of appropriate behaviors to meet their needs			
1. Of those children who entered or exited the program below age-expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program.	92.6%	91.3%	93.1%
2. The percent of children who were functioning within age-expectations in Outcome C by the time they exited the program.	68.0%	71.1%	68.5%

a-e Progress Data for Preschool Children FFY 2010

There have been a total of 2460 students for whom entrance and exit data now have been collected from LEAs. The tables below report progress data for those students.

A. Positive social-emotional skills (including social relationships):	**Actual FFY 2010-2011 (# and % of children)**		**Actual FFY 2009-2010 (# and % of children)**	
a. Percent of children who did not improve functioning.	20	1%	10	1%
b. Percent of children who improved functioning, but not sufficient to move nearer to functioning comparable to same-aged peers.	168	7%	69	6%
c. Percent of children who improved functioning to a level nearer to same-aged peers, but did not reach it.	763	31%	402	36%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers.	1084	44%	475	36%
e. Percent of children who maintained functioning at a level comparable to same-aged peers.	425	17%	172	15%
Total	N = 2460	100%	N = 1128	100%

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	**Actual FFY 2010-2011 (# and % of children)**		**Actual FF 2009-2010 (# and % of children)**	
a. Percent of children who did not improve functioning.	30	1%	8	1%
b. Percent of children who improved functioning, but not sufficient to move nearer to functioning comparable to same-aged peers.	187	8%	90	8%
c. Percent of children who improved functioning to a level nearer to same-aged peers, but did not reach it.	787	32%	402	36%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers.	1041	42%	437	39%
e. Percent of children who maintained functioning at a level comparable to same-aged peers.	415	17%	191	17%
Total	N = 2460	100%	N = 1128	100%

C. Use of appropriate behaviors to meet their needs:	**Actual FFY 2010-2011 (# and % of children)**		**Actual FFY 2009-2010 (# and % of children)**	
a. Percent of children who did not improve functioning.	23	1%	9	1%
b. Percent of children who improved functioning, but not sufficient to move nearer to functioning comparable to same-aged peers.	132	5%	53	5%
c. Percent of children who improved functioning to a level nearer to same-aged peers, but did not reach it.	556	23%	299	27%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers.	1075	44%	482	43%
e. Percent of children who maintained functioning at a level comparable to same-aged peers.	674	27%	285	25%
Total	N = 2460	100%	N = 1128	100%

Discussion of Summary Statements and a—e Progress Data for FFY 2010

By the end of FFY 2008 all LEAs were trained on the reporting requirements for ECO. All LEAs were required to begin entering ECO data into the State data base (Easy IEP) July 1, 2009. As a result of data being reported in the State data base (Easy IEP), TDOE has the ability to review and drill down ECO data to conduct analyses at the State and local level. A preliminary analysis of ECO data was conducted at the State level for FFY 2010 as follows:

Discussion of Summary Statements

TDOE established its baseline and targets in FFY 2009. TDOE reports the State exceeded three of its six targets (Outcome A, Summary Statement 2; Outcome B, Summary Statement 2; Outcome C, Summary Statement 2) based on ECO data collected for FFY 2010.

TDOE reports progress in comparison with FFY 2009 data for three of the six measurements (Outcome A, Summary Statement 2; Outcome B, Summary Statement 2; and Outcome C, Summary Statement 2). TDOE reports slippage in comparison with FFY 2009 data for three of the six measurements (Outcome A, Summary Statement 1; Outcome B, Summary Statement 1; Outcome C, Summary Statement 1).

TDOE will continue to review and analyze data for Outcome A, Summary Statement 1; Outcome B, Summary Statements 1; and Outcome C, Summary Statement 1 to determine data trends. The analysis will include data comparisons at the local and State level to determine if slippage is a result of training needs at the local level or if it can be attributed to the increase in N-size annually.

Discussion of a-e Progress Data

The a-e progress data has been analyzed to compare data and determine trends from FFY 2009 to FFY 2010. This analysis across all three outcomes reveals that the percentage of ‘a’ has remained at 1% for the past two years and this corresponds with TDOE’s expectations as the percentage of students who did not improve functioning is anticipated to be extremely low. Another trend identified is the percentages for ‘d’ have remained the highest reported for the past two years, while the percentages for ‘c’ follow as the second highest. TDOE will continue to examine these data and determine if this parallels appropriate expectations for the a-e categories.

In addition, the percentages of ‘b’ and ‘e’ have closely aligned for the past two years. However, the percentages of ‘e’ for Outcome C are somewhat higher than the percentage of ‘e’ for Outcomes A and B. This trend has been noted for the past two years. As a result, TDOE staff will continue to track data for outcome C, specifically focusing on children in category (e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers). This continued analysis will be completed to determine if additional training of local programs is necessary.

As a result of the preliminary analysis of ECO data at the State level for the summary statements and a-e progress categories, variances were observed. As the N size will continue to increase each year, TDOE anticipates having more meaningful information for the 2014 APR as there will have been three years for both entrance and exit data collection. TDOE recognizes a need for technical assistance in drawing conclusions from data, in determining the validity of State targets established in FFY 2009 in utilizing data reports to analyze data at the State and local level and in developing data analysis training for State and local staff as documented in the improvement activities for FFY 2011.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
To improve the quality of data and programs and services, training will be provided during Annual Special Education Conference.	Intensive data quality training on Early Childhood Outcomes occurred at the 2011 Special Education Conference. As this activity is standard operating procedure, it will be discontinued as an improvement activity.
To improve the quality of data, the three remaining TEIS POE staffs will be trained and LEAs were included in the three regional trainings.	The three regional trainings have been completed. Data quality has improved significantly as indicated by the increase of the N size. As this activity is standard operating procedure, it will be discontinued as an improvement activity.
Data will be shared from the Part C database (TEIDS) to the Part B database (Easy IEP) to include TEIS transition and early childhood outcomes data and specific to children transitioning from TEIS- to improve data quality. This activity is also designed to improve the quality of programs and services in order to enhance children's outcomes. TDOE anticipates improved data sharing will better facilitate quality transition steps and services.	Data sharing from Part C to Part B has been fully implemented and includes ECO data in order to enhance the early childhood transition process from Part C to Part B. This sharing of data has been integrated into a bi-monthly standard operating procedure and will be discontinued as an improvement activity.
ECO forms and training materials will be provided to LEA staff electronically in order to improve the quality of data, programs, services and children's outcomes.	Forms and training materials were provided to LEA attendees following all regional and statewide trainings. Attendees utilized these materials in training all local staff. This is now standard operating procedure and will be discontinued as an improvement activity.
LEAs will be trained to run the ECO Report and verify data to improve the quality of data, programs,services, and children's outcomes.	Progress has been made as training and technical assistance has been provided to LEAs regarding how to run ECO Reports. However, TDOE staff determined through individualized technical assistance with LEA staff that ECO reports were not being utilized or reviewed. Additional training and technical assistance will be provided to LEAs through 2013 to ensure accuracy in reviewing and verifying data. Continue activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Technical assistance on ECO processes will be provided to LEAs as needed based on review of data to improve data quality.	Technical assistance was provided to LEAs regarding ECO processes. Additional training and technical assistance will be provided to LEAs through 2013. Progress made. Activity completed.

Revisions, with Justification, to Proposed Targets (see SPP) / Improvement Activities / Timelines / Resources for FFY 2011

The State reviewed the effectiveness of SPP/APR Targets and Improvement Activities, including Timelines and Resources outlined in the State Performance Plan (SPP). In an effort to improve results, the TDOE added the additional new improvement activities. The SPP has been updated with these new activities.

Activities	Timeline	Resources
Addition of compliance symbols in the Part B database (Easy IEP) to improve the quantity and quality of Early Childhood Outcomes data. The compliance symbols will alert LEA staff to collect and enter ECO entrance and exit data for children. This will ensure that ECO data is entered for all children ages three through six.	September 2011 and continuing through 2013	TDOE Staff, Public Consulting Group (PCG)
Provide Early Childhood Outcomes Frequently Asked Questions document to reflect changes in procedures and implementation of compliance symbols. The dissemination of the ECO Frequently Asked Questions document to all LEAs will provide the opportunity for TDOE to clearly communicate information regarding the compliance symbols. This will further ensure that ECO data is entered for all children ages three through five.	January 2012 and continuing through 2013	TDOE Staff

Activities	Timeline	Resources
As the State's N size increases, TDOE will request technical assistance to develop strategies for future data analysis for annual performance reporting and for the development of meaningful improvement activities impacting early childhood outcomes and preschool programs.	Begin November 2011 and continuing through 2013	TDOE Staff, Part B, 619 OSEP State Contact, Mid-South Regional Resource Center

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	*Measurable and Rigorous Target*
2010	*The percentage of parents reporting that the schools facilitated their involvement as a means of improving services and results for children with disabilities will be at least 97%*

Actual Target Data for FFY 2010

During FFY 2010 school year, the *Parent Survey* was administered to all parents of students with disabilities ages 3 through 21 in 37 LEAs selected by sampling by the Division of Special Education. The State's three largest LEAs participate in this survey each year. In FFY 2010 a total of 26,914 surveys were distributed to parents. There were 4,805 survey responses with usable data for a response rate of 17.9% (4,805 / 26,914). Item one on the survey queried parents regarding schools facilitation of parent involvement. Of the 4729 parents responding to item one, 4308 or 91.1% (4,729 /4308) agreed that the schools facilitated their involvement as a means of improving services and results for children with disabilities. The State target of 97% was not met.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that occurred for FFY 2010

<u>Analysis:</u>
The most positive survey results revealed that parents are interested in what their children are doing on a daily basis in the school environment. These results might be attributed to the presence of increased coaching staff within the LEAs, trainings provided by TDOE, and partnership with the States' Parent Training and Information Center (i.e., STEP Inc.). One of the lowest response rates from the survey was in the area of the schools not offering enough training for parents regarding special education issues. TDOE is addressing this need through various improvement activities as documented in the revisions table at the end of this indicator.

Collection:
TDOE is working with a contractor, East Tennessee State University (ETSU), to administer the survey. The two different methods of soliciting parent surveys are described below:

1. Direct Email to Parents: Parents who had e-mail addresses were directly emailed and provided a URL to take the survey on the Web. Information from the State, in letter form, in both English and Spanish, was attached explaining the survey. Additionally, parents could choose to print, complete and return a hard copy of the survey by US mail. An e-mail was sent two additional times to remind parents to complete the survey.
2. Mailing of Survey Packets to Special Education Directors: Special Education Directors were mailed quantities of paper surveys with student name, district, school, and numeric identifier so ETSU knows who responds, with postage paid envelopes and letters to parents explaining the survey in English and Spanish. These were distributed to school principals who were asked to disseminate the surveys to students to be taken home to parents. (The accompanying letter provided parents a URL as an alternate means of completing the survey if the parent did not want to complete the hard copy.)

Federal Fiscal Year	Parent Response Rate
Surveys Conducted by School Districts	
2006	33.0%
2007	28.2%
Surveys Conducted by State Contractor	
2008	15.3%
2009	18.5%
2010	17.9%

In FFY 2006 and FFY 2007, TDOE achieved higher response rates by sending the survey home to parents of “all” students. As this was conducted by LEA staff manually, the results may not be as accurate.

In FFY 2008 three methods were utilized to distribute surveys. Email and direct US mail, as well as take home surveys in hopes of assuring delivery to more parents, however a sampling of students was used instead of a census method and a lower response rate was the result. In FFY 2009 and FFY 2010, email and take home surveys were the methods utilized and again a lower response rate was the result. The TDOE divides the systems into a 4 year cycle with the exception of the 3 largest districts and this could be another reason for the fluctuations for the lower response rates.

Representativeness
The table on the next page provides summary representativeness data on all FFY 2010 *Parent Survey* respondents. The calculation, borrowed from the National Post-School Outcomes Center, compares the respondent pool of parents against the targeted group of parents. Did the respondents represent the entire group of parents that could have responded to the survey? The difference row compares the two proportions (target proportion against respondent proportion) by selected attributes including: child disability, child gender, and child minority race/ethnicity status. Cells in the difference row that are > +/- 3%, indicate that the respondent group over or under represents the entire group of targeted respondents. For this *Parent Survey* parents of minority students were under represented in the respondent group (-7.46%) as were parents of children with learning disabilities (-6.00%). Parents of students from all other (non-listed) disability groups were over represented in the respondents (5.62%).

Note that this representation is compared to the population of parents of students with disabilities within this cycle of districts, plus parents in the very large (>50,000 students). This data is for FFY 2010.

