

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

June 15, 2011 Minutes

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
Call to Order, Welcome and Introduction	Introduced members and guests	Two state board members have been appointed to the panel. Mary Rose Oakar has been reappointed and Angela Thi Bennett is a new appointment.	
Panel Business			
	Approval of April 7, 2011 Minutes	April Siegel Green moved to accept the April 7, 2011 minutes, Handout #1, and Denise Conrad seconded. The minutes were approved.	
Committee Reports			
	Membership Committee	Review of the process for reviewing the applications. The membership committee proposed a slate of applicants. The panel votes to move or not to move the slate forward to the superintendent of public instruction. The superintendent makes the final appointments which should happen at the end of June.	
	Election Committee	<p>Review of Ballot. Review of vice-chair position which serves a total of five years: 2 years as vice chair, 2 years as chair and one year as an ex-officio member.</p> <p>Member-at-large is a 2 year term who serves as a member of the executive committee and on either the elections committee or membership committee. May also be appointed to other adhoc committees as needed.</p>	
Caseload Ratio Project Update		<p>Caseload Ratio update – Handouts #2 and #3 3 recommendations from the Steering Committee</p> <ol style="list-style-type: none"> 1. The Ohio Department of Education (ODE) will incorporate a review of the service provider ratios into our existing monitoring process. 2. Allow educational agencies to apply for the opportunity to participate in a study of alternative processes for calculating the full time equivalency (FTE) of service provider ratios. 3. Conduct further study and evaluation regarding: service provider ratios, the workload of intervention specialists and related service personnel, and the calculation of ratios. <ul style="list-style-type: none"> • Researcher – Charles Carlin, University of Akron <ul style="list-style-type: none"> ○ Designing a statewide survey 	

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		<ul style="list-style-type: none"> ○ Providing guidance and support to educational agencies in developing and implementing service provider ratios that consider scheduling and time demands related to student needs – OAC 3301-51-09(I)(1)(a-d). 	
	Results of Voting	<p>Jason Johnson – Vice-Chair Mary Murray – Member-at-large Jennifer Brickman—Member-at-large</p> <p>Slate – approved to move forward to the state superintendent of public instruction.</p>	Propose the slate to the Superintendent of Public Instruction to make appointments to SAPEC.
	2011-2012 Meeting Dates	Dates and location for next year’s meetings—Handout #4. Sept. 7 th —new member orientation from 6:30-8:00-Location TBD.	
ODE Update			
	General Update	Kathe Shelby spoke briefly about the State Performance Plan (SPP), Special Education Profiles and Determinations and the new monitoring system. Shared a flyer regarding the OEC Special Education Leadership Conference being held in September, Handout #5.	
	Ohio Longitudinal Transition Study (OLTS)	<p>Handout #6. The OLTS is a required survey that large local education agencies (LEAs) must participate every year; the smaller LEAs are on a cycle to participate once every 4 years.</p> <p>ODE has provided a report to each of the State Support Team (SST) regions. Schools can also get this report just for their district.</p> <p>OLTS focuses on the transition planning and what students with disabilities are doing after graduating from high school (College, Work, training program, etc.).</p> <p>Discussed the 1 percent cap on the Alternate Assessment (Federal requirement). Alternate assessment is to be used for the most severely cognitively disabled students. In past years, districts were allowed to</p>	

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Agenda Item			
		<p>request a waiver to exceed the 1 percent cap but this is no longer allowed. It depends on the size of the districts of how many of the alternately assessed student's scores count toward the pass rate for the district. Some schools point the finger at their students with disabilities for not meeting the pass rate.</p> <p>Adequate Yearly Progress (AYP) – Subgroup of students with disabilities are causing some districts to not meet AYP. The U.S. Department of Education (USDOE) is considering providing waivers. However, AYP is helping raise expectations for students with disabilities.</p>	
	<p>Budget and Legislative Update</p>	<p>Special Education will be flat funded. Maintenance of Effort (MOE) in special education funding is required by LEAs and the state. MOE is spending the same amount on special education services that was spent last year.</p> <p>In the budget is the Jon Peterson Scholarship program for children with disabilities. It will function much like the Autism Scholarship Program (ASP) and was modeled after it. It is also a parental choice scholarship.</p> <p>The district of residence (DOR) must write the initial individualized education program (IEP). Then, the parent takes the IEP and the scholarship money to receive services for the student elsewhere. The DOR must write another IEP the next year. The DOR is also responsible for completing the 3 year reevaluation. These requirements are burdensome for the DOR since they are not receiving funds for this.</p> <p>Review of proposed reorganization of ODE, Handout #7. The Office for Exceptional Children (OEC) may be moved under the Center for Curriculum and Assessment.</p>	
	<p>Special Education Determinations 2011 – Kara Waldron</p>	<p>Handout #8. Determinations evaluate the performance of each LEA and their implementation of IDEA requirements. Determinations focus on the SPP Compliance Indicators.</p>	

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		<p>ODE receives a determination from USDOE. ODE makes determinations for all LEAs using the same four categories of determinations used by USDOE: meets requirements, needs assistance, needs intervention and needs substantial intervention.</p> <p>A stakeholder meeting was held to discuss the determinations and assist ODE with making decisions on the most fair and best way to make Determinations. Two members from SAPEC participated.</p> <p>Determinations Criteria</p> <ol style="list-style-type: none"> 1. Performance on compliance indicators 2. Whether data submitted by the LEA are valid, reliable and timely 3. Uncorrected noncompliance from other sources 4. Any audit findings <table border="1" data-bbox="814 808 1528 992"> <thead> <tr> <th>Category</th> <th>2010 LEAs</th> <th>2011 LEAs</th> </tr> </thead> <tbody> <tr> <td>Meets Requirements</td> <td>666</td> <td>709</td> </tr> <tr> <td>Needs Assistance</td> <td>186</td> <td>204</td> </tr> <tr> <td>Needs Intervention</td> <td>4</td> <td>0</td> </tr> <tr> <td>Needs Substantial Intervention</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>Public Reporting – the 2010 LEA Determinations can be found on the ODE website, keyword search <i>district level performance data</i>.</p>	Category	2010 LEAs	2011 LEAs	Meets Requirements	666	709	Needs Assistance	186	204	Needs Intervention	4	0	Needs Substantial Intervention	0	0	
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	Due Process Hearings, State Level Reviews and Resolution Meetings	Handout #9. All due process decisions, state level review officers decisions and decisions from the courts are posted on www.edresourcesohio.org .																
	Complaints, Mediations and IEP Facilitations	<p>Handout #9 continued. Mediations-from Sept 7, 2010 to March 31, 2011</p> <p>Letter of findings for formal written complaints are posted on www.edresourcesohio.org.</p> <p>The number of complaints filed against a district can trigger an ODE/OEC Selective Review of the district.</p>																

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

June 15, 2011 Minutes

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	Graduation Rate	<p>Handouts #10 and #11. Changes to the way Graduation Rate is being calculated which is federally required by Elementary and Secondary Education Act (ESEA) and No Child Left Behind (NCLB). The new graduation rate calculation set by the USDOE is based on graduating within four years of entering the 9th grade.</p> <p>Handouts #10 and #11 were sent out to superintendents and special education directors on June 8, 2011 explaining the change to the calculation and reminding them that they must provide a free appropriate public education (FAPE) to students with disabilities according to their IEP and cannot be forced to graduate in 4 years. This change is a concern for drop-out prevention schools.</p>	
		Recognized members who terms have expired with a Certificate of Appreciation from the State Superintendent of Public Instruction.	
Constituency Reports		Bowling Green State University is working on an Autism program and blended early childhood special education program.	
Public Comments		No public comment.	
Adjorn/Passing of the Gavel		<p>Debbie Zielinski will be the SAPEC Chair next year. Terri McIntee will serve as an ex-officio member on SAPEC in 2011-2012.</p> <p>Mary Murray motioned to dismiss. Janet Lineberry seconded. Meeting adjourned.</p>	

State Advisory Panel for Exceptional Children (SAPEC) Ohio Department of Natural Resources

2045 Morse Rd, Building E
Room Assembly Center East

June 15, 2011

9:30 a.m. to 3:30 p.m.