NPSO Response Calculator	Representativeness								
	Overall	LD	ED	MR	AO	Female	Minority	ELL	Dropout
Target Leaver Totals	26,914	10,525	854	1,842	13,693	8,802	8,011	0	0
Response Totals	4,806	1,591	129	371	2,715	1,624	1,072	0	0
Target Leaver Representation		39.11%	3.17%	6.84%	50.88%	32.70%	29.77%	0.00%	0.00%
Respondent Representation		33.10%	2.68%	7.72%	56.49%	33.79%	22.31%	0.00%	0.00%
Difference		-6.00%	0.49%	0.88%	5.62%	1.09%	-7.46%	0.00%	0.00%

Note: Positive difference indicates over-representation, negative difference indicates under-representation. A difference of greater than +/-3% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates and Non-response Bias, found on the NPSO website at http://www.psocenter.org/collecting.html

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

Statement from the Response Table	State's Response
The State reported that the response group was not representative of the population. In the FFY 2010 APR, the State must report whether its FFY 2010 data are from a group representative of the population, and if not, the actions the State is taking to address this issue.	For FFY 2010, TDOE has worked with the survey administrator to increase response rates and representativeness of respondents by directly e-mailing parents multiple reminders to submit responses on-line or in hard copy. Additionally LEAs resend surveys to parents who have not submitted their responses by established deadlines. TDOE believes that these efforts to increase response rate and influence representativeness have been helpful as evidenced by slight changes in percentages of certain respondent groups from one survey year to the next. Based on these efforts, the results reported in the representativeness table above are representative of the State to the best extent possible.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Require LEAs to develop an improvement plan as needed based on survey results. This plan should facilitate increased parent involvement in educational programs for children and could include training, general information, home learning activities, etc. using a tool such as a newsletter.	The survey was completed in the spring of 2010. Improvement plans were based on survey results. In the Fall of 2010 LEAs were required to develop and submit improvement plans* to address the three survey items with the least favorable responses by parents. Plans submitted were reviewed by TDOE staff for adherence to survey deficit areas and found to be acceptable. Through these plans, LEAs provided written assurance that survey results were used to address documented parental concerns. *NOTE: After looking closely at the patterns of FFY 2010 data, TDOE has decided that each LEA would address the same 3 survey questions for 2010—2011 (items 1, 7, and 8), instead of allowing LEAs to select their three least favorable response items on which to build their improvement plans. Progress made. Continue activity.
Partner with Tennessee Parent Information and Resource Center, STEP, Inc., which is the Tennessee PTI, in the development of improved statewide parental involvement activities/trainings, etc. This partnership to include customization of technical assistance and trainings for parents in selected LEAs based on actual survey results and the needs areas identified by those results.	A partnership was formed with STEP, Inc. in order to improve parental involvement in activities and trainings. Trainings were conducted in LEAs across the State which were customized to the specific needs of each LEA. Progress made. Continue activity.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
The TDOE will review improvement plans and keep on file to determine if survey response rates and results have increased once the four year survey cycle has rotated back to these LEAs. This will be done on a yearly basis with the 3 largest LEAs.	2011—2012 School Year and ongoing	TDOE Staff
TDOE will periodically provide all LEAs with activities accumulated from collected improvement plans. In order to provide LEAs with a source of successful improvement activities on which to base their future plans.	2011—2012 School Year and ongoing	TDOE Staff
The TDOE will maintain the same target percentage for survey question1 until that target can be accomplished over a 4 year cycle. TDOE has raised the percentage each year for question 1 and has not yet reached the target.	2011—2012 School Year and ongoing	TDOE Staff
TDOE will reword selected survey questions before the next survey is done to enhance respondent comprehension of questions. The goal of this activity will be to obtain more accurate survey responses/results.	2011—2012 School Year and ongoing	TDOE Staff
TDOE will accumulate LEAs written survey comments from parents (positive and negative) and send to the associated LEAs in order to make them more aware of specific concerns and modify on-going improvement activities as needed.	2011—2012 School Year and ongoing	TDOE Staff

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Disproportionality

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

(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

Criteria (Definition) of Disproportionate Representation

Tennessee utilized the Westat spreadsheet for calculating both Relative Risk Ratio (RRR) and Weighted Risk Ratio (WRR) on district race and ethnicity data. With FFY 2010 data the following methodology was used to calculate and examine data for disproportionate over- and/or underrepresentation in special education and related services that were the result of inappropriate identification.

Overrepresentation in Special Education and Related Services

1. The October 1 Enrollment data (from CCD, EDEN file N052) and December 1 IDEA Child Count data (from EasyIEP) were used in the disproportionate representation calculations for each of Tennessee's 136 school districts and 4 State Special Schools (140 LEAs).
2. Both Relative Risk Ratios and Weighted Risk Ratios were generated for all LEAs based on the number of students receiving special education and related services in each LEA for reporting race/ethnicity categories of Hispanic/Latino, American Indian/Alaska Native, Asian, Black, Hawaiian/Pacific Islander, White and 2+ (multiple race/ethnicities).
3. Each school district was examined for the seven race/ethnicity student sub-groups to determine if the district's identification of students receiving special education and related services met each of the following three criteria:
   a. Both a relative risk ratio (RRR) and a weighted risk ratio (WRR) of 3.00 or higher;
   b. Student sub-group enrollments by race/ethnicity that are at least 5% of the district's total enrollment and have a N count equal to or greater than 50; and
   c. A minimum Child Count of 45 students in the district receiving special education and related services. The *N* of 45 is the *N* used for adequate yearly progress (AYP) for student subgroups. It is found in Tennessee's NCLB Accountability Workbook (http://www.ed.gov/admins/lead/account/stateplans03/tncsa.pdf) on page 28 which states: "In calculating AYP for student subgroups, 45 or more students must be included to assure high levels of reliability".

Districts that were found to have met the above criteria were considered to have statistical disproportionate overrepresentation of students receiving special education and related services in the race/ethnicity sub-group examined.

Underrepresentation in Special Education and Related Services

1. The October 1 Enrollment data (from CCD, EDEN file N052) and December 1 IDEA Child Count data (from EasyIEP) were used in the disproportionate representation calculations for each of Tennessee's 136 school districts and 4 State Special Schools (140 LEAs).

2. Both Relative Risk Ratios and Weighted Risk Ratios were generated for all LEAs based on the number of students receiving special education and related services in each school district for the seven federal reporting race/ethnicity categories of Hispanic/Latino, American Indian/Alaska Native, Asian, Black, Hawaiian/Pacific Islander, White and 2+ (multiple race/ethnicities).

3. Each school district was examined for the seven race/ethnicity student sub-groups to determine if the district's identification of students receiving special education and related services met each of the following three criteria:

   a. Both a relative risk ratio (RRR) and a weighted risk ratio (WRR) of .30 or lower;
   b. Student sub-group enrollments by race/ethnicity that are at least 5% of the district's total enrollment and a count equal to or greater than 50; and
   c. A minimum Child Count of 45 students in the district receiving special education and related services. The *n* of 45 is the *n* used for adequate yearly progress (AYP) for student subgroups. It is found in Tennessee's NCLB Accountability Workbook (http://www.ed.gov/admins/lead/account/stateplans03/tncsa.pdf) on page 28 which states: "In calculating AYP for student subgroups, 45 or more students must be included to assure high levels of reliability".

Districts found to have met the above criteria were considered to have disproportionate underrepresentation of students receiving special education and related services in the race/ethnicity examined.

Compliance Desk Audit Criteria for LEAs *"At-Risk"* for Disproportionate Representation

Districts that met the RRR and WRR criteria for overrepresentation of ≥ 3.00 where the total N Count for the number of students receiving special education and related services was ≥ 45 and the student racial/ethnic sub-group enrollment was between 3.00% and 4.99% with a N Count for that student sub-group of at least 350 received a Compliance Desk Audit and, if warranted, received a focused monitoring to determine if the disproportionate representation was the result of inappropriate identification.

Districts that met the RRR and WRR criteria for underrepresentation (≤ 0.30) where the total N Count for the number of students receiving special education and related services was ≥ 45 and the student racial/ethnic sub-group enrollment was between 3.00% and 4.99% with a N Count for that student sub-group of at least 350 received a Compliance Desk Audit and, if warranted, received a focused monitoring to determine if the disproportionate representation was the result of inappropriate identification.

FFY	*Measurable and Rigorous Target*
2010	*The percent of school districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification in FFY 2010 will be 0%.*

Actual Target Data for FFY 2010

In FFY 2010, two districts were identified with disproportionate representation of students receiving special education and related services based on the application of criteria defined in this indicator. These districts were determined not to be disproportionate as the result of inappropriate identification. Therefore, in FFY 2010 through the examination of disproportionate representation data, 0 of Tennessee's 140 LEAs were identified with disproportionate representation of racial and ethnic groups in special education and related services as the result of inappropriate identification.

Districts with Disproportionate Representation of Student Racial and Ethnic Sub-Groups receiving Special Education and Related Services that was the Result of Inappropriate Identification

Year	Total Number of LEAs	Number of LEAs with Disproportionate Representation	Number of LEAs with Disproportionate that was the Result of Inappropriate Identification	Percent of LEAs
FFY 2010 (2010-2011)	140	2	0	0.00%

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that occurred for FFY 2010

<u>LEA Self-Assessment and Review of Practices, Policies and Procedures</u>

In FFY 2010 there were two (2) statistical findings of disproportionate representation. The 2 districts identified with statistical disproportionate representation were required to conduct and submit to the SDE a self-assessment of the district's policies, procedures, and practices for identification of children with disabilities as described in the *Tennessee Rubric for the Examination of Practices, Policies and Procedures Self-Assessment (TnREpppSA)*. This self-assessment was rated by a team of Special Education professionals and the results determine if the LEA's disproportionate representation was the result of inappropriate identification of the identified student sub-groups **r**eceiving special education and related services.. This data is documented below in Table 1.

Table 1: Indicator 9 – FFY 2010 LEA Count of Disproportionate Representation		
Race/Ethnicity	**Over**	**Under**
Hispanic/Latino	**0**	**2**
American Indian/Alaska Native	**0**	**0**
Asian	**0**	**0**
Black	**0**	**0**
Hawaiian/Pacific Islander	**0**	**0**
White	**0**	**0**
2+ (Multiple Race/Ethnicities)	**0**	**0**

Self-Assessment Process Description: Determination of Disproportionate Representation as the Result of Inappropriate Identification

LEAs that met the statistical criteria for disproportionate representation were required to conduct a self-assessment of policies, practices, and procedures and submit to the State for review. A team of Tennessee DOE personnel from the Office of Special Education reviewed and rated the LEAs' self-assessments for compliance with appropriate identification policies, procedures and practices. Ratings were made independently by each team member and resulted in greater than 90% reliability among reviewer ratings for the six focus areas required in the self-assessment. The content of the *TnREpppSA* includes self-assessment reviews relevant to both disproportionate overrepresentation and underrepresentation. All review ratings were based on the *TnREpppSA Reviewer Guidelines.* The *TnREpppSA Reviewer Guidelines* provide ratings of 4.00 (Exemplary), 3.00 (Adequate), 2.00 (Partially Adequate) and 1.00 (Inadequate). Additionally, these guidelines provide guidance for each response item which documents the basis of the item as legal, regulatory and compliance or as "best practices". Any districts with a total rating of less than 3.00 (Adequate) are determined to have *disproportionate representation as the result of inappropriate identification*. The overall self-assessment ratings for the two LEAs identified with disproportionate representation in special education and related services were 4.0 (Exemplary).

When a LEA is determined to have disproportionate over- or underrepresentation as the result of inappropriate identification, it is required to correct the noncompliance, including revisions of deficient policies, procedures and practices and to report on these revisions publicly by including the requisite *Disproportionality Plan of Improvement (DispPI)* in the school district's *Tennessee Comprehensive School Performance Plan (TCSPP)*. All data examined in this determination, the *Process Description*, the *TnREpppSA* and *TnREpppSA Reviewer Scoring Guidelines* as well as other documents developed for disproportionality located online at http://www.tn.gov/education/speced/monitor_compl.shtml.

LEAs Excluded in FFY 2010 from Review and Analysis of Disproportionate Representation

Two (2) of Tennessee's 140 LEAs were excluded from the calculation for the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. These districts did not meet the minimum N size requirement of at least forty-five (45) for the number of students receiving special education and related services.

LEAs Identified to be At-Risk for Disproportionate Representation

Based on the At-Risk Review criteria for both underrepresentation and overrepresentation, there were zero (0) districts that met the RRR and WRR criteria where the total N Count for the number of students receiving special education and related services was ≥ 45 and the student racial/ethnic sub-group enrollment was between 3.00% and 4.99% with a N Count for that student sub-group of at least 350.

All data reviewed and analyzed for the identification of disproportionate representation is posted on the special education assessment web page at http://www.tn.gov/education/speced/monitor_compl.shtml in the following documents:

- *Summary Data FFY 2010 – Disproportionate Overrepresentation Summary Data*
- *Summary Data FFY 2010 – Disproportionate Underrepresentation Summary Data*

The State posted all of the Exemplary Self-Assessments (3.75 to 4.00) from the previous year's self-assessments (FFY 2009) on the web at http://www.tn.gov/education/speced/monitor_compl.shtml to serve as a technical assistance tool for LEAs conducting the self-assessment for FFY 2010.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Conduct an internal review of the statistical process and data analysis incorporating trend analysis of statistical disproportionate representation over the last five years in order to adjust, if needed, the efficacy of the criteria for disproportionate representation (e.g., Weighted Risk Ratio and Relative Risk Ratio values).	Data from the current disproportionate representation analysis and the disproportionate representation data from the previous five years have been documented for comparisons. As a result of this analysis, there were some minor changes made to the self-assessment instrument (TnREpppSA). Additionally, changes were made in the criteria used to determine LEAs that are at-risk for disproportionate representation. The Desk Audit Questionnaire for the at-risk LEAs was revised to be more relevant for the at-risk criteria. Internal review and analysis of trend data will be annual and ongoing over a period of 5 years. Progress made. Continue activity.

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%)
Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 100%

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	**0**
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**0**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**0**

Actions Taken if Noncompliance Not Corrected

For FFY 2009 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

NOT APPLICABLE

Verification of Correction (either timely or subsequent)

For States that Reported Less than 100% Compliance for FFY 2009 for Indicator 10:
As specified in OSEP's June 1, 2011 FFY 2009 SPP/APR Response Table, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR that the districts identified in FFY 2009 or, if applicable districts identified in FFY 2009 based on FFY 2008 data, with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.
NOT APPLICABLE

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009
NOT APPLICABLE

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

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts regarding this indicator.	No Response Required

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resource
None		

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Disproportionality

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

(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.

Criteria (Definition) of Disproportionate Representation

Definition of "Disproportionate Representation"

Tennessee utilized the Westat spreadsheet for calculating both Relative Risk Ratio and Weighted Risk Ratio on district race and ethnicity data. With FFY 2010 data the following methodology was used to calculate and examine data for disproportionate over- and/or underrepresentation in the six identified high incidence disabilities of intellectual disabilities, specific learning disabilities, emotional disturbance, speech and language impairments, other health impairments and autism.

<u>Overrepresentation in a Disability Category</u>

1. The October 1 Enrollment data (from CCD, EDEN file N052) and December 1 IDEA Child Count data (from EasyIEP) were used in the disproportionate representation calculations for each of Tennessee's 136 school districts and 4 State Special Schools (140 LEAs).
2. Both Relative Risk Ratios and Weighted Risk Ratios were generated for each LEA based on the number of students receiving services in each of the six disability categories in each LEA for the reporting race/ethnicity categories of Hispanic/Latino, American Indian/Alaska Native, Asian, Black, Hawaiian/Pacific Islander, White and 2+ (multiple race/ethnicities).
3. Each school district was examined for the seven student sub-groups to determine if the district's identification of students in the six high incidence disability categories met each of the following criteria:
   a. Both a relative risk ratio (RRR) and a weighted risk ratio (WRR) of 3.00 or higher;
   b. Student sub-group enrollments by race/ethnicity that are at least 5% of the district's total enrollment and have a N count equal to or greater than 50; and
   c. A minimum IDEA Child Count of 20 for each of the examined disability categories.

Districts that were found to have met the above criteria were considered to have statistical disproportionate overrepresentation in the identified disability category for the race/ethnicity sub-group examined.

Underrepresentation in a Disability Category

1. The October 1 Enrollment data (from CCD, EDEN file N052) and December 1 IDEA Child Count data (from EasyIEP) were used in the disproportionate representation calculations for each of Tennessee's 136 school districts and 4 State Special Schools (140 LEAs).
2. Both Relative Risk Ratios and Weighted Risk Ratios were generated for each LEA based on the number of students receiving services in each of the six disability categories in each LEA for the reporting race/ethnicity categories of Hispanic/Latino, American Indian/Alaska Native, Asian, Black, Hawaiian/Pacific Islander, White and 2+ (multiple race/ethnicities).
3. Each school district was examined for the seven student sub-groups to determine if the district's identification of students in the six high incidence disability categories met each of the following criteria:
   a. Both a relative risk ratio (RRR) and a weighted risk ratio (WRR) of 0.30 or lower;
   b. Student sub-group enrollments by race/ethnicity that are at least 5% of the district's total enrollment and a N count equal to or greater than 50; and
   c. A minimum IDEA Child Count of 20 in each of the examined disability categories.

Districts that were found to have met the above criteria were considered to have statistical disproportionate overrepresentation in the identified disability category for the race/ethnicity sub-group examined.

Compliance Desk Audit Criteria for LEAs *"At-Risk"* for Disproportionate Representation

Districts that met the RRR and WRR criteria for overrepresentation of ≥ 3.00 where the total N Count for the Target Disability was ≥ 20 and the student racial/ethnic sub-group enrollment was between 3.00% and 4.99% with a N Count for that student sub-group of at least 350 received a Compliance Desk Audit and, if warranted, received a focused monitoring to determine if the disproportionate representation was the result of inappropriate identification.

Districts that met the RRR and WRR criteria for underrepresentation ≤ 0.30 where the total N Count for the Target Disability was ≥ 20 and the student racial/ethnic sub-group enrollment was between 3.00% and 4.99% with a N Count for that student sub-group of at least 350 received a Compliance Desk Audit and, if warranted, received a focused monitoring to determine if the disproportionate representation was the result of inappropriate identification.

FFY	***Measurable and Rigorous Target***
2010	*The percent of school districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification of students with Autism, Emotional Disturbance, Intellectual Disabilities, Other Health Impairment, Specific Learning Disabilities, and Speech/Language Impairments in FFY 2010 will be 0%*

Actual Target Data for FFY 2010

In FFY 2010, 38 districts were identified with disproportionate over- and or under-representation based on the application of criteria defined in this indicator. These districts were determined not to be disproportionate *as the result of inappropriate identification*, as described below (see Table for details). Therefore, in FFY 2010 through the examination of disproportionate representation data, 0% of Tennessee's 140 LEAs were identified with disproportionate representation of racial and ethnic groups in specific disability categories *as* the *result of inappropriate identification*.

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

Year	Total Number of LEAs	Number of LEAs with Disproportionate Representation	Number of LEAs with Disproportionate Representation that was the Result of Inappropriate Identification	Percent of LEAs
FFY 2010 (2010--2011)	**140**	**38**	**0**	**0.00%**

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

LEA Self-Assessment and Review of Practices, Policies and Procedures

In FFY 2010 there were sixty (60) statistical findings of disproportionate representation in thirty-eight (38) LEAs. The 38 districts identified with statistical disproportionate representation were required to conduct and submit to the SDE a self-assessment of the district's policies, procedures, and practices for identification of children with disabilities as described in the *Tennessee Rubric for the Examination of Practices, Policies and Procedures Self-Assessment (TnREpppSA)*. This self-assessment was rated by a team of Special Education professionals and the results determine if the LEA's disproportionate representation was the result of inappropriate identification of the identified student sub-groups in the targeted disability categories. This data is documented below in Table 1.

Table 1: Indicator 10 – FFY 2010 LEA Count of Disproportionate Representation

Race/Ethnicity	AUT		EMD		ID		OHI		SLD		SLI	
	Over	Under	Over	Under	Over	Under	Over	Under	Over	Under	Over	Under
Hispanic/Latino	0	**5**	0	**6**	0	**7**	0	**11**	0	**1**	0	**5**
American Indian/Alaska Native	0	0	0	0	0	0	0	0	0	0	0	0
Asian	0	0	0	0	0	0	0	0	0	0	0	0
Black	0	**3**	0	0	**1**	**1**	0	**1**	**2**	0	0	**2**
Hawaiian/Pacific Islander	0	0	0	0	0	0	0	0	0	0	0	0
White	0	0	**1**	0	**4**	0	**3**	**1**	0	0	**6**	0
2+ (Multiple Race/Ethnicities)	0	0	0	0	0	0	0	0	0	0	0	0

Self-Assessment Process Description: Determination of Disproportionate Representation as the Result of Inappropriate Identification

LEAs that met the statistical criteria for disproportionate representation were required to conduct a self-assessment of policies, practices, and procedures and submit to the State for review. A team of Tennessee DOE personnel from the Office of Special Education reviewed and rated the LEAs' self-assessments for compliance with appropriate identification policies, procedures and practices. Ratings were made independently by each team member and resulted in greater than 95% reliability among reviewer ratings for the six focus areas required in the self-assessment. The content of the *TnREpppSA* includes self-assessment reviews relevant to both disproportionate overrepresentation and underrepresentation. All review ratings were based on the *TnREpppSA Reviewer Guidelines.* The *TnREpppSA Reviewer Guidelines* provide ratings of 4.00 (Exemplary), 3.00 (Adequate), 2.00 (Partially Adequate) and 1.00 (Inadequate). Additionally, these guidelines provide guidance for each response item which documents the basis of the item as legal, regulatory and compliance or as "best practices". Any districts with a total rating of less than Adequate are determined to have *disproportionate representation as the result of inappropriate identification*. Twenty-eight districts with disproportionate representation of racial and ethnic groups in specific disability categories received an overall self-assessment rating of Exemplary (3.8 – 4.0) and ten districts received an overall self-assessment rating of Adequate (2.7 – 3.7).

When a LEA is determined to have disproportionate over- or underrepresentation as the result of inappropriate identification, it is required to correct the noncompliance, including revisions of deficient policies, procedures and practices and to report on these revisions publicly by including the requisite *Disproportionality Plan of Improvement (DispPI)* in the school district's *Tennessee Comprehensive School Performance Plan (TCSPP)*. All data examined in this determination, the *Process Description*, the *TnREpppSA* and *TnREpppSA Reviewer Scoring Guidelines* as well as other documents developed for disproportionality located online at http://www.tn.gov/education/speced/monitor_compl.shtml.

LEAs Excluded in FFY 2010 from Review and Analysis of Disproportionate Representation
In FFY 2010, the target disability N count was reduced from 45 to 20. This change in the minimum N count to ≥ 20 in FFY 2010 resulted in a significant increase in the number of LEAs included in the analysis for disproportionate representation. There were 60 statistical findings in 38 LEAs in FFY 2010 compared to 37 statistical findings in 27 LEAs in FFY 2009. The revised N count from 45 to 20 included an additional 12 LEAs in the data review in FFY 2010. As a result in the revised N count, the increase in LEAs identified with disproportionate representation from FFY 2009 is not considered to be slippage. Table 2 provides comparison data by disability for all LEAs that were excluded from the calculation of disproportionate representation in both FFY 2009 and FFY 2010.

Table 2: Comparison—Number of LEAs Excluded in FFY 2009 and FFY 2010 Analysis of Disproportionate Representation

AUT		EMD		ID		OHI		SLD		SLI	
FFY 2009 (N=45)	FFY 2010 (N=20)	FFY 2009 (N=45)	FFY 2010 (N=20)	FFY 2009 (N=45)	FFY 2010 (N=20)	FFY 2009 (N=45)	FFY 2010 (N=20)	FFY 2009 (N=45)	FFY 2010 (N=20)	FFY 2009 (N=45)	FFY 2010 (N=20)
118	80	120	110	96	60	73	42	17	10	30	7

LEAs Identified to be At-Risk for Disproportionate Representation
Table 3 represents the eleven (11) statistical findings for the seven (7) LEAs identified to be at-risk for disproportionate representation in FFY 2010 (reference criteria outlined in the *Compliance Desk Audit Criteria for LEAs "At-Risk" for Disproportionate Representation* on the 2nd page of this report.) Each of these LEAs received a Compliance Desk Audit in the disability area identified. The need for a focused on-site disproportionality monitoring was not indicated. It is noted that no school districts were identified to be at risk for disproportionate overrepresentation.

Table 3: Indicator 10 – FFY 2010 Count of LEAs At-Risk for Disproportionate Representation

Race/Ethnicity	AUT		EMD		ID		OHI		SLD		SLI	
	Over	Under	Over	Under	Over	Under	Over	Under	Over	Under	Over	Under
Hispanic/Latino	0	1	0	2	0	2	0	1	0	0	0	0
American Indian/Alaska Native	0	0	0	0	0	0	0	0	0	0	0	0
Asian	0	0	0	0	0	0	0	2	0	1	0	0
Black	0	1	0	1	0	0	0	0	0	0	0	0
Hawaiian/Pacific Islander	0	0	0	0	0	0	0	0	0	0	0	0
White	0	0	0	0	0	0	0	0	0	0	0	0
2+ (Multiple Race/Ethnicities)	0	0	0	0	0	0	0	0	0	0	0	0

All data reviewed and analyzed for the identification of disproportionate representation is posted on the special education assessment web page at http://www.tn.gov/education/speced/monitor_compl.shtml in the following documents:

- *Summary Data FFY 2010 – Disproportionate Overrepresentation Summary Data*
- *Summary Data FFY 2010 – Disproportionate Underrepresentation Summary Data*

The State posted all of the Exemplary Self-Assessments (3.75 to 4.00) from the previous year's self-assessments (FFY 2009) on the web at http://www.tn.gov/education/speced/monitor_compl.shtml to serve as a technical assistance tool for LEAs conducting the self-assessment for FFY 2010.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Conduct an internal review of the statistical process and data analysis incorporating trend analysis of statistical disproportionate representation over the last five years in order to adjust, if needed, the efficacy of the criteria for disproportionate representation (e.g., Weighted Risk Ratio and Relative Risk Ratio values).	Data from the current disproportionate representation analysis and the disproportionate representation data from the previous five years have been documented for comparisons. As a result of this analysis, there were some minor changes made to the self-assessment instrument (TnREpppSA). Additionally, changes were made in the criteria used to determine LEAs that are at-risk for disproportionate representation. The Desk Audit Questionnaire for the at-risk LEAs was revised to be more relevant for LEAs identified as at-risk for disproportionate representation. Internal review and analysis of trend data will be annual and ongoing over a period of 5 years. Progress made. Continue activity.

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%)
Level of compliance (actual target data) State reported for FFY **2009** for this indicator: **100%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	**0**
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**0**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**0**

Actions Taken if Noncompliance Not Corrected
For FFY 2009 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.
NOT APPLICABLE

Verification of Correction (either timely or subsequent)

For States that Reported Less than 100% Compliance for FFY 2009 for Indicator 10
As specified in OSEP's June 1, 2011 FFY 2009 SPP/APR Response Table, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR that the districts identified in FFY 2009 or, if applicable districts identified in FFY 2009 based on FFY 2008 data, with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.
NOT APPLICABLE

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009.
NOT APPLICABLE

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

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts regarding this indicator.	No Response Required

Revisions, <u>with Justification</u>, to Proposed Targets (see SPP) / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resource
None		

Part B State Annual Performance Report (APR) for FFY 2010

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*
2010	*100%*

Actual Target Data for FFY 2010

a. # of children for whom parental consent to evaluate was received

(21,805 – 458 acceptable delays) = 21,347

b. # of children whose evaluations were completed within 60 days (or State-established timeline)

= 20,343

20,343 / (21,805 – 458) = 95.3%

Method Used to Collect Data

TDOE collected data on initial consent for eligibility determination on all students with signed consent forms during FFY 2010 (July 1, 2010 – June 30, 2011). Data were collected from the State data collection system (EasyIEP). Data were collected on all of Tennessee's 136 LEAs. The following specific student level data were obtained through the State data collection system:

- Student name
- District
- Date of initial consent for eligibility determination
- Date of eligibility determination
- Eligibility determination (eligible or ineligible)
- Days from date of initial parent consent to date of eligibility determination

Where applicable, the following were also collected:

- Number of days over 40 school day timeline
- Reasons for the delay

FFY 2010 was the second year these student level data were collected through the State data collection system. Upon initial review of the data, some individual districts were contacted to confirm and in some cases provide what appeared to be missing data (e.g., some districts initially failed to "close" records of students found ineligible.)