9:30	Call to Order <ul style="list-style-type: none"> • Welcome and Introductions 	Terri McIntee, Chair
9:45	Panel Business <ul style="list-style-type: none"> • Approval of April 7, 2010 Meeting Minutes • Membership Committee – Review of Proposed Membership Slate, Vice-Chairperson Candidate and Members-at-large. • Election Committee – Voting Process • Vote on Proposed Membership Slate, Vice-Chairperson and Members-at-large 	Deb Zielinski, Membership Committee Chair Terri McIntee, Chair
10:00	Updates from the Office for Exceptional Children <ul style="list-style-type: none"> • Caseload Ratio Project • OEC Conference • Ohio Longitudinal Transition Study (OLTS) – Indicator 14 Secondary Transition • Budget and Legislative Update • ODE Proposed Reorganization Chart 	Bernadette Laughlin Kathe Shelby
10:30	Break	
10:45	LEA Determinations	Kara Waldron
11:45	Lunch	
12:30	Due Process Findings and Decisions Mediations and IEP Facilitations	Ann Guinan Chrissy Cline
1:45	Graduation Rate Calculation	Kathe Shelby Anne Skaggs
2:45	Constituency Reports (This is an opportunity for SAPEC members to report on relevant activities planned by the organization/ constituency they represent.)	Panel Members
3:00	Public Comment (This is an opportunity for non-SAPEC members to express their views.)	Public
3:30	Closing Remarks/Passing the Gavel	Terri McIntee, Chair

Times on the agenda are subject to change; the SAPEC meeting will be adjourned when the business items are completed.

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN (SAPEC)

April 7, 2011

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
Call to Order, Welcome and Introduction	Introduction of members and guests	Kathy Arnold, a new SAPEC member, is the Part C Coordinator of the Ohio Help Me Grow (HMG) Advisory Council and represents the Ohio Department of Health (ODH) on the panel.	
Panel Business	Approval of Dec. 2, 2010 Minutes.	Cynthia Macintosh moved to accept the Dec. 2, 2010 minutes [REDACTED] and April Siegel Green seconded. The minutes were approved.	
Committee Reports	Membership Committee – Debbie Zielinski	<p>SAPEC recruited members to represent the following areas of: an Institution of Higher Education, the Ohio Federation of Teachers (OFT), the Ohio Department of Mental Health (ODMH), a vocational, community or business organization concerned with provision of transition services to students with disabilities, individuals with disabilities and the Ohio Association of County Boards of Developmental Disabilities (OACBDD).</p> <p>Fifty applications were received by SAPEC’s Membership Committee to fill membership vacancies in the areas listed above. The vacancies are for a three-year-term beginning in the 2011-2012 school year. The Membership Committee reviewed each application and created a summary of the applicants. The applicants were screened and narrowed down to eight individuals who were interviewed by the Membership Committee.</p> <p>SAPEC members will vote on the proposed slate [REDACTED] during the June 15, 2011 SAPEC meeting. Those recommendations will then go to the Superintendent of Public Instruction who will make the final decision and appointment.</p>	
Committee Reports	Election Committee – Tom Ash	<p>The slate of officers proposed by the Election Committee includes two current members who would serve a one-year term as Member-at-large for 2011-2012 and one Vice Chairperson for 2011-2012.</p> <p>Members-at-large serve on SAPEC’s Executive Committee whose functions include addressing urgent issues that may occur between meetings.</p> <p>The two candidates for proposed members-at-large are Mary Murray and Jennifer Brickman. One SAPEC member proposed for Vice Chairperson is Jason Johnson.</p>	Vote on the proposed membership slate, Vice-Chairperson and Members-at-large at the June 15, 2011 meeting.

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
Committee Reports		The Early Childhood Advisory Council made a request for SAPEC representation on their Special Needs and Early Intervention subcommittee [REDACTED]. Janet Lineberry volunteered.	
ODE Updates	Office for Exceptional Children (OEC) staff reorganization and introduction of the new Assistant Directors at the OEC.	<p>During the Verification Visit, the U.S. Department of Education’s (USDOE) Office of Special Education Programs (OSEP) acknowledged that OEC did not have enough staff to implement all the required duties under IDEA. As a result, OEC received approval to post and fill 15 positions.</p> <p>OEC recognized a need for consultants who specialize in certain areas of special education and related services. Six education consultant positions were created for the following areas: Low Incidence Disabilities, Severe Emotional/Behavioral, Speech and Language Pathology and Audiology, Autism and Low-Incidence, Occupational Therapy and Physical Therapy (OT/PT), and School Psychology. OEC has hired consultants in the following specialized areas: Speech and Language Pathology and Audiology, Autism, School Psychology and Severe Emotional/Behavioral consultants.</p> <p><u>Review of the OEC organization chart [REDACTED]</u></p> <p>OEC’s staff are organized by three sections: Monitoring Services and Supports, Procedural Safeguards and Specialized Services and Resource Management.</p> <p>Jo Hannah Ward – assistant director for Resource Management. JoHannah and her staff ensure that funding is distributed to LEAs, special projects and monitoring of Part B funds.</p> <p>Wendy Stoica, assistant director of Procedural Safeguards and Specialized Services, presented information regarding the staff in the Procedural Safeguards and Specialized Services section that she supervises:</p> <ul style="list-style-type: none"> • Barry Mahanes-autism and low incidence consultant; • Thomas Verespej-severe emotional/behavioral consultant; • Bernadette Laughlin- speech language pathology and audiology consultant; • Barbara Murphy-school psychology consultant; • Monica Drvota- coordinator for complaints; • Ann Guinan- coordinator for due process; and 	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<ul style="list-style-type: none"> Christine Cline-coordinator for mediation and IEP facilitation. The positions for an OT/PT consultant and complaint investigator remain vacant at this time. <p>Jamie Nash -- assistant director of Monitoring Services and Supports. Jamie supervises the Comprehensive Monitoring System for Continuous Improvement.</p> <p>Thomas Lather--associate director of the OEC. Tom is responsible for all human resource related issues, oversees fiscal issues and day-to-day duties of the office.</p> <p>A great deal of coordination occurs between the Office of Early Learning and School Readiness (OEL&SR) (ages 3-5) and OEC. OEL&SR is responsible for preschool special education students.</p> <p>Kim Carlson -- assistant director of the OEL&SR.</p> <ul style="list-style-type: none"> Barbara Weinberg, OEL&SR consultant, focuses in Indicator 12 (transition from C to B), does onsite reviews and is the liaison to Department of Health. Ellen Gow, OEL&SR consultant, focuses preschool special education funding. <p>A document listing OEC staff, their email addresses and some of their duties [redacted] was provided.</p>	
ODE Updates	Accommodations Manual	An Assessment Accommodations Manual and training has been developed [redacted] by OEC through the Center for Special Needs Populations at the Ohio State University. These resources are posted on Edresourcesohio.org.	
ODE Updates	OCECD Documents	<p>Two documents were created by the Ohio Coalition for the Education of Children with Disabilities (OCECD) related to special education in Ohio:</p> <ul style="list-style-type: none"> Ohio Special Education Profile 2011 [redacted]; Special Education Funding: FY 2012-2013 Executive Budget Proposal [redacted]. 	
ODE Updates	Budget and LEA Funding Update	<p><u>Budget and LEA Funding</u></p> <p>The Fiscal Year (FY) 2012-2013 State budget bill introduced as House Bill (HB) 153 and hearings are underway.</p> <p>Federal stimulus funds, ARRA, expire on Sept. 30, 2011. A large portion of the</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p>money that is being “cut” from the state budget for LEAs is the loss of this one-time money from the ARRA funds.</p> <p>The Evidence Based Model (EBM) that was in the previous budget has been repealed and future funding will be based on an average daily membership (ADM) count.</p> <p>Ohio’s GRF-Special Education Weighted Funding to LEAs is currently:</p> <ul style="list-style-type: none"> • Per pupil amount x 6 weights; • Funded at 90% (not fully funded); • Based on the 2001 weights study as completed by the Ohio Coalition (FY09). <p>State GRF weighted funding is flat funded for FY2012-2013 in the house budget bill.</p> <p>Special Education Enhancements – Flat funded in FY2012-2013. This money is not distributed to all LEAs. These funds are distributed as follows:</p> <ul style="list-style-type: none"> • Preschool special education units - \$84.4 million; • Parent mentors - \$1.3 million); • Home instruction reimbursement - \$2.2 million; • School psychology intern program - \$2.5 million; and • Funding to county boards of developmental disabilities - \$45.2 million. <p>Catastrophic Reimbursement is flat funded for FY2012-2013 at \$10 million. Based on the number and amount of requests for reimbursement and the funds available for reimbursements, LEAs are currently receiving only 17 percent reimbursement on their claims. OEC also allocates supplemental IDEA Part B money to this fund.</p> <p>ODE applied for \$434.6 million in IDEA Part B federal funds for FY2012.</p> <p>The LEA funding formula for IDEA funds:</p> <ul style="list-style-type: none"> • Based on 1989 December Child Count; • Current count of children living in poverty; • Current ADM public and private (all kids). 	