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

The total number of children initially referred to special education was 21,805 in FFY 2010. For 20,343 of those 21,805 children their evaluations (eligibility determinations in Tennessee) were completed within the State-established timeline of 40 school days. Of the 21,805 children, 458 had delays deemed acceptable by IDEA, or were granted extensions through Tennessee Rules and Regulations. These 458 are excluded from both the numerator and denominator in the calculation used to determine the percent of students provided timely child find. The revised numbers for the calculation are shown in the table below.

a. Number of children for whom parental consent to evaluate was received	21,347
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	20,343
c. 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)	**95.3%**

Children Excluded from Numerator and Denominator

458 delays were acceptable or approvable based on IDEA and/or Tennessee Rules and Regulations. The table below notes the specific reasons for these 458 exclusions and the number excluded.

IDEA statute §300.301: Initial evaluations (d) Exception. The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if— (1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or	377
(2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under §300.8. (e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed. (Authority: 20 U.S.C. 1414(a))	81
Excluded from numerator and denominator	**458**

Range of Days Beyond Timeline and Reasons for Delays

A total of 1004 students (21,342 – 20,343) did not have their eligibility determinations and placement completed within the Tennessee required 40 school days. The days beyond the timeline ranged from 1 to 163 days.

In FFY 2009 the reasons for delay were built into the State data collection system with a reason for delay required whenever the 40 school day timeline was not met. The reasons for delay are shown below. An asterisk denotes an acceptable exception for delay.

1) Limited access to professional staff (e.g., staff shortages, staff illness, in-service trainings, vacancies, holiday schedules, etc.)
2) Student or family language caused delays in testing/meeting (including need for interpreter)
*3) Student transferred *to another* district *
4) Student transferred *within* district
5) Student turned 3 in (e.g., June), services didn't start until (e.g., August)
6) Waiting on specialist(s): reports, second assessment, observation data, review, medical data, etc.)
7) Excessive student absences (> 8 in 40 school days) resulted in rescheduling of assessment(s)
*8) Parent did not show for scheduled meeting. Or parent cancelled scheduled meeting too late—no time to reschedule within 40 school days. Or *parent requested* to schedule meeting outside of timeline.*
9) Student/parent serious medical issues (e.g., hospitalization, surgery recuperation) required postponement and/or rescheduling.
*10) Repeated attempts to contact parents failed (minimum 3 unsuccessful mailings *plus* repeated phone calls)*
11) Other (not listed above)

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2010

For FFY 2010 TDOE did not meet the 100% target. In FFY 2009 TDOE reported 96.25% of children were evaluated within State-established timelines; in FFY 2010 this percentage dropped to 95.3%. Additionally noteworthy was the significantly higher number of records (denominator) in FFY 2010 (21,805) compared with the denominator in FFY 2009 (16,667). Upon investigation it was discovered that there was an unintentional exclusion of records in the FFY 2009 data. Whereas in FFY 2010 all records (eligible and ineligible) were used in the calculation, the FFY 2009 data only included initial eligibility records of students who were found eligible. That is, records of students that were not found eligible were unintentionally excluded by the vendor in the FFY 2009 (first year) data. This difference in denominators provides some basis for the reported slippage. For FFY 2010 all records (including late records of students found ineligible) are included in the calculation.

As FFY 2010 was only the second year that student level data were collected, improvement activities are ongoing. Activities were previously written as multiple year activities, in large part, to support the change in data collection begun in FFY 2009. TDOE data staff continued to provide LEAs training on the importance of correctly capturing data regarding the timely completion of the evaluation/eligibility process. TDOE also was able to investigate the data (explicit examination and verification). Once FFY 2010 data were received and parsed by district, it was found that some records were missing closing dates, in many cases these were records of students found NOT eligible. These districts were contacted to provide closure dates. (See revised improvement activity.) Trainings and LEA-specific technical assistance continued throughout FFY 2010.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Online training of LEAs on components of the evaluation/eligibility process and timelines for completion	All 78 LEAs cited for non-compliance in FFY09 completed the online training. Progress is evident by the fact that all prong 2 reviews resulted in 100% compliance for all LEAs. Continue activity.
Ongoing verification activities to look at trends and identify districts with chronic noncompliance	This activity was put on hold due to TDOE staffing changes and a resulting lack of trained staff to complete verification activities. No progress can be determined for this reporting period. Continue activity.
Further investigate data by comprehensive examination to the LEA level and finding LEAs that are incorrectly inputting data into data collection system. LEAs will be contacted and the TDOE will work with the LEA to identify problems. The LEA will be required to address their solution in a Corrective Action Plan.	The LEA determinations process provided the mechanism for the progress made for this activity. Identified LEAs provided CAPs. Follow up was then conducted to ensure that plans were implemented leading to improved data input and collection. Continue activity.
Modify EasyIEP field: Written Parental Permission to Initial Consent Received. This will help LEAs better understand the specific data to be entered into this field.	Progress was made through the modification of the "consent" section of the EasyIEP program. Fewer timeline errors were identified related to the "initial consent" field. Activity completed. Discontinue.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance)
Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 96.25%.

	Students	LEAs
1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	**605**	**78**
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**605**	**78**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**	**0**

	Students	LEAs
4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**	**0**
6. Number of FFY 2009 findings not verified as corrected [(4) minus (5)]	**0**	**0**

Verification of Correction of FFY 2009 noncompliance (either timely or subsequent)
For States that Reported Less than 100% Compliance for FFY 2009 for Indicator:

As specified in OSEP's June 1, 2011 FFY 2009 SPP/APR Response table, the State must, when reporting the correction of noncompliance, report in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02,dated October 17, 2008.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009
TDOE conducted the following activities to verify FFY 2009 findings of noncompliance were corrected.

Prong 1 Verification Activities (Student Level)
In FFY 2009 the State level data collection system was modified to collect the data necessary to determine timely evaluation. This same data system was used to follow up on all instances of FFY 2009 student level noncompliance—instances where the eligibility determination exceeded State timelines. TDOE initially provided districts with found noncompliance a listing of their FFY 2009 students where initial eligibility was late and still open (eligibility not yet determined). These LEAs were required to research individual students and update the data system if the eligibility determination had been made (with the corresponding reason for delay). In the case of students where eligibility determination was still pending LEAs were required to determine eligibility as soon as possible. In all 605 instances the evaluation (eligibility determination) was completed for children whose initial evaluation was not timely, (except where a child was no longer within the jurisdiction of the LEA). All evaluations were completed within 365 days of the notification of noncompliance.

Prong 2 Verification Activities (LEA Level)
For those 78 LEAs with one or more of the 605 late student evaluations during FFY 2009, TDOE staff conducted monthly data pulls of Written Parental Permissions signed in FFY 2010 to determine 100% compliance. TDOE looked at additional initial referrals from each of these 78 LEAs. For LEAs with less than 500 initial referrals for eligibility in FFY 2010 TDOE required they demonstrate 100% compliance for initial eligibility determinations for a consecutive 30 day period in FFY 2010. For districts with more than 500 initial referrals for eligibility in FFY 2010 TDOE required they demonstrate 100% compliance for initial eligibility determinations for a consecutive 10 day period in FFY 2010.

After TDOE verified that an LEA was 100% compliant for either the 30-day or 10-day time period and that all student level noncompliance from FFY 2009 had been corrected (Prong 1) at that LEA, the finding was closed and the LEA was notified.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable)
All "next steps" included in the OSEP response table (June, 2011) are addressed above in various reporting sections.

Revisions, with Justification, to Proposed Targets (see SPP) / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
None		

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Effective General Supervision Part B – Effective Transition

Indicator 12 – Part C to B Transition: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.
(20 U.S.C. 1416(a)(3)(B))

Measurement

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

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

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

98.3%= [(1225) divided by (1787– 460 – 37 -- 44)] times 100.

FFY	*Measurable and Rigorous Target*
2010	*100% of children referred by Part C prior to age three, who are found eligible for Part B, have an IEP developed and implemented by their third birthdays.* *Measurement = C (Eligibles) DIVIDED BY [A (Total) MINUS B (Not Eligible) MINUS D (Parent Refusal)] TIMES 100.* *a. All children who have been served in Part C will be referred to Part B for eligibility determination.* *b. All referrals determined to be NOT eligible for Part B will have eligibilities determined prior to their third birthdays. Children from A not included here will be explained. Reasons for delay of eligibility for Part B will be explained.* *c. All referrals determined to be eligible for Part B will have an IEP developed and implemented by their third birthdays. Children from A not included here will be explained. Reasons for delay of eligibility for Part B will be explained.* *d. All referrals for whom parent refusal to provide consent caused delays in evaluation or initial services will have eligibility determined. Children from A not included here will be explained.* *e. All children who were referred to Part C less than 90 days before their third birthdays.*

FFY	*Measurable and Rigorous Target*
2010	*100% of children referred by Part C prior to age three, who are found eligible for Part B, have an IEP developed and implemented by their third birthdays.*

The Tennessee Department of Education uses a real time database system. These data include all children who transition from Part C, holding both the State and LEAs fully accountable annually for every child. Processes for data collection, reliability, validity and verification include:

1. Training on data collection and data entry
2. Regular report tracking
3. Formal verification of data
4. Ongoing communication between State and local LEAs
5. Site visits as needed

Data from the Part C State data base (Tennessee's Early Intervention Data System) is collected, merged, compared, and analyzed annually with the special education data retrieved from the Part B State data base (Easy-IEP) into a unified data table for this report. Data were collected for the entire reporting year from all 136 LEAs in the State for FY July 1, 2010 – June 30, 2011. As both Part C (Tennessee Early Intervention System) and Part B 619 are both housed in the Office of Early Childhood (OEC), the data collection and analysis for this report involves both Part C and Part B 619 staff.

Once the data submitted for FFY 2010 were collected, merged, compared and analyzed at the State level, individual children who had an untimely IEP were identified. The data on these children were provided to the LEA responsible for eligibility determination and IEP development by the OEC State Data Manger. The LEAs were asked to respond as to why an IEP was untimely. LEA responses were reviewed by the OEC Director, 619 Coordinator and the OEC State Date Manager to determine if the reasons provided were system issues or exceptional family circumstances. These were classified as untimely or timely accordingly, and LEAs with untimely determinations were issued a finding of noncompliance relative to Indicator 12.

Actual State Data (Numbers)

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	1787
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	460
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	1225
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.	37
e. # of children who were referred to Part C less than 90 days before their third birthdays.	44
# in a but not in b, c, d, or e.	21

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	98.3%

98.3% of children referred by Part C prior to age 3 and who were found eligible for Part B had an IEP developed and implemented by their third birthdays.

There were 21 children who were served in Part C and referred to Part B that were found eligible and did not have an IEP developed and implemented by their third birthdays due to system reasons. As a result, 8 LEAs were issued findings of noncompliance relative to Indicator 12 for FFY 2010-11. The corrective action process includes the requirement that all LEAs with findings of noncompliance complete online training, respond to quarterly data collection requests, participate in required technical assistance sessions, and submit an Early Childhood Transition Plan that includes corrective actions to achieve compliance.

The number of days beyond the third birthday when eligibility was determined and the IEP developed for the 21 children ranged from two to ten. The system reasons identified for untimely IEPs include lack of early childhood transition procedures/processes at the LEA level, LEA staff not aware of requirements, appropriate LEA staff not available for evaluations or IEP meetings, and children turning three during the summer. In addition, documented exceptional family circumstances for delay in timely IEP development include family's preferred scheduling, child/family sickness, and families that have moved, could not be located, or changed their minds regarding evaluation or services.

Prong 1-TDOE verified that each LEA with noncompliance for FFY 2010 developed and implemented the IEP, although late, for all 21 children for whom implementation of the IEP was not timely. The data pulled annually from the Part B state data base (Easy IEP) identified the date in which the IEP was developed. This information was reviewed and verified by the OEC State Data Manager and the 619 Coordinator.

Prong 2-At this time, the state has been unable to verify that all 8 LEAs with noncompliance for FFY 2010 are correctly implementing 34 CFR 300.124(b) (i.e. achieved 100% compliance) based on a review of updated data collected through the Part B state data system (Easy IEP). At the time of FFY2010 APR submission, quarterly data is in process of being pulled from the Part C state data base (Tennessee's Early Intervention Data System) and the Part B state data base (Easy IEP). These data will be collected, merged, compared, and analyzed into a unified data table for the quarterly report to determine if the LEA showed any children that had an untimely IEP. If noncompliance is identified, LEAs will be required to respond as to why an IEP was untimely and these responses will be reviewed to determine if the reasons provided were system issues or exceptional family circumstances. TDOE will report this information in the FFY 2011 APR.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2010

TDOE identifies slight slippage of 0.52% from FFY 2009-10. The number of LEAs issued a finding of noncompliance relative to Indicator 12 remained 8 out of 136 as in FFY 2009-10. However, only 3 of the 8 LEAs issued a finding of noncompliance for FFY 2009-10 were also issued a finding for FFY 2010-11. Of the three LEAs that were issued findings of noncompliance for two consecutive years, two showed an increase in their percentage of compliance. In addition, four of the eight LEAs issued a finding for FFY 2010 performed at a 98%-99% level of compliance for the development and implementation of timely IEPs. One LEA has been issued a finding for four consecutive years, but has shown growth with each reporting period. This LEA performed at a 99% level of compliance for FFY 2010-11. The number of children identified as having an untimely IEP did increase from 14 in FFY 2009-10 to 21 for FFY 2010-11.