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		<p>The county boards of developmental disabilities receive funding from the ODE and Ohio Department of Developmental Disabilities (ODDD).</p> <p><u>Legislation to Watch</u></p> <p>SB128/HB136 – Special Education Scholarship Program – pays for special education programs provided by alternative public providers and private entities. It caps scholarship at 5 percent of number of identified students with disabilities residing in state. If it becomes law, OEC must provide a written notice to parents that outlines the children’s rights under the scholarship program versus the rights of children under state and federal special education law.</p>	
ODE Updates	Response to Intervention (RTI) Memo from the U.S. Department of Education, Office of Special Education Programs	A memo was sent to all state education agencies from the U.S. Department of Education, Office of Special Education Programs (OSEP) to emphasize that a Response to Intervention (RtI) process cannot be used by an LEA to delay or deny a timely initial evaluation for children suspected of having a disability [REDACTED].	
Ohio’s Comprehensive System of Monitoring for Continuous Improvement	Comprehensive System of Monitoring for Continuous Improvement	<p><u>Why is OEC going in the direction it is with monitoring?</u></p> <p>IDEA 2004 amendments made changes to monitoring, technical assistance and enforcement actions required of the states. States must now submit a State Performance Plan (SPP), monitor under priority areas, ensure general supervision, child find, effective monitoring, collecting valid and reliable data and carrying out enforcement actions against LEAs when required. OEC is in the second year of the new Comprehensive System of Monitoring for Continuous Improvement.</p> <p><u>Review of the Comprehensive System of Monitoring for Continuous Improvement</u></p> <p>The cone visually shows the Comprehensive System of Monitoring for Continuous Improvement. From most intensive type of monitoring to the least intensive [REDACTED].</p> <ul style="list-style-type: none"> • Compliance indicator reviews-all LEAs. • IDEA onsite reviews and data verification-some LEAs. • Selective review-few LEAs participate and it is very intensive. Several things can trigger a selective review such as a large number of complaints filed against an LEA in a short period. 	

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		<p>If noncompliance is found, correction of individual findings must be completed by the LEA within 30 days of the LEAs receipt of the Summary Report or if the LEA receives their Summary Report late in the year the LEA will have up to 60 days to correct individual findings. The parents of any child whose record has been found to be noncompliant must also be notified in writing by OEC. The LEA must develop a corrective action plan (CAP) to correct systemic noncompliance findings within one year of the date the LEA receives the Summary Report. Once the LEA has implemented its CAP, OEC will select a random sample of records to review as evidence of correction of systemic noncompliance. If noncompliance is still found, the LEA must correct and continue through the process. If the LEA cannot correct all noncompliance items within a year the LEA will receive a lower determination.</p> <p>██████████ lists all LEAs that received an onsite review in 2009-2010 and 2010-2011 and lists a summary of findings for LEAs reviewed in 2009-2010 and 2010-2011.</p>	
	Compliance Indicator Reviews	Review of Compliance Indicator Reviews – LEA Status ██████████.	
2011 Annual Performance Report (APR)	2011 APR and State Profile	<p>The state reports to OSEP on 20 indicators. OEC has organized the 20 indicators into 4 groups. Each indicator group has a “critical question.”</p> <p>Review of the critical questions, 20 indicators and the state’s performance ██████████.</p>	
Member Questions	Status of assessments for SWD	<p>2% - Alternate Assessment ODE received a grant in 2007 to conduct a three year study that addressed alternate assessments based on modified academic achievement standards. After three years, ODE’s found that children with disabilities don’t know or understand the content.</p> <p>ODE received another three year research grant to study to identify the students with disabilities who were having problems and to create a profile of the students and what types of problems they experienced.</p>	
Constituency Reports	Reporting out from the associations and departments.	<p><u>ODYS – Cynthia Macintosh</u> ODYS continues to downsize by closing a facility in 2011 and making some reductions in personnel. New director of the agency is Harvey Reed. The total number of students is decreasing however the number of students identified with</p>	

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		<p>disabilities is increasing.</p> <p><u>Bowling Green State University (BGSU) – Mary Murray</u> BGSU is conducting student teaching seminars on students with disabilities. There has been great interest in them.</p> <p><u>McKinney-Vento, ODE – Cindy Stickley</u> Homeless education numbers are on the rise.</p> <p><u>ODH – Kathy Arnold</u> HMG Part C application for federal funding is posted on the HMG website. A 7.7 percent cut has been proposed to HMG in the budget.</p> <p><u>OACBDD – Jed Morison</u> The accelerated phasing out and elimination of the tangible personal property tax is a concern for the County Boards of Developmental Disabilities.</p> <p><u>ODMH – Kay Rietz</u> Kay Rietz will be leaving SAPEC after this year and be replaced by another representative from ODMH who specializes in early childhood and mental health. This is Kay’s last meeting.</p> <p><u>Buckeye Association of School Administrators (BASA) – Tom Ash</u> The proposed acceleration of the phasing out and elimination of the tangible personal property tax is a concern and would result in a large cut to some LEAs. There are concerns about proposed budget language regarding the creation of Regional Service Centers that could impact maintenance of the Statewide System of Support.</p>	
Public Comments		No public comments.	
Adjourn		Cynthia Macintosh motioned to dismiss. April Siegel-Green seconded. Meeting adjourned.	

CASELOAD RATIO PROJECT



Caseload Steering Committee

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Caseload Ratio Steering Committee

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The Caseload Ratio Project



The RFP



The RFP- continued



Awards



Response to the RFPs



Service Providers Studied Include



Examples of the Alternative Plans



Caseload Steering Committee

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Researcher



Researcher continued



Timelines



Ongoing Support Provided



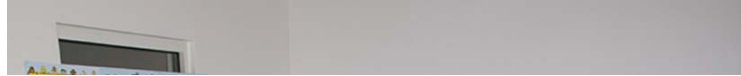
Research Supports a Student Needs

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Dylance et al. (1999)