Improvement Activities/Timelines/Resources FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Connecting the Dots, an online birth-to-five training program developed in conjunction with the North Central Regional Resource Center, will be updated to include guidance from the Early Childhood Transition FAQs.	Progress has been made as updates to Connecting the Dots have been completed to include guidance from the Early Childhood Transition FAQs. As it is now standard operating procedure to update Connecting the Dots as needed and provide access to this training to all LEAs, it will be discontinued as an improvement activity.
Data will be pulled quarterly for two LEAs that were issued findings of noncompliance for three consecutive years to verify correction.	Progress was made as this data were pulled quarterly and the two LEAs were asked to explain the reason for untimely IEPs. Technical assistance was provided to the LEAs as data were analyzed to determine trends. In addition, TDOE implemented the quarterly data pull for all LEAs issued findings relative to Indicator 12. This process will continue through 2013.
Data sharing will occur from Part C database (TEIDS) to Part B database (Easy IEP) to include TEIS transition data to improve data quality. This activity is also designed to improve the quality of programs and services in order to enhance children's outcomes. TDOE anticipates improved data sharing will better facilitate quality transition steps and services.	Progress has been made and this activity has been completed as TEIS transition data imports into the Part B database (Easy IEP) twice a month. Improvements will continue to be made to the import process as needed. As this is now integrated into standard operating procedure, it will be discontinued as an improvement activity.

Other activities during FFY 2010

During Fall of FFY 2010, the Office of Early Childhood (OEC) began reviewing its procedures in light of new OSEP guidance regarding early childhood transition. This review involved both Part B 619 and Part C (TEIS) leadership staff. State procedures/ processes were aligned where needed and information was provided to LEAs and TEIS staff. The 619 Coordinator, OEC State Data Manager, and TEIS Training Workforce Development Coordinator provided training to LEAs during the Annual Division of College and Career Readiness Conference (formally called the Special Education Conference) in February 2011. Additional clarifications were developed after the Conference and sent in a joint memorandum to both TEIS-POEs and LEAs. Connecting the Dots, web-based training on early childhood transition, was updated as noted in the discussion of improvement activities completed for FFY 2010. The need for further training was also identified. This is documented in the improvement activities for FFY 2010.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2009 APR)

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: **99%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	**8**

2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**8**
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2009 findings not verified as corrected [(4) minus (5)]	**0**

Actions Taken if Noncompliance Not Corrected

TDOE has verified correction for all FFY 2009 findings of noncompliance.

Verification of Correction (either timely or subsequent)

Data were collected for the entire reporting year from all 136 LEAs in the state for FFY 2009. There were 14 children who were served in Part C and referred to Part B that were found eligible and did not have an IEP developed and implemented by their third birthday due to system reasons. As a result, 8 LEAs with findings of noncompliance relative to Indicator 12 were identified for FFY 2009-10.

The state verified that all 8 LEAs with noncompliance for FFY 2009 are correctly implementing 34 CFR 300.124(b) (i.e. achieved 100% compliance) based on a review of updated data collected through the Part B state data system (Easy IEP). Quarterly data was pulled from the Part C state data base (Tennessee's Early Intervention Data System) and the Part B state data base (Easy IEP). These data were collected, merged, compared, and analyzed into a unified data table for the quarterly report to determine if the LEA showed any children that had an untimely IEP. If noncompliance is identified, LEAs were required to respond as to why an IEP was untimely and these responses were reviewed to determine if the reasons provided were system issues or exceptional family circumstances. Through the quarterly subsequent data review process, TDOE verified that all 8 LEAs achieved 100% compliance and were correctly implementing the regulatory requirements for Indicator 12 in a timely manner.

Additionally, TDOE verified that each LEA with noncompliance for FFY 2009 developed and implemented the IEP, although late, for all 14 children for whom implementation of the IEP was not timely. The data pulled annually from the Part B state data base (Easy IEP) identified the date in which the IEP was developed. This information was reviewed and verified by the OEC State Data Manager and the 619 Coordinator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

As the state did not report 100% compliance for this indicator for FFY 2010, a review of the effectiveness of SPP/APR Targets and Improvement Activities, including Timelines and Resources outlined in the State Performance Plan (SPP) was completed. This review resulted in the development of the additional activities detailed below. TDOE will continue to implement current activities(above) along with these additional activities.

Improvement Activity	Timeline	Resources
Implement data sharing from Part C database (TEIDS) to Part B database (Easy IEP) to include compliance symbols specific to children transitioning from TEIS to improve data quality. These symbols alert LEAs of children potentially eligible for Part B.	September 2011 and continuing through 2013.	TDOE Staff Early Childhood Staff
Deliver three regional trainings for LEA and TEIS leadership staff focused on Early Childhood Transition. The three regional trainings provide the opportunity for TDOE staff to communicate new processes and procedures developed as a result of guidance from the Early Childhood Transition FAQ. Aligning procedures and processes statewide improves compliance with early childhood transition requirements.	Fall 2011	TDOE Staff
A state level Early Childhood Transition Frequently Asked Questions document will be developed to assist LEAs with regulations and procedures related to Part C to B transition. Aligning procedures and processes statewide improves compliance with early childhood transition requirements.	Spring 2012	TDOE Staff

Improvement Activity	Timeline	Resources
As IDEA 2004, Part C Regulations were published September 2011; an interagency agreement between Part C and Part B, 619 relative to early childhood transition will be developed. Completion of the interagency agreement between Part C and Part B, 619 will meet the requirements outlined in the Part C regulations and ensure that procedures and processes relative to early childhood transition in Tennessee are established and followed.	April 2012	Office of Early Childhood (OEC) Director OEC personnel Part B, 619 Coordinator Special Education Attorney

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

Actual Target Data for FFY 2010

FFY	***Measurable and Rigorous Target***
2010	*100%*

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
FFY 2010	266	195	73.3%

Based on the requirements of this indicator, 266 student transition plans were reviewed during FFY 2010 and FFY 2011 in 30 LEAs. Plans were reviewed for compliance with seven (7) statutory requirements for appropriate transition planning.

Reviews revealed that 195 of the 266 plans reviewed or 73.3% were found to meet the federally defined target of 100% for appropriate measurable post secondary goals and transition services.

Review item	N	Yes	No	Percentage
Annual IEP Goals	266	265	1	99.6%
Activities and Strategies	266	263	3	98.9%
Measurable Post-Secondary Goals	266	260	6	97.7%
Agency Invitation to Meeting	266	255	11	95.9%
Age-Appropriate Transition Assessment	266	250	16	94.0%
Student Invitation to Meeting	266	230	36	86.5%
Course of Study	266	228	38	85.7%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2010

The TDOE switched its transition compliance function from the TOPS self-assessment review in 2009-2010 to the Web-Based Compliance Monitoring System (WBMS) in 2010-2011. The sample size for 2010-2011 was determined by the size of the district to ensure a representative number of students who have transition plans in place.

2010-2011 data were collected on-site by TDOE compliance monitors. Data were entered into the WBMS and reviewed with LEA personnel with an exit conference. Student level corrections were made by LEA personnel and documented in the WBMS. Compliance monitors were sent to the LEAs to review individual student level correction of noncompliance and compliance monitors approved corrections in the WBMS.

TDOE progressed from 50.0% in 2009-2010 to 73.3% in 2010-2011 that included improvement in all seven individual components of transition planning. In five out of the seven components, we achieved greater than 90% compliance and over 85% in the two remaining areas. The two areas that need the most attention are Student Invitation to the Meeting and the Course of Study. Nine LEAs monitored in 2010-2011 had 100% compliance on Indicator 13.

The TDOE continued to utilize the services of Dr. Ed O'Leary for LEA transition training. Dr. O'Leary's training was held in Nashville, Tennessee on August 30 and 31, 2010 and all LEAs scheduled to be monitored in the 2010-2011 school year attended. Each of these LEAs were encouraged to review a sampling of their own students' IEPs to check for the seven components that make up Indicator 13 prior to on-site monitoring. The seven components include:

- Student invitation documentation
- Measurable Post Secondary Goals (MPSGs) – (Goals students decide on)
- Age Appropriate Transition Assessment
- Course of Study
- Transition services in the IEP
- Agency Invitation with parental/student permission
- Annual goals in the IEP – (Goals teachers choose that will help students achieve MPSGs)

To insure that the LEAs were correctly implementing the regulatory requirements for transition, a Prong 2 review was completed. The Prong 2 review consisted of pulling at least five subsequent unexamined records to insure that transition requirements were being met. All 2010-2011 compliance monitoring was closed ASAP and no later than 365 days of initial findings.

Correction of FFY 2009 Findings of Noncompliance

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 50.0%

1	Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	**703**
2	Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**703**
3	Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance)

4	Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5	Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6	Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**0**

Verification of Correction (either timely or subsequent)

FFY 2009 Findings of Noncompliance

Indicator 13 data in 2009-2010 revealed a baseline of 50.0% which is considered "very low" by OSEP according to the Tennessee Part B FFY 2009 SPP/APR Response Table. Prior to receiving the Tennessee Part B FFY 2009 SPP/APR Response Table, TDOE chose to assertively tackle the low rate of transition planning compliance in the following manner:

- Compliance monitors were sent to the LEAs to verify individual student level correction of noncompliance
- TDOE transition coordinators completed a Prong 2 review of 155 additional records across the 24 LEAs who have secondary programs and results confirmed that all 155 plans reviewed were compliant with requirements
- TDOE transition coordinators along with transition services grantees were dispatched to LEAs who were struggling with Indicator 13 requirements to provide technical assistance.

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

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about the State's very low FFY 2009 data (below 75%) for this indicator. In 2012 OSEP will consider States' FFY 2010 data for Indicator 13 in determinations. The State must demonstrate in the FFY 2010 APR due February 1, 2012 that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b).	The TDOE has been keenly aware of the low rate of compliance with 34 CFR §§300.320(b) and 300.321(b). TDOE progressed from 50.03% in 2009-2010 to 73.30% in 2010-2011 that included improvement in all seven individual components of transition planning. In five out of the seven components, we achieved greater than 90% compliance and over 85% in the two remaining areas. Two areas that need the most attention are *Student Invitation to the Meeting* and the *Course of Study*. Nine LEAs in the 2010-2011 monitoring cycle had 100% compliance on Indicator 13.
Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data such as subsequently collected through on-site monitoring or a State data system; (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 Spring 2009 the TDOE revised the compliance monitoring tools and processes to ensure all individual student findings of noncompliance were corrected and tracked and that all LEA corrections to individual student noncompliance were verified. All monitoring data were collected and verifications of corrections were tracked through an Excel workbook. As part of this initial verification process, the monitors documented the student level corrections and tracked the verification dates in the data system. In FFY 2009 Prong 2 reviews of additional data were conducted by the TDOE transition coordinators through EASY IEP in the LEAs monitored that year. Results confirmed that all 155 plans reviewed were correctly implementing regulatory requirements. In FFY 2010, Prong 2 verification is being conducted on-site by the TDOE monitoring staff.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
In the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	The State of Tennessee has reviewed its improvement activities and revised them to ensure greater compliance with Indicator 13.
The TDOE will transition from TOPS compliance reviews to web-based compliance monitoring in 2010-11. The State of TN will continue to use TOPS self-assessment and compliance monitoring to identify training needs and technical assistance: Provide training in LEAs where discrepancies or systemic noncompliance issues are found (these discrepancies and the specific training required will be determined through the TOPS review). Provide technical assistance to LEAs based on needs identified through compliance monitoring. Provide technical assistance to LEAs on utilizing root cause analysis to determine transition planning needs.	Information regarding the changes in transition monitoring were shared at the August 30 and 31, 2010 TOPS training and the August 20, 2010 annual monitoring update. Monitoring was shifted from a self-assessment to compliance monitoring. Activity completed. Training was provided to LEAs at the Annual Transition Summit, the Special Education State Conference and on-site technical assistance visits. Activity completed. TDOE transition coordinators along with transition services grantees were dispatched to LEAs who were struggling with Indicator 13 requirements to provide technical assistance. Activity completed. The Indicator 13 Transition Requirements Quick Reference Guide (North Dakota Department of Public Instruction/Office of Special Education Resource for Secondary Special Education Teachers Mountain Plains Regional Resource Center) was shared with Special Education Supervisors at the August, 2010 TOPS training to serve as a quick analysis tool for determining the root cause of transition issues and planning needs. Activity completed.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
The TDOE will schedule TOPS training utilizing Dr. Ed O'Leary from Cutting Edj for March/April 2011 so that LEAs will have the benefit of training prior to Spring, 2011 IEP development. Regional trainings will be held so that each LEA can send appropriate personnel to the training. Include DCS/Alternative Schools (State-supported) in 2011 TOPS training to insure that all children in TN including those in custody have the same access to appropriate transition planning.	The TOPS trainings with Dr. Ed O'Leary were held March 28, 30 and April 1, 2011. TDOE purposely held these trainings prior to spring IEP meetings so that LEAs could be trained on the seven components of effective transition planning. This is the last group of LEAs in TN to be trained on the Transition Outcomes Project protocol but it will be used as a model by the TDOE Transition Coordinators on technical assistance visits to the LEAs. Activity completed. Two State-level DCS/Alternative Schools personnel attended the training so they could take transition planning information back to DCS teachers. Activity completed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
In order to determine if earlier training is effective the TDOE will analyze compliance monitoring findings to determine if earlier access to TOPS training resulted in improved transition plans.	September, 2011 – May, 2012	TDOE Staff
Because many of the new Special Education Supervisors have not yet received training in the specific requirements of Indicator 13, the TDOE Transition Coordinators will prepare a Power Point presentation on Indicator 13 requirements and share with newly installed Special Education Supervisors at the New Special Education Supervisors one-day training.	October 2011	TDOE Transition Coordinators

Activities	Timeline	Resources
In order to accurately determine if an LEA is meeting the Indicator 13 requirements, the TDOE Transition Coordinators will meet with compliance staff to establish parameters and guidance for compliance monitors and LEA personnel regarding acceptable criteria for *Course of Study*.	June 2012	TDOE Transition Coordinators Compliance Monitoring Director
To provide more current information for LEA personnel, the TDOE Transition Coordinators with assistance from stakeholders will review/revise the contents of the Secondary Transition section on the TDOE website in preparation for the TDOE website restructuring.	August 2012	TDOE Transition Coordinators LEA Representatives
To better inform LEA staff, parents and students, the TDOE will organize the Fourth Annual Transition Summit to assist LEA staff with developing a greater understanding of appropriate transition planning. It will be evaluated through a pre-test/ post-test administration.	February 2012	TDOE Transition Coordinators LEA Representatives Resource Mapping Group Tennessee Transition Team

Part B State Annual Performance Report (APR) for FFY 2010

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.