Questions



**Ohio Department of Education-Office for Exceptional Children
Caseload Ratio Project Information**

District Name	County	Region	ADM	SWD	Project Addresses	Levels	Plan
Round One Submissions							
Blanchester Local	Clinton	Rural	1744	273	IS	District-wide	Develop flexible workload/weighted formula with aide assistance as part of the formula
Bridges Community Academy	Seneca	Rural	171	34	IS	District-wide	Study implementation of N.C. Formula: IEP hrs X 1.7=service hrs
Clermont County ESC	Clermont	Rural/Sub	27,727	4,089	IS, SLP, OT, PT, Psych	District-wide	Develop Workload Calculator that includes intensity of needs and addresses all responsibilities
ESC of Central Ohio	Franklin	Urban	833	650	IS, SLP, OT, PT	District-wide	Identify/implement methodology that accounts for all work activities
Four County Career Center	Henry	Rural	960	306	IS	High School	Students placed in general ed, gen.ed co-teaching or direct instruction; VOSE provides support with aides
Fredericktown Local	Knox	Rural	1209	220	IS	District-wide	Determine ratios based on intensity of needs
Montgomery County ESC	Montgomery	Rural/Sub/Urban		3000	IS,OT,PT	District-wide	Track service provision time within a variety of parameters including special ed categories
Sandusky City School	Erie	Urban	3577	793	IS, SLPs	District-wide	Develop/implement caseload/workload method based on intensity of needs and all workload duties
Warren County Career Center	Warren	Suburban	777	228	IS	High School	Research and analyze potential models for various caseload models working with SST, OEC, and parents
Westerville City	Franklin	Suburban	14,600	1700	IS	District-wide	Committee will develop plan for calculation of service provider ratios
Round Two Submissions							
Adams County/OH Valley	Adams	Rural	4155	761	IS,Psych	District-wide	Study workload demands of school psychologists in effectively implementing RtI
Batavia Local	Clermont	Rural/Sub	2100	308	IS,SLP	District-wide	Develop Workload Calculator based on time needed to serve students according to intensity of needs
Clermont N.E. Local	Clermont	Rural	1746	337	IS, OT, PT, SLP, Behavior	District-wide	Develop a rubric to quantify needs and amount of service for SWD using a point system.
Crestview Local	Ashland	Rural	1241	174	IS,SLP,OT,PT	District-wide	Study groups will propose ratios based on intensity of student needs and service providers workload
Goshen Local	Clermont	Rural	2660	495	IS	District-wide	Develop a point system based on IEPs for determining level of support students need
Greene County ESC	Greene	Rural/Sub	1097	1000	IS,SLP,OT,PT	District-wide	Piloting a database created in Filemaker to collect detailed information of time demands on service providers
Maritime Academy	Lucas	Urban	215	45	IS,SLP,OT,PT	District-wide	Create a caseload formula and develop a system to monitor progress
Ripley Union Lewis Huntington	Brown	Rural	1159	197	IS,SLP	District-wide	Data will be collected/analyzed as to time spent by service providers on various workload duties to develop a plan
Tuscarawas County Bd DD	Tuscarawas	Rural	64	46	IS,SLP,OT,PT, APE,N	District-wide	Restructuring of 4 resource classrooms based on student needs;data collected to see effect on service provider workload
Virtual School House	Cuyahoga	Urban	350	221	IS	District-wide	Study student teacher ratio for inclusion and resource classes
Wayne Local	Warren	Rural	1505		IS		Analyze data and develop a rubric for service provider caseloads based on LRE, disability, grade level, external factors

**State Advisory Panel for
Exceptional Children (SAPEC)
2011-2012 Meetings**

September 8, 2011

November 3, 2011

January 19, 2012

**February 9, 2012
(Alternate Date)**

April 19, 2012

Meeting Times: 9:30 a.m. to 3:30 p.m.

**Location: Worthington School District
Worthington Education Center
200 East Wilson Bridge Road
Worthington, OH 43085**

**2011
Special
Education
Leadership
Conference
September 19-20**

Greater Columbus
Convention Center

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Ohio Educators!**

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Registration: \$100

2011 Conference Presenters:

Melody Musgrove, Director, Office for Special Education Programs,
U.S. Dept. of Education

Kathe Shelby, Director, Office for Exceptional Children,
Ohio Department of Education

Rebecca Hines, Associate Professor, University of Central Florida
(sponsored by Ohio CEC)

LeDerick Horne, Board Chair, Project Eye to-Eye

W. David Tilly, Director of Innovation and Accountability,
Iowa Heartland AEA 11

Joseph Kovalski, Professor of Education and School Psychology,
Indiana University of Pennsylvania

Eleanor Renee Rodriguez, Consultant, Rodriguez and Associates,
sponsored by the Ohio Department of Education

Conference Volunteer Opportunity!
Apply at www.edresourcesohio.org

SPECIAL POINTS OF INTEREST

- The OLTS was funded by the Ohio Office for Exceptional Children to measure implementation and effectiveness of the policies in the IDEA of 2004.
- Kent State University provided training, data analysis, and technical assistance for the OLTS.
- OLTS data was collected in collaboration with Ohio's sixteen SSTs and teachers at schools.
- Further information can be obtained at www.olts.org

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The Ohio Longitudinal Transition Study

ANNUAL STATE REPORT

SPRING 2011

The Purpose of the OLTS

History

The Individuals with Disabilities Education Act (IDEA) of 2004 has mandated that each state evaluate the implementation of federal special education policy. To address this requirement, Ohio's State Performance Plan (SPP) has contained reports on 20 target indicators. Target indicator #14 has been focused on tracking postschool employment, postsecondary education, and independent living outcomes of students with disabilities.

In addressing Indicator #14, the Ohio Office for Exceptional Children (OEC) contracted with the Center for Innovation in Transition and Employment (CITE) at Kent State University to develop the Ohio Longitudinal Transition

Study (OLTS). The OLTS is designed to collect data not only on postschool outcomes, but also on how students' secondary programs and services promoted these outcomes.

The CITE at Kent State University has worked in collaboration with OEC's sixteen regional state support teams (SSTs) to collect data from

approximately 1/5 of Ohio's schools each year. Teachers and transition professionals interview students just before graduation and one year later to evaluate school services, student satisfaction, and post-school outcomes. To date, the OLTS has collected information at exit from all Ohio schools and one-year follow up information from about 80% of Ohio schools.



Map of SST Regions

This report highlights some of the information collected from those schools. Additional information can be obtained at the OLTS website (www.olts.org) which includes regional reports and copies of publications and journal articles developed from OLTS data. Additional information may be obtained by Emailing rbaer@kent.edu.

Major Findings

Projected and Actual Employment Outcomes

- 78% of students with disabilities planned to be employed with 41% expecting full-time work.
- 51% of these students were working one year after graduation, but fewer were working full-time and part-time than had hoped at graduation.
- In 2009, during the recession, employment rates dropped compared to previous years (70%-51%).

Projected and Actual Postsecondary Education Outcomes

- 66% of the students surveyed planned on attending two or four-year colleges
- Only 30% were enrolled in college one year after graduation.

Projected and Actual Living and Community Participation Outcomes

- While nearly 60% of students surveyed planned on living independently from their family, only about 25% did so by one year after graduation.
- Most students expected to be voting, owning/driving a car, pursuing outdoor and community activities after graduation. Other activities included: traveling, reading, and volunteering.

The disabilities of students in the exit samples were closely aligned with the Ohio population with underrepresentation of students with low incidence disabilities.

Many students planned to work and/or attend postsecondary education, with 15% anticipating support from the VR or DD adult services.

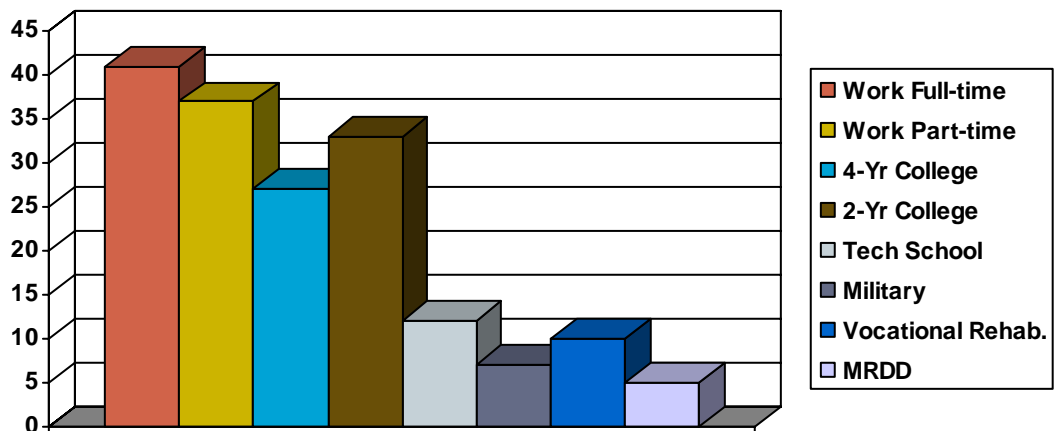
Health care was the highest reported expected field of employment (besides the "other" category) - followed by construction, human services and hospitality and tourism respectively.