There were 852 respondents.

1 = 143 respondent leavers were enrolled in “higher education”.
2 = 295 respondent leavers were engaged in “competitive employment” (and not counted in 1 above)
3 = 59 respondent leavers were enrolled in “some other postsecondary education or training” (and not counted in 1 or 2 above).
4 = 43 respondent leavers were engaged in “some other employment” (and not counted in 1, 2, or 3 above).

Thus A = 143 (#1) divided by 852 (total respondents) = 16.8%
B = 143 (#1) + 295 (#2) divided by 852 (total respondents) = 51.4%
C = 143 (#1) + 295 (#2) + 59 (#3) + 43 (#4) divided by 852 (total respondents = 63.4%

FFY	*Measurable and Rigorous Target*
2010	*a. Percent enrolled in Higher Education – 22.5%* *b. Percent enrolled in higher education or competitively employed – 57.5%* *c. Percent enrolled in higher education or some other postsecondary education or training program or competitively employed or in some other employment – 66.5%*

APR Development

Indicator 14 was considered a new indicator when reporting in the February 1, 2011 APR (FFY 2009). Tennessee developed (a) new baseline data for the three measures (A, B and C) baseline using the language of the revised measurement table (May 2010), (b) new measurable and rigorous and rigorous targets for each of the three measures A, B and C and (c) improvement activities through FFY 2012.

The State developed the SPP targets and the current FFY 2010 APR using stakeholders from (a) State and local education agencies, (b) representatives from the State parent advocacy agency, (c) institutes of higher education, (d) vocational rehabilitation, and (e) the Tennessee Team for State Capacity Building.

Dissemination

To disseminate APR, we will post a complete copy of the revised APR on the home page of the State's website www.tn.gov under the heading **Revised APR FFY 2010**. We will post the revised APR by May 2012. Additionally, we will encourage LEAs to report the following information in their District Report Cards:

The percent of youth:

(a) enrolled in higher education,

(b) competitively employed,

(c) enrolled in some other postsecondary education or training program and

(d) employed in some other employment or

(e) not engaged in any of the above categories

Sample Selection

The representative sample was based on the categories of disability, race, age and gender for students who exited school by (a) graduating with a regular diploma, (b) dropping out, (c) aging out of high school, or (d) who were expected to return and did not.

LEAs that completed the annual survey in the spring of 2011 were randomly selected through the *National Post School Outcomes Center Sampling Calculator* on a *four year sampling cycle*. LEAs are randomly assigned by the *Sampling Calculator* to one of the 4 years that they will complete the survey. The three largest LEAs in the State that have a population of >50,000 students complete the survey on one-fourth of their leavers every year and are not shown on the calculation table for this reason. The number of student leavers surveyed is by census for all other LEAs.

During phase I of the process student data are collected by the LEA to include contact and demographic information. During phase II the survey is completed by LEA staff by telephone. The staff use an online secure website to enter the data collected through the telephone surveys. The web survey data are housed at a State university and data are automatically compiled for analysis and reporting by the University under a TDOE contract for services.

Assurance of participation of all LEAs

All LEAs in the State will have completed a post secondary survey by the time the SPP draws to a close in 2012-13. LEAs are on a four year rotation of participation unless they meet the large school district student criteria. *The TDOE intentionally omitted the group of LEAs scheduled to participate in the postsecondary survey in FFY 2008. This omission was made because OSEP did not require Indicator 14 reporting in FFY 2008. The LEAs omitted in FFY 2008 will be surveyed in the final year of the SPP cycle.*

The sampling of school districts through the use of the National Post School Outcomes Sampling (NPSO) Calculator generates groupings of LEAs in each cohort year so as to provide for adequate State representation on disability type, gender, ethnicity and dropout for each cohort year. Post-School Outcomes data will be reported by school district and State level. Representative state level data will be used in SPP and APR reporting, and to drive state improvement activities.

Response Rate and Representativeness

As seen in *Table 1 – Response Rate Calculation*, 1835 youth left the State during the 2009-2010 school year. Interviews were conducted with 852 youth or their family members. The ***Response Rate*** was 852/1835 = 46.43%.

Table 1 – Response Rate Calculation

Number of leavers in the surveyed districts	1883
Subtract the number of youth ineligible (those who had returned to school or were deceased)	48
Number of youth contacted	1835
Number of completed surveys	852
Response rate: (852/1835)*100	46.4%

TDOE used the NPSO Response Calculator (see Table 2) to calculate <u>*representativeness*</u> of the respondent group on the characteristics of disability type, gender; ethnicity and dropout in order to determine whether the youth who responded to the interviews were similar to, or different from, the total population of youth with an IEP who exited school in 2009-10.

According to the NPSO Response Calculator, differences between the Respondent Group and the Target Leaver Group of ±3% may be an area of important difference. Negative differences indicate an underrepresentativeness of the group and positive differences indicate overrepresentativeness.

For FFY 2010, based on the NPSO Response Calculator, TDOE results were underrepresented in the categories of: *Female*, *Minority* and *Dropout*. No leaver category was overrepresented.

NPSO Response Calculator **Representativeness**

	Overall	LD	ED	MR	AO	Female	Minority	ELL	Dropout
Target Leaver Totals	1835	1060	119	228	428	607	677	0	145
Response Totals	852	494	44	94	220	256	174	0	40
Target Leaver Representation		57.77%	6.49%	12.43%	23.32%	33.08%	36.89%	0.00%	7.90%
Respondent Representation		57.98%	5.16%	11.03%	25.82%	30.05%	20.42%	0.00%	4.69%
Difference		0.22%	-1.32%	-1.39%	2.50%	-3.03%	-16.47%	0.00%	-3.21%

Note: Positive difference indicates overrepresentation; negative difference indicates underrepresentation. A difference of greater than +/-3% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: *Response Rates and Non-response Bias*, found on the NPSO website at http://www.psocenter.org/collecting.html.

Tennessee LEAs actually increased the survey participation by 65 (8%) student leavers while attempting approximately 50% fewer surveys. The increase could be due to TDOE's increased effort by establishing a timeline for completion and contacting LEAs earlier and encouraging them to complete their surveys. Twice monthly electronic reminders were sent to the LEAs throughout the summer months and assistance was provided by TDOE staff in locating working phone numbers. Prior to the distribution of the survey, TDOE staff shared the NPSO flyer with LEAs and encouraged them to send them to students who would be contacted. To encourage minority participation, TDOE staff also shared post-secondary survey materials with the Tennessee Developmental Disabilities Network and the Disability Pathfinder, an electronic resource for families supported in-part by the TDOE and housed at Vanderbilt University.

Selection Bias

The underrepresentativeness of youth in the categories of minority and drop outs could be attributed to this group of youth being difficult to reach. These students are traditionally the ones with poor contact information, especially drop outs. It should be noted that we no longer have underrepresentation in the area of Intellectual Disabilities (formerly Mental Retardation) and due to our improvement strategies; Tennessee has reduced the discrepancy in representation in the areas of Female, Minority, and Drop-outs. We will continue to implement these strategies in future data collections.

Missing Data

LEAs were unable to reach 53.6% or 983 members of the leaver population. The four largest LEAs accounted for 61.0% or 600 of the leavers never reached. Follow-up information from these four LEAs indicates that many of the leavers could not be contacted because of invalid or incomplete contact information. The large LEAs surveyed only one fourth of their leavers and will continue to report on one-fourth of their leavers an annual basis.

As the survey is completed by telephone, very few partially completed surveys result from individual respondents. Multiple calls or additional contacts are recommended to LEAs to improve the response level. No personally identifiable information is disclosed publically.

FFY	Actual Rates
2009	a. Percent enrolled in Higher Education – 22% b. Percent enrolled in higher education or competitively employed – 57% c. Percent enrolled in higher education or some other postsecondary education or training program or competitively employed or in some other employment – 66%
2010	a. Percent enrolled in Higher Education – 16.8% b. Percent enrolled in higher education or competitively employed – 51.4% c. Percent enrolled in higher education or some other postsecondary education or training program or competitively employed or in some other employment – 63.4%

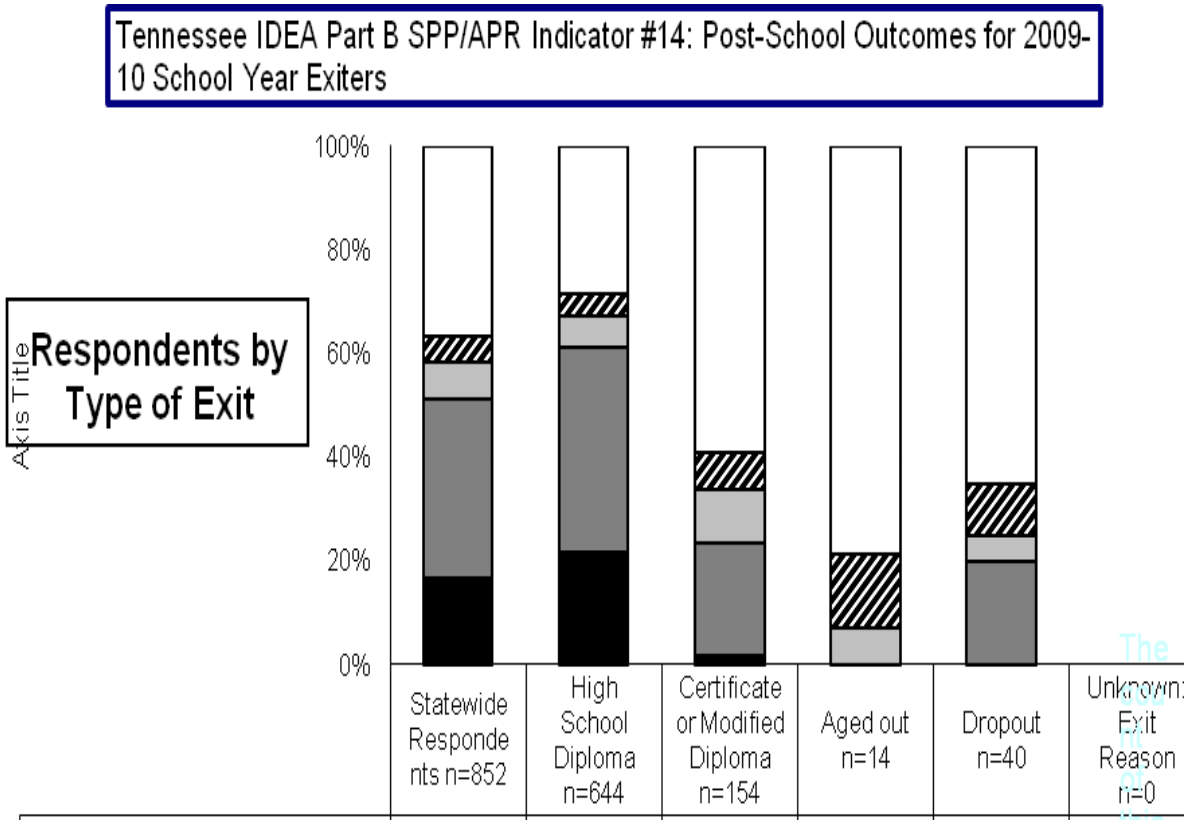
FFY 2010 Outcomes Discussion

Tennessee experienced slippage from the baseline (FFY 2009) to the current reporting period (FFY 2010) in all measurement areas. During this time period, Tennessee experienced double digit unemployment and the loss of many jobs. This factor was coupled with the implementation of the Tennessee Diploma Project which places more requirements on students to receive a regular high school diploma.

Out of the 852 respondents, Tennessee reports a drop of 19.2 % of leavers who are engaged in “higher education” while showing an increase of 8.1% in the number of leavers who are engaged in “competitive employment”. Twenty-eight (28) students reported that they were enrolled in “some other postsecondary education or training” which could mean they are seeking a certificate at a technology center or community college.

To better understand the post-school outcomes of our youth, we used the NPSO Data Display Templates to further analyze our data by examining an additional analysis. The results of this analysis helped identify our improvement activities described later. We began by examining the outcomes by Leaver Type.

Figure 1: Post School Outcomes by Leaver Type



	Statewide Respondents n=852	High School Diploma n=644	Certificate or Modified Diploma n=154	Aged out n=14	Dropout n=40	Unknown: Exit Reason n=0
Not Engaged	37%	29%	59%	79%	65%	0%
4: Some other employment	5%	4%	7%	14%	10%	0%
3: Enrolled in other postsecondary education or training	7%	6%	10%	7%	5%	0%
2: Competitive employment	35%	39%	21%	0%	20%	0%
1: Enrolled in higher education	17%	22%	2%	0%	0%	0%

Tennessee's data results show that the greatest category of respondents is in the Not Engaged (37%) category. While leavers with High School Diplomas fared better than the overall respondent percentage, all other leaver groups did poorly. TDOE needs to further examine this data with individual LEAs to determine why so many leavers are Non Engaged.

Tennessee will not revise the baseline or any Indicator 14 targets included in the FFY 2009 SPP as revised and submitted in February 2011. The State will wait to see the results of the FFY 2011 survey with two additional improvement activities and determine if the improvement activities were successful.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
	TDOE was honored to be selected one of the States for intensive technical assistance by the National Post School Outcomes Center through their grant award program. Two representatives attended the annual technical assistance training in Denver, CO. They returned to Tennessee and formed a team to attend the Secondary Transition State Planning Institute on May 17-20, 2011. Tennessee was represented by two TDOE representatives, three LEA representatives and two faculty members from Vanderbilt University. Activity completed. Discontinue activity.
TDOE will participate in intensive technical assistance activities coordinated by the National Post School Outcomes Center through their grant award program: Complete the NPSO Needs Assessment for Developing a Technical Assistance Plan for Intensive States. Define the problems that Tennessee is experiencing in Indicator 14 reporting. Participate with NPSO staff and other intensive technical assistance States to develop a strategic plan for remediating the problems defined.	Tennessee spent the week attending workshops, completing a needs assessment which defined the problems and preparing the strategic *Team Planning Tool for State Capacity Building: Secondary Education and Transition Services*. Tennessee developed five goals and is currently completing the work on these projects. Activity completed. Discontinue activity.
Provide root cause analysis strategies to local LEAs so that they can determine methods to improve the rate of reporting.	One of the goals selected was to increase the knowledge among LEAs about the purpose of Indicator 14 and how to use the information gathered to improve LEA transition programs. Tennessee has concentrated on improving Indicator 13 but by sharing information about Indicator 14, LEAs can determine if their plans are actually helping students attend post-secondary education institutions or become employed. Representatives from the NPSO will be in Tennessee on February 14, 2012 to provide an in-depth workshop for Special Education Supervisors and Transition Coordinators on *Got Data, Now What? How Do We Use PSO Data to Improve Programs?* Activity completed. Discontinue activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
To inform and encourage leavers to respond to the post-school interviews, the State will engage in a campaign with the TN Developmental Disabilities Network to connect with families and youth on the importance of participating in the post school interview. Paper and web-based flyers will be distributed to youth/families in areas where data are being collected the following year.	The Indicator 14 chairman has shared the importance of Indicator 14 with LEA staff chosen to participate in the Post-Secondary survey. Paper and web-based flyers were distributed to the LEAs to send to students who would participate in the survey. We will do this every year since we are on a four year rotation. We will be notifying LEAs earlier this year so that they can give them to exiting students. The response rate rose from 25.0% to 46.4% with fewer leavers surveyed with all LEAs in the cohort participating. Activity ongoing.
To increase the response rate from minority youth and youth leavers with intellectual disabilities TDOE will engage in a campaign with Disability Pathfinder and STEP (Support and Training for Exceptional Parents) Network to encourage all youth and especially minority youth and those with Intellectual Disabilities to share their post-school stories and to participate in the annual survey.	Paper and web-based flyers were distributed to the Disability Pathfinder to post on their website. We will do this every year since we are on a four year rotation. We will be notifying LEAs earlier this year so that they can give them to exiting students. Underrepresentation of minority youth dropped from 24.13% to 16.47% during the FFY 2010 survey. Activity ongoing.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Improvement Activity	Timeline	Resources
To reach our FFY 2011 target of 23% of students enrolling in higher education, the TDOE will host a one-day seminar and a three day conference referred to as the Transition Summit and the College and Career Access Conference for students, families, and LEA personnel to provide information on (a) available services and supports for youth at institutions of higher learning, (b) how to access services and (b) supports, and (c) strategies to prepare youth for success in the postsecondary educational setting.	February, 2012	SEA Transition Coordinators University Disability Coordinators Vocational Rehabilitation Counselors LEA personnel
To reduce the non-engaged rate of leavers from 39% to 30%, the TDOE will design and implement a marketing plan that targets postsecondary education "going" and/or full employment for all students leaving high school. We will encourage all LEAs in the cohort to determine why students are not engaged.	May - August, 2012	SEA Transition Coordinators Vocational Rehabilitation Counselors LEA personnel

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement

Percent of noncompliance corrected within one year of identification:

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

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

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

FFY	*Measurable and Rigorous Target*
2010	*100%*

Actual Target Data for FFY 2010

Sum the numbers down Column a and Column b	844	844
Percent of noncompliance corrected within one year of identification = [column (b) sum divided by column (a) sum] times 100.	844 / 844 X 100 = 100%	100%

Process for Selecting LEAs for Monitoring

Annually, monitoring activities of programs funded through IDEA sources are conducted in all school districts. These activities include: LEA determinations; cyclical fiscal monitoring; review and follow-up to resolutions from administrative complaints; mediation and due process issues; grant monitoring (as indicated); and, focused monitoring.

On-site cyclical monitoring, which includes file reviews and fiscal monitoring, is conducted every four years in Tennessee's 136 LEAs and 4 State Special Schools. The *Four Year Cycle for On-Site Monitoring Schedule* can be viewed at http://www.tn.gov/education/speced/doc/88114yr.pdf.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010

TDOE's compliance monitoring procedures were substantially revised in spring 2009 as referenced in the State's response to OSEP (March 16, 2009 Tennessee's Part B Response to Verification Visit Letter.) Changes to Tennessee's monitoring processes were put into full effect beginning with the 2009-2010 school year (FFY 2009) and were maintained in FFY 2010. The TDOE revised the compliance monitoring tools and processes to ensure all individual student findings of noncompliance were tracked, that all LEA corrections to individual student noncompliance were verified and that additional data were reviewed and found correct to assure the correct implementation of regulatory requirements. All monitoring data were collected and verifications of corrections were tracked through an Excel workbook developed with the technical assistance provided by Bruce Bull and Karen Martens from Special Education Data Services and Information System (SPEDSIS) and Rich Lewis, Tennessee's former OSEP State contact from the Mid-South Regional Resource Center (MSRRC). As noted in Tennessee's last APR, FFY 2009 is the first year that the correction of student specific noncompliance was tracked, thus the data reported in FFY 2009 are not wholly comparable to previously reported B15 data.

FFY 2010 revisions to Tennessee's monitoring process included:

- Revision of the *Tennessee Compliance Monitoring Procedures Manual* which included descriptions and definitions of the process, regulatory information, policy and related protocols used for data collection (http://www.tn.gov/education/speced/complianceandmonitoringarchive.shtml.) The *Tennessee Compliance Monitoring Procedures Manual* defined findings generated during on-site district file reviews as well as desk audits.
- Revision of the *Tennessee Student Records Monitoring Review Protocol* which included the compliance review focus area, legal authority and regulatory information and definitions of review items. As part of the original FFY 2009 work with SPEDSIS, inter-rater reliability was established at 94% among all State monitors prior to the finalization of the onsite monitoring protocol at the beginning of the monitoring year. For FFY 2010 monitors reestablished inter-rater reliability based on the revised onsite monitoring protocol at 95%.

The following documents are located on Tennessee's Monitoring and Compliance web page and provide further evidence of the changes made to the compliance monitoring process beginning in the 2009-2010 school year. These posts are located at http://www.tn.gov/education/speced/complianceandmonitoringarchive.shtml.

- Tennessee Compliance Monitoring Procedures Manual
- Example 09-10 Tennessee District Monitoring Report
- 4-year Cycle for Compliance & Fiscal Monitoring Schedule
- 2009-2010 Monitoring Orientation

Actual Target Data for FFY 2010

In FFY 2009 the revised monitoring system was implemented in 35 school districts. 1184 student files were reviewed within those districts and 660 findings of noncompliance were identified (at the individual student level) as part of the 4-year cyclical on-site monitoring process. All noncompliance corrections were verified and the review of an additional 410 student files documented 100% compliance within 365 days of all districts' *Date of Notification*.

In addition to on-site compliance monitoring, TDOE performed a number of additional processes to identify noncompliance at the district level. These processes included dispute resolutions, LEA self-assessments in response to possible disproportionate representation (B9/10), desk audits, fiscal monitoring, on-line review of data in the State Level Data System (EasyIEP) and other data sources—all

of which could generate district findings of noncompliance. Findings from these additional processes are included in the B-15 Worksheet.

The percent of FFY 2009 noncompliance corrected and verified within one year was 100.00%. Tennessee did meet the Measurable and Rigorous Target of 100% correction for all noncompliance within 365 days for Indicator 15.

Timely Correction of FFY 2009 Findings of Noncompliance (corrected within one year from identification of the noncompliance)

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) (Sum of Column a on the Indicator B15 Worksheet)	**844**
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)	**844**
3. Number of findings not verified as corrected within one year [(1) minus (2)]	**0**

FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected)

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2009 findings not yet verified as corrected [(4) minus (5)]	**0**

Actions Taken if Noncompliance Not Corrected
N/A

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

The FFY 2009 TDOE onsite compliance monitoring included a 4-year cyclical file review process of randomly selected files. Thirty-five (35) school districts were reviewed. Through the onsite file review process, TDOE monitors reviewed IEP files and recorded all instances of student-level noncompliance. All individual noncompliance was reported to the LEA. A district level summary report was provided to each LEA with an item-level analysis for the number of items found to be compliant and noncompliant. The provision of this report to the LEA began the 365 day timeline for the 100% correction of student level noncompliance (*Date of Notification*.) This report also set the requirement and timeline for LEAs to engage in improvement activities, where applicable, when noncompliance suggested there could be issue(s) of understanding policy and/or procedures that needed to be addressed through specialized trainings, district self assessment of procedures, State review of procedures, etc.

Districts were instructed to correct all student level noncompliance found and record the date of the correction in the Excel workbook, unless the child was no longer within the jurisdiction of the LEA. Then TDOE compliance monitors, utilizing the Excel workbook, confirmed each individual case of noncompliance was corrected. As part of this correction process (prong 1) the monitors documented student level corrections and tracked correction verification dates through the TDOE student level special education data system used throughout the State. To assure correct implementation of the specific

regulatory requirements TDOE compliance monitors subsequently reviewed additional data either a) through an onsite review of additional data (new files), b) through the review of updated data in the statewide data system, or c) both. All additional data reviewed (prong 2) had to be 100% correct before the LEA was issued a closing letter.

Additional Information Required by the OSEP FFY 2009 APR Response Table for this Indicator (if applicable)

Statement from the Response Table	State's Response
In reporting on correction of findings of noncompliance in the FFY 2010 APR, due February 1, 2012, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (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.	As part of this correction process (prong 1) the State documented student level corrections and tracked correction verification dates through the TDOE student level special education data system used throughout the State.
In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State does not report 100% compliance for this indicator in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	To assure correct implementation of the specific regulatory requirements, the TDOE subsequently reviewed additional data either (a) through an onsite review of additional data (new files), (b) through the review of updated data in the statewide data system, or (c) both. All additional data reviewed (prong 2) achieved 100% compliance before the LEA was issued a closing letter.
In report on Indicator 15 in the FFY 2010 APR. the State must use the Indicator 15 Worksheet.	Indicator 15 findings of noncompliance, corrections and verification of all corrections at 100% compliance within 365 days are reported on the Indicator 15 Worksheet.
In addition, in responding to Indicators 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.	The correction of all Indicators, including Indicators 11, 12 and 13 are reported on the Indicator 15 Worksheet at the end of this report.

The TDOE has progressed in terms of understanding and the implementation of verification processes required. This progress was the result of technical assistance provided to the State that led to the development of tools and instruments for the collection and verification of compliance monitoring data at the individual student and district levels. The table provides an update on improvement activities followed by the B-15 Worksheet.