The Exit Sample

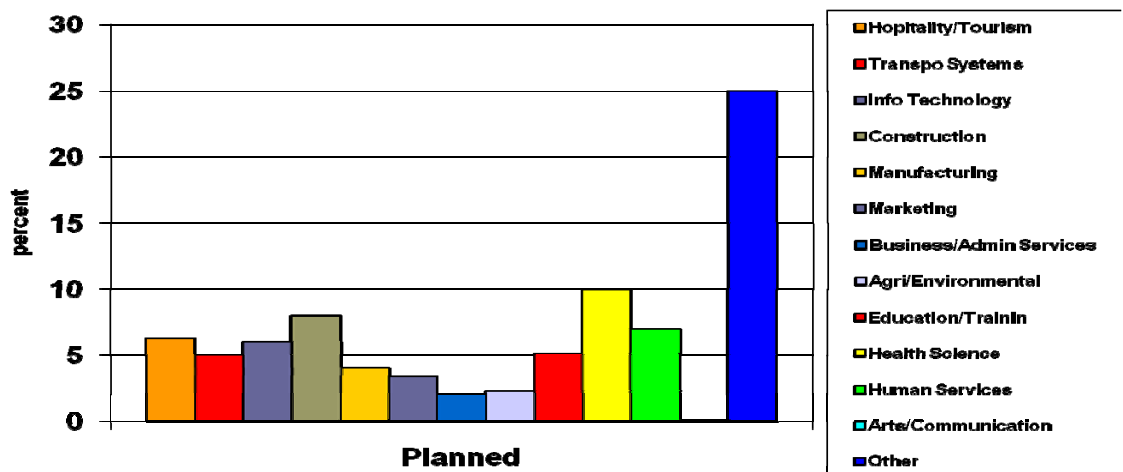
The OLTS exit sample in this report is drawn from 12,188 surveys to date—1,044 prior to 2006 when surveys were conducted voluntarily, and 11,144 surveys in the years 2006 through 2010 when Ohio schools were required to conduct surveys each year. The characteristics of students in this sample were compared to demographic data reported for graduating students in Ohio (U.S. Department of Education, 2010) and in the Second National Longitudinal Study of Transition (NLTS-2). The sample in this report was determined to be representative of Ohio’s population of students with disabilities with slight over representation from students with specific learning disabilities and slight underrepresentation of students with moderate to intensive disabilities. (U.S. Department of Education, 2010).

Student Exit Survey Findings

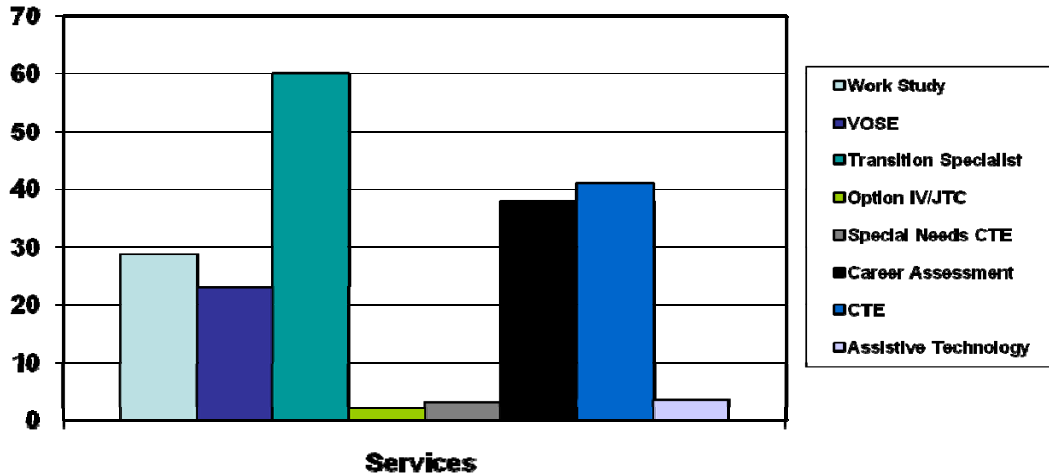
Expected Employment and Postsecondary Outcomes



Expected Fields of Employment

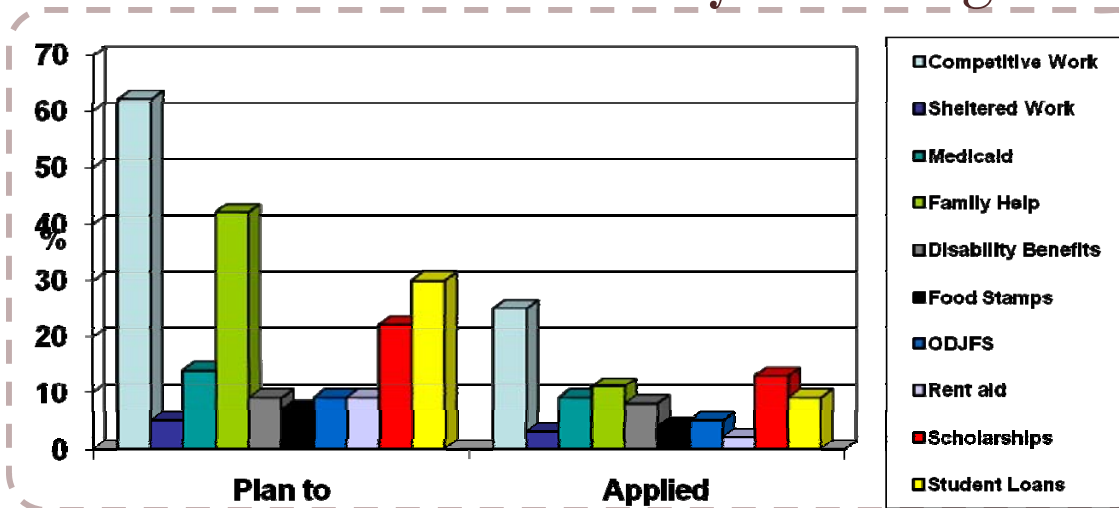


Transition Services Received



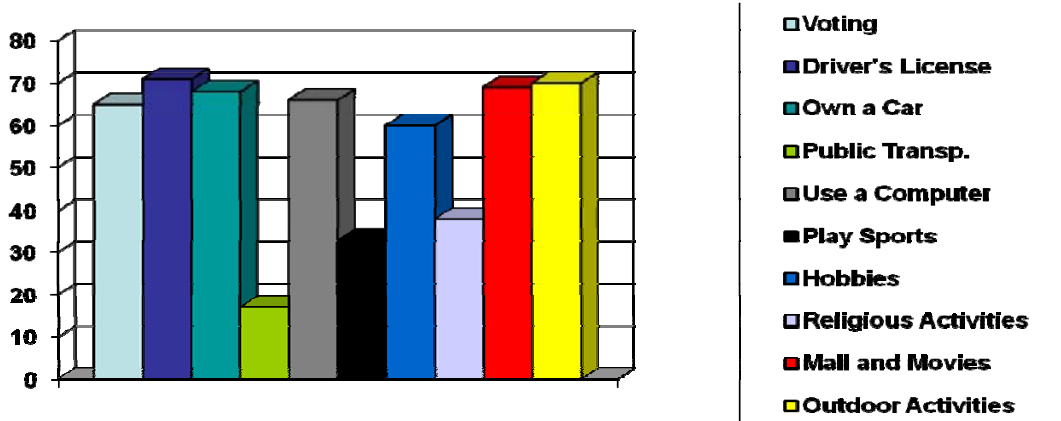
Transition Specialist services were identified by 60% of the exit sample, followed by: Career and Technical Education (41%), WS (29%), VOSE (23%), and JTC (2%)

Plans to Pay for Things



Students often reported planning to pay for adult living through competitive employment, student loans, and scholarships, but many had not applied for these sources of income by graduation.

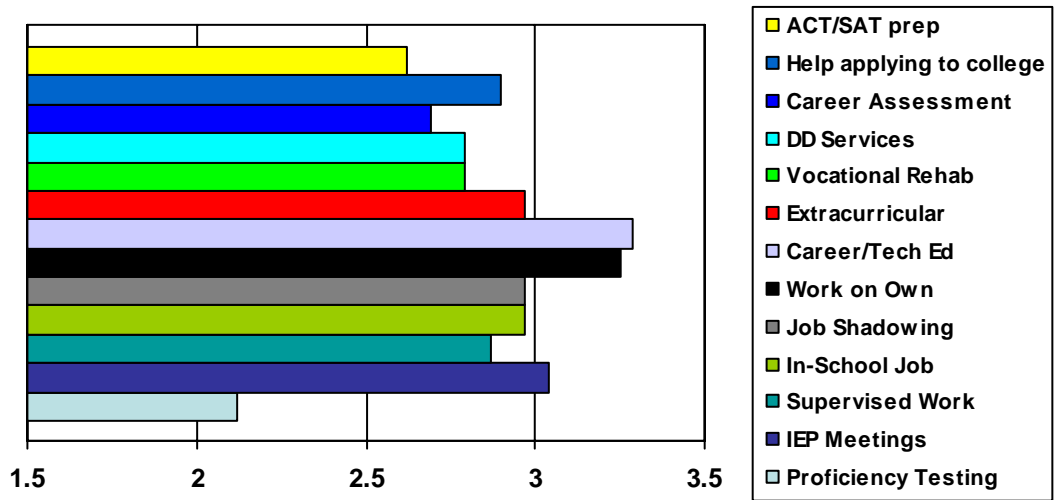
Leisure and Community Participation Expectations



Having a driver's license, owning a car, going to mall and movies, and doing outdoor activities were important leisure and community expectations to most students in the exit sample.