NOTE: Information on the technical assistance sources from which TDOE received assistance as a result of a determination of "needs assistance" for FFY 2009 may be found in the "Overview of the APR Development" at the beginning of this document.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Provide follow-up technical assistance to LEAs/programs based on information identified through on-site monitoring.	The FFY 2009 (2009-2010) local Letters of Determination for compliance data required Enforcement Actions to all LEAs with Determinations of Needs Assistance, Needs Intervention and Needs Substantial Intervention. LEAs with Determinations of Needs Assistance (3 consecutive years), Needs Intervention (2 consecutive years) or Needs Substantial Intervention received on-site technical assistance from a team of DOE consultants. This activity will be integrated into the process developed for local Letters of Determination and follow-up to LEA Enforcement Actions. Progress made. Discontinue Activity
Provide in the Secure Web-Based Monitoring System (WBMS) processes for tracking individual students whose files are reviewed and corrected (Prong 1) and additional data are reviewed to verify correct regulatory implementation (Prong 2)	Activity Completed. Discontinue Activity.
Provide Regional Training with districts at a minimum of 9 sites in East, Middle and West Tennessee on the requirements of the IEP through use of the Student File Review Protocol.	Not implemented due to lack of resources and scheduling challenges. Activity revised to district level implementation (see revision below).
Develop web-based training module for compliance criteria to be accessible by all teachers and supervisors through the special education website and as well as the on-line secure web-based monitoring system.	Revised. Created a non-web-based module for district training on compliance. Districts using the training module (post onsite monitoring) will take a web-based assessment to evaluate training results. Activity to be expanded (see below) to pre onsite monitoring. Progress made. Continue Activity

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Currently, there are 7 monitors responsible for all LEAs and 4 monitors responsible for State special, private and charter schools and incarcerated youth. Reorganization of the monitors with respect to these catchment areas will allow all 11 monitors to be responsible for the monitoring and technical assistance provided to the LEAs, as well as the State special, private and charter schools and incarcerated youth located within each LEA's catchment area. Each monitor will have fewer districts with which to work.	Reorganization completed. Progress made. Discontinue Activity

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Improvement Activity	Timeline	Resources
Provide training to all LEAs to be monitored in the next school year on the requirements of the IEP through use of the Student File Review Protocol. (Replaces Regional Training improvement activity above.)	2011-2012	TDOE Monitoring Staff
The post onsite monitoring training module (noted in last year's improvement activity) is being expanded for pre onsite monitoring use. Training materials will be revised as needed.	2011-2012	TDOE Monitoring Staff

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school. 14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 -educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
7. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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	78	78	78
	Dispute Resolution: Complaints, Hearings	0	0	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. **Note: Findings reported are individual noncompliance, tracked through the EasyIEP and the State data system. See note below.*	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	8	8	8
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(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	24	24	24
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance: *IDEA Regulatory Findings – Student Records Review*	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	35	660	660
	Dispute Resolution: Complaints, Hearings	10	18	18
Other areas of noncompliance: *IDEA Fiscal Monitoring*	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	22	22
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: *IDEA Discretionary Grant Monitoring*	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	34	34	34
	Dispute Resolution: Complaints, Hearings	0	0	0
Sum the numbers down Column a and Column b			844	844
Percent of noncompliance corrected within one year of identification = (Column (b) sum divided by column (a) sum) times 100.			(844) / (844) X 100 = 100%	100 %

Part B State Annual Performance Report (APR) for FFY 2010

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*
2010	*100% of signed written administrative complaints will be resolved within required timelines.*

Actual Target Data for FFY 2010

100% = [65 + 0 divided by 65] times 100. 111 signed written complaints were received by the division. 65 reports were issued. Of the 65 reports issued, 65 were within timelines. 22 reports included findings of noncompliance. 18 complaints were pending at the end of the reporting period, 18 of which were complaints pending a due process hearing. 28 complaints were withdrawn or dismissed.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010

100% of signed written complaints were resolved within the timelines (including extended timelines). Target was met.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
Beginning in August 2011, TDOE staff will notify LEAs via telephone and e-mail of parent concerns communicated to the TDOE, thereby allowing LEAs to address concerns prior to filing of a written administrative complaint. This will be an ongoing activity.	Ongoing	TDOE Legal Staff

TABLE 7-Report of dispute resolution

TABLE 7

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

SECTION A: Written, Signed Complaints	
(1) Written, signed complaints total	**111**
(1.1) Complaints with reports issued	**65**
(a) Reports with findings	**22**
(b) Reports within timeline	**65**
(c) Reports within extended timeline	**0**
(1.2) Complaints withdrawn or dismissed	**28**
(1.3) Complaints pending	**18**
(a) Complaints pending a due process hearing	**18**
SECTION B: Mediation Requests	
(2) Mediation requests total	**45**
(2.1) Mediations held	**22**
(a) Mediations held related to due process complaints	**14**
(i) Mediation agreements	**13**
(b) Mediations held not related to due process complaints	**9**
(i) Mediation agreements	**7**
(2.2) Mediations not held (including pending)	**22**
SECTION C: Due Process Complaints	
(3) Due process complaints total	**73**
(3.1) Resolution meetings	**19**
(a) Written settlement agreements	**13**
(3.2) Hearings (fully adjudicated)	**0**
(a) Decisions within timeline (include expedited)	**0**
(b) Decisions within extended timeline	**0**
(3.3) Resolved without a hearing	**64**
SECTION D: Expedited Due Process Complaints (Related to Disciplinary Decision)	
(4) Expedited due process complaints total	**1**
(4.1) Resolution meetings	**1**
(a) Written settlement agreements	**0**
(4.2) Expedited hearings (fully adjudicated)	**0**
(a) Change of placement ordered	**0**

Part B State Annual Performance Report (APR) for FFY 2010

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*
2010	*100% of due process hearings will have written decision within the required timelines.*

Actual Target Data for FFY 2010

0%= [0+0 divided by 0] times 100. 73 due process hearing requests were received by the division. 0 due process hearing requests were fully adjudicated. 64 due process hearing requests were resolved without a hearing. 1 expedited hearing request was received by the division. 1 expedited hearing request was resolved without a hearing. 9 requests were pending at the end of the reporting period.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2011

0% of due process hearings were decided within the timelines (including extended timelines) because no cases were fully adjudicated via a hearing during the reporting period. Target was met.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Provide annual training in special education law to administrative law judges.	Pursuant to Tennessee Code Annotated §49-10-606(b), the Administrative Office of the Courts provided annual training in special education law to administrative law judges. Continue activity.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
NONE		

Part B State Annual Performance Report (APR) for FFY 2010

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***
FFY 2010	*6% of hearing requests that go to resolution sessions will be resolved through resolution session settlement agreements.*

Actual Target Data for FFY 2010

19 resolution sessions were conducted with 13 resulting in signed written agreements.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010

68% of hearing requests that went to resolution sessions resulted in signed written agreements. Target was met. 68% = [13 divided by 19] times 100.

Improvement Activities	**Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010**
Encourage parties of due process hearings to participate in resolution sessions.	During the "initial case status" conference calls, administrative law judges encouraged parties to participate in resolution sessions as indicated by the data above. Continue activity.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for Section A in the FFY 2011

Activities	**Timeline**	**Resources**
NONE		

Part B State Annual Performance Report (APR) for FFY 2010

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*
FFY 2010	*62.5% of mediations will reach agreement within any applicable timelines*

Actual Target Data for FFY 2010

45 mediation requests were received by the division. 9 mediations were not related to due process hearing requests. Of the 9 that were not related to due process hearing requests, 7 resulted in agreements. Of the 14 mediations that were related to due process hearing requests, 13 resulted in agreements. 22 mediations were either pending or not conducted.

Discussion of Improvement Activities and progress or slippage that occurred
87% of mediations reached agreement within applicable timelines (20 agreements divided by 23 mediations held). Target was met. 87% = [13+7 divided by 23] times 100.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Provide annual training in special education law to administrative law judges.	Pursuant to Tennessee Code Annotated §49-10-606(b), the Administrative Office of the Courts provided annual training in special education law to administrative law judges. Continue activity.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
NONE		

Part B State Annual Performance Report (APR) for FFY 2010

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B).

FFY	*Measurable and Rigorous Target*
2010	*State reported data are 100% timely and accurate.*

Actual Target Data for FFY 2010

TDOE made progress from 95.24% in FFY2009 to 100% in FFY2010, improving timeliness and accuracy for state reported data, including 618 data, State Performance Plan, and Annual Performance Reports. TDOE did meet its target FFY2010 target of 100%.

618 Data Reports

Data for Data Transfer System (DTS) files for OSEP Tables 1, 2, 3, 4, 5, 6 and 7 submitted as Education Data Exchange Network (EDEN/EDFacts) files N002, N003, N004, N005, N006, N007, N009, N070, N088, N089, N093, N099, N112, N143, N144, and N146 were submitted to DAC/OSEP/Westat on time.

TDOE does not anticipate delays in submitting EDEN files for FFY2011.

Annual Performance Report (APR)

The Annual Performance Report was submitted on the due date of February 1, 2012 as required.

618 Data Reports

Accurate data entry is ensured through these processes:

(a) student-level data is collected through our statewide special education data system that is partially integrated with Tennessee's statewide student information system and includes State assigned unique student identifiers;

(b) student-level data entry occurs during the process of writing each student's Individualized Education Plan (IEP) in all Tennessee LEAs and is reviewed by IEP team members for all students with disabilities in the State;

(c) all key student demographic data, and data for all federal reports, is controlled by the State through data entry validation tables which enforce consistent data entry by all LEAs; and

(d) TDOE provides direct technical assistance to LEAs regarding data entry and data quality control through secure email messaging within the State data system, conference calls, and face-to-face meetings.

The instructions provided with each report table are carefully followed to generate all 618 federal data reports. TDOE reviews all data tables using the edit checks provided in the technical assistance documentation available on the IDEA Data website. All State reported 618 data are accurate.

See attached *Rubric for Part B – Indicator 20*.

Annual Performance Report (APR)

The standards set out for reporting state activities were met as required.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Submit Federal Data Tables 2, 4, 5, and 7 to OSEP (Continue refinement of crosswalk and reporting procedures from State database containing discipline data for all students, with and without disabilities to facilitate timely and accurate data submission for OSEP Table 4).	All tables submitted on time. This process is standard procedure and will be discontinued as an improvement activity.
Review and assign or re-assign staff to each indicator as needed.	A review of assignments was conducted in August, 2011, with several new indicator chairs named including those for indicators 1.2,3, 8 and 11. Additionally, all TDOE/SPED staff have been re-assigned to indicators and receive communication/updates/information on each indicator by the chair of that indicator. Continue activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Organize the content of federal data tables 1, 3 & 6, for indicators utilizing Dec. 1 data in a format which indicator chairpersons can utilize for completing indicator responses. Additionally, Table 7 to be provided for indicator drafts due on the "first round" of deadlines.	Tables were provided to OSEP and to the appropriate chairpersons in accordance with established timeframes. Indicators associated with these tables were completed as scheduled. This process is standard procedure and will be discontinued as an improvement activity.
Assignment due date for draft indicators which utilize Dec. 1 data, as well as selected other indicators, set by the TDOE APR Master Calendar as the 1st week of October. These will first be submitted to the TD0E APR director for review before going to stakeholders for review.	Indicators assigned for the "first round" of reviews included: 5,7,8,9,10,12,13, 14 and 16-19. These drafts were ready for review by the first of October 2010. This process is standard procedure and will be discontinued as an improvement activity.
Submit "first round" draft indicators to stakeholders for review and feedback.	Indicators (listed above) provided to stakeholders on October 20, 2011 for review/edits/ additions/ deletions. Live meeting for discussion held on October 24, 2011. This process is standard procedure and will be discontinued as an improvement activity.
Incorporate Advisory Council comments on select draft indicators.	These were completed by or before the last week of October, 2011. This process is standard procedure and will be discontinued as an improvement activity.
Organize federal data tables 4 and 5 (due November 1 to OSEP) in a format which the indicator chairpersons can utilize for completing related indicator responses. Specify other indicators due for the "second round" of draft deadlines.	Data formats for indicators 1, 2, and 4 were completed for use by the chairperson in a timely manner. Other indicators required for the "second round" of draft deadlines were 1, 2, 3, 4a and 4b, 11, 15 and 20. These drafts were submitted as scheduled on or before December 15, 2011. This process is standard procedure and will be discontinued as an improvement activity.
Director of APR reviews draft indicators and provides feedback to indicator chairpersons.	Completed per scheduled timelines. This process is standard procedure and will be discontinued as an improvement activity.

Improvement Activities	Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010
Provide draft of "second round" of indicators to stakeholders (predominantly members of the State Advisory Council) for review and comments.	Provided to stakeholders on January 5, 2012, for review/edits/additions/deletions. Live meeting for discussion held on January 9, 2012. This process is standard procedure and will be discontinued as an improvement activity.
Incorporate Advisory Council comments on select draft indicators.	This was completed by or before the last week of January, 2012. This process is standard procedure and will be discontinued as an improvement activity.
Send a copy of the final APR to the State Advisory Council.	Sent the week, of February 1st, 2012. This process is standard procedure and will be discontinued as an improvement activity.
Submit FYY10 APR to OSEP & place document on Division website.	Submitted to OSEP electronically on February 1, 2012. Document submitted to webmaster to place on the State website at same date. This process is standard procedure and will be discontinued as an improvement activity.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

Activities	Timeline	Resources
Despite the fact that previous TDOE department-wide data governance efforts have been put on hold, the IDEA 618/619 Part B data manager will continue to communicate with other key data managers in TDOE to ensure accuracy and timeliness of key data submissions.	July 1, 2011 through June 30, 2012	IDEA Part B Data Manager Other TDOE data managers

SPP/APR Data - Indicator 20			
APR Indicator	**Valid and Reliable**	**Correct Calculation**	**Total**
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40
APR Score Calculation	**Timely Submission Points –** If the FFY 2010 APR was submitted on-time, place the number 5 in the cell on the right.		**5**
	Grand Total – Sum of subtotal and Timely Submission Points		**45.00**

618 Data – Indicator 20					
Table	**Timely**	**Complete Data**	**Passed Edit Check**	**Responded to Data Note Requests**	**Total**
Table 1: Child Count Due Date: 2/2/11	1	1	1	1	4
Table 2: Personnel Due Date: 11/2/11	1	1	1	N/A	3
Table 3: Educational Environments Due Date: 2/2/11	1	1	1	1	4
Table 4: Exiting Due Date: 11/2/11	1	1	1	N/A	3
Table 5: Discipline Due Date: 11/2/11	1	1	1	N/A	3
Table 6: State Assessment Due Date: 12/15/11	1	N/A	N/A	N/A	1
Table 7: Dispute Resolution Due Date: 11/2/11	1	1	1	N/A	3
Table 8: MOE/CEIS Due Date: 5/1/11	1	N/A	N/A	N/A	1
				Subtotal	**22**
618 Score Calculation		**Grand Total (Subtotal X 2.045) =**			**45.00**

Improvement Activities	**Discussion of Improvement Activities completed and progress or slippage that occurred for FFY 2010**
Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	45.00
C. APR Grand Total (A) + 618 Grand Total (B) =	90.00
Total N/A in APR	0
Total N/A in 618	0
Base	**90.00**
D. Subtotal (C divided by Base*) =	1.00
E. Indicator Score (Subtotal D x 100) =	100.00

* Note any cell marked as N/A will decrease the denominator by 1 for APR and 2.045 for 618