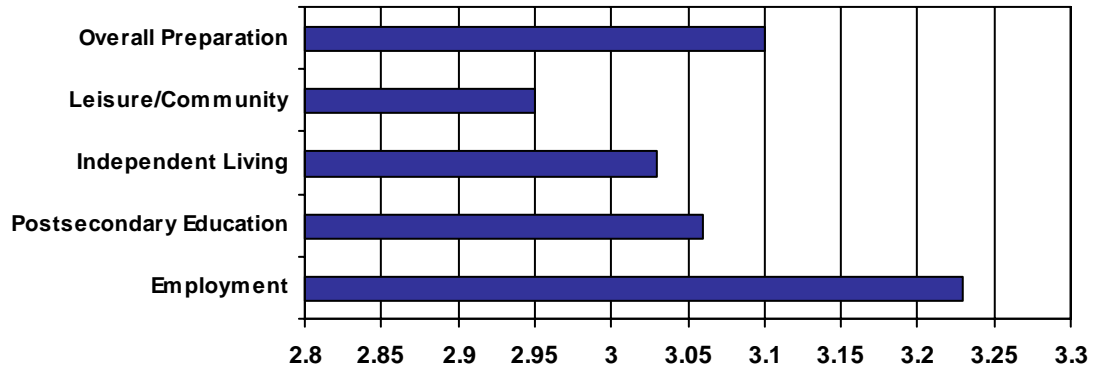
Ratings of Services Received

On a scale from 1 (not helpful) to 4 (very helpful) - career and technical education, paid work on own, IEP meetings and high school coursework were rated most helpful by students with disabilities.



Transition Planning Ratings

Transition planning for employment was rated highest by students with disabilities who reported less satisfaction with transition planning in their other life areas.



Gender and Disability Differences

Females with disabilities were more likely to plan to enter college, while males were more likely to attend career technical education and to plan to enter employment after graduation.

Gender Differences at Exit

- More males received Career and Technical Education, Job Training Coordinator services and Vocational Special Education services than females.
- More females expected to attend a postsecondary education than males at exit.
- More males than females planned to work in automotive, computer, custodial, factory, or construction jobs at exit.
- More females than males planned to work in food service, child or health care, and human services jobs at exit.

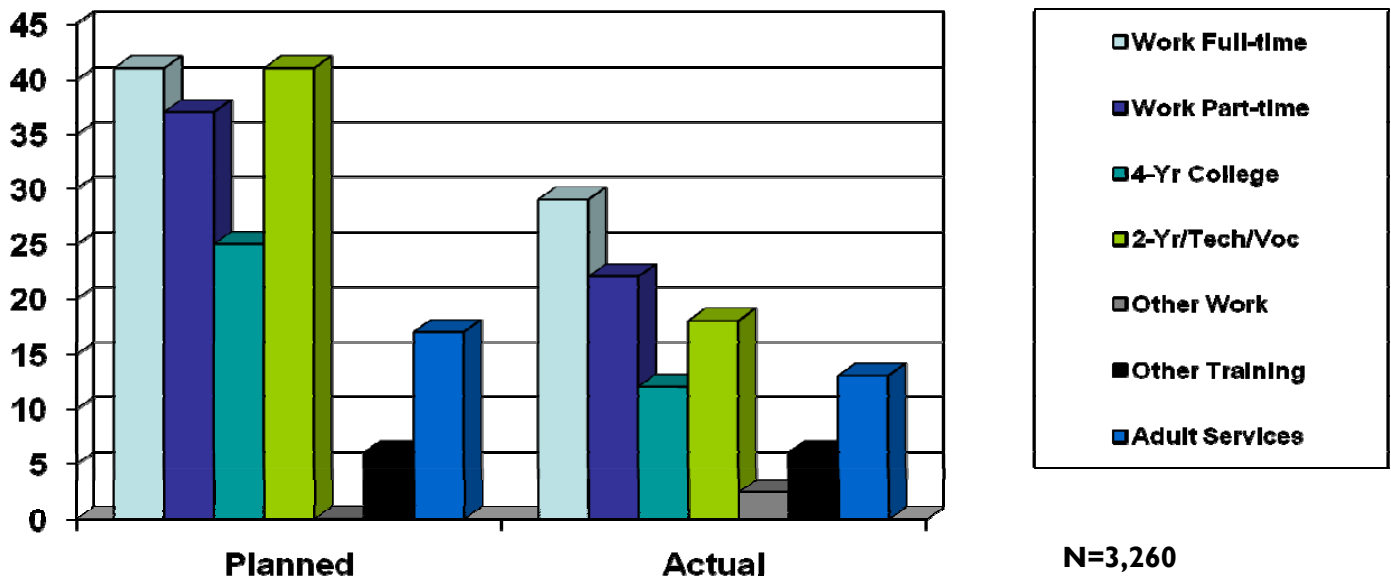
Disability Differences at Exit

- Students with intellectual disabilities were more likely to be engaged in work or postsecondary education one year out when they had a job at exit.
- Students with multiple disabilities were more likely to be working one year out when they received Job Training Coordinator services.

More than 3,000 follow-up phone surveys were successfully conducted for the classes of 2005-2009.

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Expected and Actual Postschool Outcomes



Employment:

- 41% of students planned to work full-time with 29% working full-time by one year later
- 37% of students planned to work part-time with 22% working part-time by one year later.

Postsecondary Education:

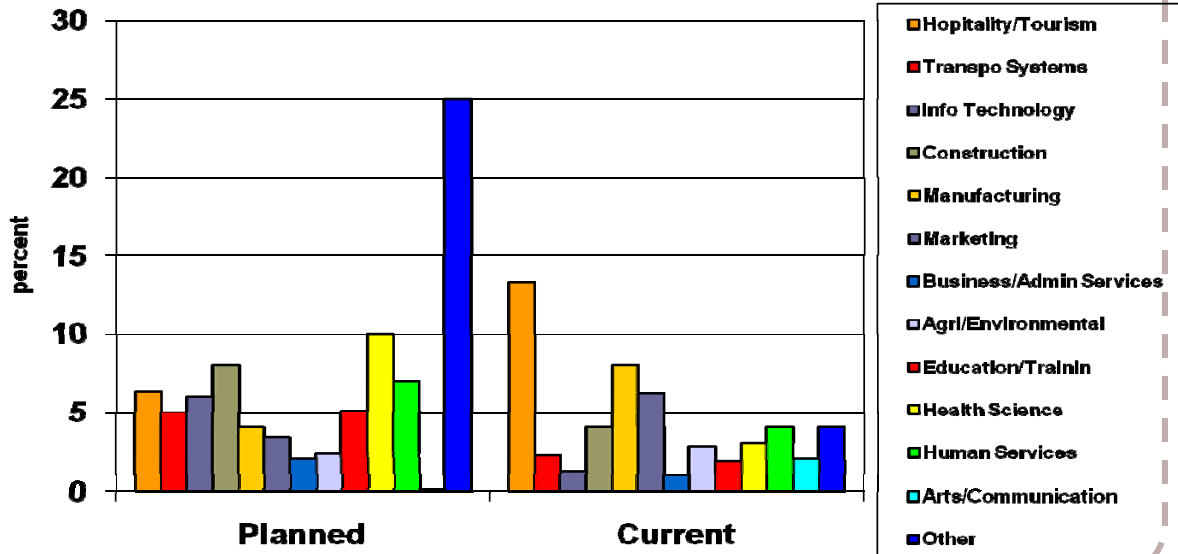
- 25% of students planned to enroll in four-year college with 12% enrolled by one year later
- 41% of students planned to enroll in a two-year college with 18% enrolled by one year later

Other

- 9% of students were participating in other employment (e.g., sheltered workshop) or other training programs (e.g., GED, WIA) one year postschool.
- 17% of students expected adult services with 13% receiving services by one year later

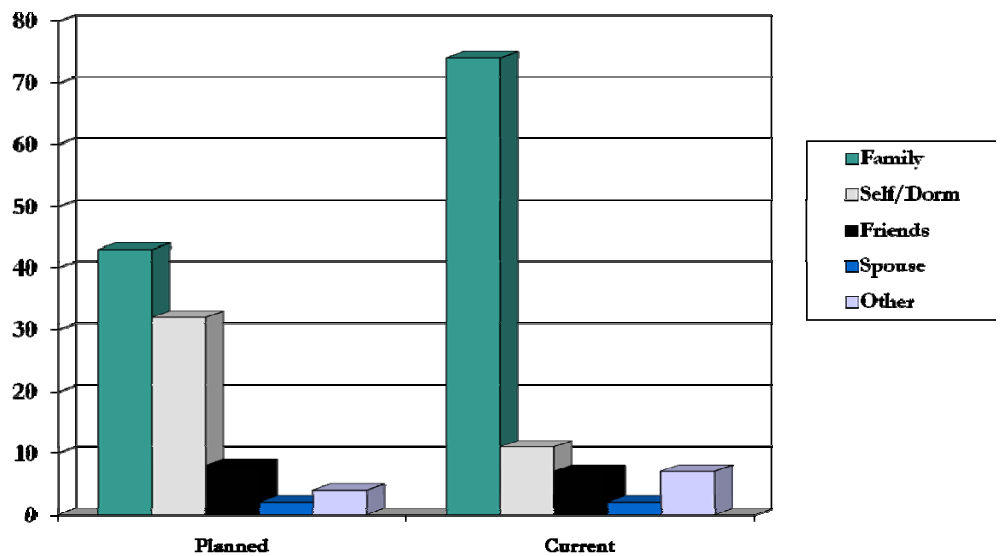
One year out, more students worked in hospitality/tourism, manufacturing, and marketing (i.e., food service, factory, retail) than planned at graduation.

Expected and Actual Fields of Employment



While the majority of students sampled planned to live away from of their family, most remained at home one year after graduation.

Expected and Actual Living Outcomes



Satisfaction Rates for Outcomes

- 56% of the respondents indicated that they were either satisfied or very satisfied with their current job, while 7% indicated that they were not satisfied.
- 83% were satisfied or very satisfied with their current living arrangements though 74% were still living at home.
- Contact with friends and transportation were positively rated by 80% and 73% of the sample respectively.

Additional Findings From Follow-up Survey

Students were asked to identify the reasons why they did not do the specific activities they had planned on at graduation.

- Of those students planning to work, the most common reasons cited for not working one year out included: the inability to either find a job or find a job of interest (62%), enrollment in postsecondary education (53%), and transportation problems (15%).
- Of those students planning to participate in postsecondary education, the most common reasons cited for not attending one year out included: other (47%), changing plans (30%) and financial constraints (26%). The “other” category included reasons such as medical/mental health problems, incarceration, had baby, wasn’t prepared, and couldn’t do the work.
- Of those students who did participate in postsecondary education, the most common accommodations received were extra time on tests (44%), tutoring (38%), and note taking services (14%).

Reasons for not working (n=746)	%
Enrolled in postsecondary education	53%
Cannot find job of interest or any job at all	62%
Need assistance and none available	9%
Lack of required skills	10%
Transportation problems	15%
Don’t want to lose benefits	8%
Don’t want to work	12%

Reasons for not attending postsecondary education (n=1,188)	%
Changed plans	30%
Not enough money	26%
Needed help applying	5%
Did not have required courses	4%
Was not accepted	1%
Other	47%

Supports received in postsecondary education (n=1,150)	%
Remedial classes	24%
Note taking services	14%
Tutoring	38%
Extra time for tests	44%
Tapes of books or lectures	11%
Reduced schedule loads	7%
Register w/ disability services	18%

Predictors of Postschool Engagement

After controlling for gender, disability, ethnicity, and school setting, a few secondary programs and transition services were found to be highly related to postschool success:

Predictors of two- and four-year college enrollment:

- Inclusion remained a significant predictor of college for the Class of 2009—students who participated in mainstream classes were 50% more likely to go on to college.
- Big gains in college enrollment rates were noted for students with intellectual and developmental disabilities (i.e., multiple disabilities, autism, orthopedic disabilities, and traumatic brain injury) -included students in these categories were more than 3 1/2 times as likely to go on to college as their non-included peers.

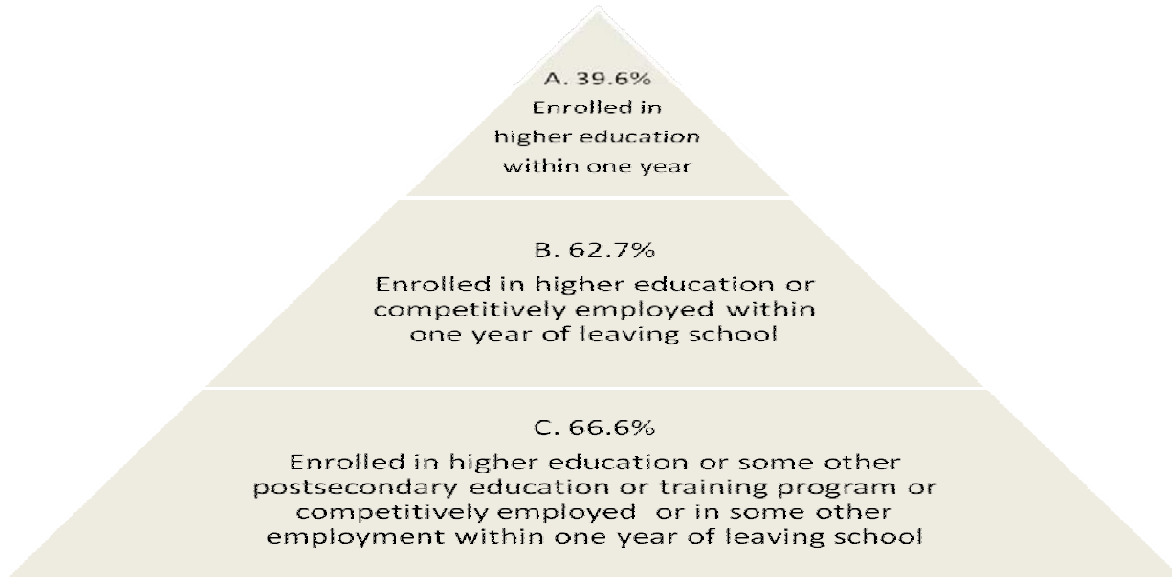
Predictors of full-time employment:

- Career technical education full-time employment outcomes weakened for the Class of 2009—probably as a result of the severe recession facing these graduates. However, students with three or more semesters of career technical education showed 30% better full-time employment outcomes than their peers.
- Career technical education concentrators with intellectual and developmental disabilities continued to experience only about 50% of the full-time employment outcomes as other students with disabilities.
- Work study outcomes dramatically decreased for the Class of 2009 probably as a result of the severe recession, with work study students showing no better full-time employment outcomes than their peers who had not participated in work study.

Predictors of employment for students with multiple disabilities:

- For the classes of 2005-2009, students with multiple disabilities who were in Job Training Coordinator (aka Option IV) programs (N=21) were nearly four times as likely to work 20-34 hours per week as students with multiple disabilities who had not participated in this program after controlling for gender and ethnicity. However, these students were no more likely to enter *full-time* employment than their peers with multiple disabilities who had not participated in this program. This may be a result of students with multiple disabilities not wanting to lose benefits.

Ohio's Engagement Rate for Students with Disabilities - 67%



Postschool Data Trends 2005-2009

	2005	2006	2007	2008	2009	Average
Enrolled in higher education within one year of leaving high school	18%	28.6%	29.1%	39.0%	39.9%	32.3
Enrolled in higher education or competitively employed with one year of leaving high school	59.1%	70.4%	73.9%	79.0%	62.7%	70.1
Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment	67.9%	74.1%	78.8%	83.7%	66.6%	74.5
The above category including adult services (DD/BVR services)	71.7%	75.8%	81.6%	86.7	70.0%	77.3

What's Next for the OLTS?

- The in-school follow-up survey was piloted in 2009/2010 using an online version. Schools participating in the OLTS follow-up now submit online..
- Drop-outs (Indicator 2 of Ohio's SPP) will be further addressed now that the pilot data collection is complete. As the number of participants increases, the data can be used for program improvement.
- Information on the OLTS can be found at www.olts.org. This site contains all state and regional reports, and information regarding the mandatory data collection process.

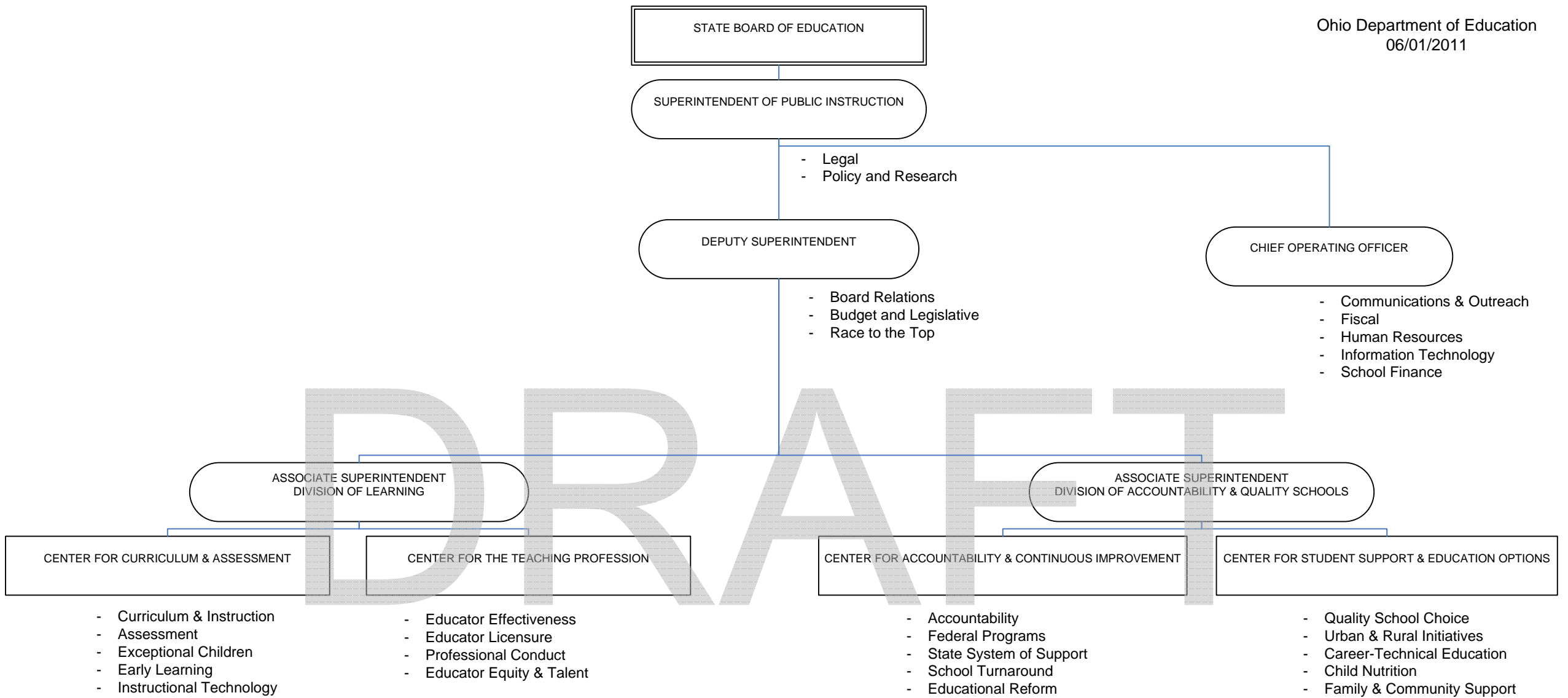
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Ohio Department of Education

**Special Education
Determinations
2011**

We Will Cover:

- Background
- Determinations requirements
- Determinations process
- Criteria and calculations
- Public reporting
- Enforcement actions
- Questions?



What are Determinations?

- IDEA 2004 requires each state to make annual determinations on the performance of each local district
- Determinations evaluate implementation of IDEA requirements
- The Office of Special Education Programs (OSEP) at the U.S. Department of Education applies one of **four** determinations to each state and territory
- In making determinations of LEAs, states must use the same four categories as OSEP:
 - (1) Meets Requirements
 - (2) Needs Assistance
 - (3) Needs Intervention
 - (4) Needs Substantial Intervention

Background

The Individuals with Disabilities Education Improvement Act of 2004 requires each state to have in place a **State Performance Plan (SPP)** that evaluates the state's efforts to implement the requirements and purposes of IDEA Part B.

State Performance Plan

The SPP, submitted every six years, includes measurable and rigorous targets for the 20 indicators established by OSEP under three monitoring priority areas:

- Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE);
- Disproportionality;
- General Supervision, including –
 - ✓ Child Find
 - ✓ Effective Transition
 - ✓ Effective General Supervision

State Performance Plan

Compliance Indicators	Results Indicators
9 & 10: Disproportionality	1: Graduation
11: Child find	2: Dropout
12: Early childhood transition	3: Assessment
13: Secondary transition	4: Discipline
15: General supervision	5: School-age LRE
16: Complaint timelines	6: Preschool LRE
17: Due process timelines	7: Preschool outcomes
20: Timely, valid & reliable data	8: Parent involvement
	14: Post-school outcomes
	18: Resolution sessions
	19: Mediation agreements

To make determinations states must consider:

- 1) Performance on compliance indicators;
- 2) Whether data submitted by the LEA are valid, reliable, and timely;
- 3) Uncorrected noncompliance from other sources; and
- 4) Any audit findings.

In addition, states can also consider:

- Performance on results indicators; and
- Other information.

Finding from OSEP's monitoring visit.

When making annual determinations on the performance of its LEAs, Ohio did not consider:

- (1) LEA-specific audit findings; and
- (2) Whether LEAs submitted valid and reliable data.



Annual LEA Determinations

Previous Process

- ✓ Were primarily based on APR compliance data and correction in the same year
- ✓ Changed from year to year

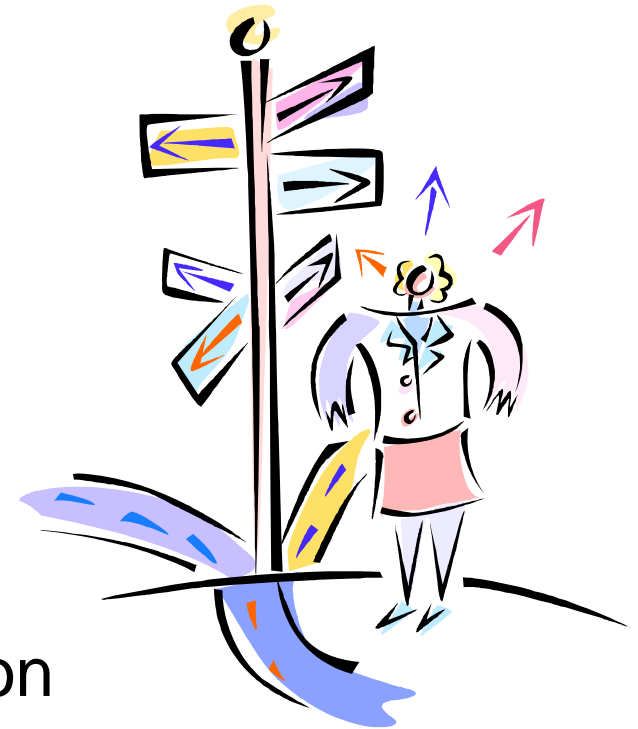
New Process

Will be based on:

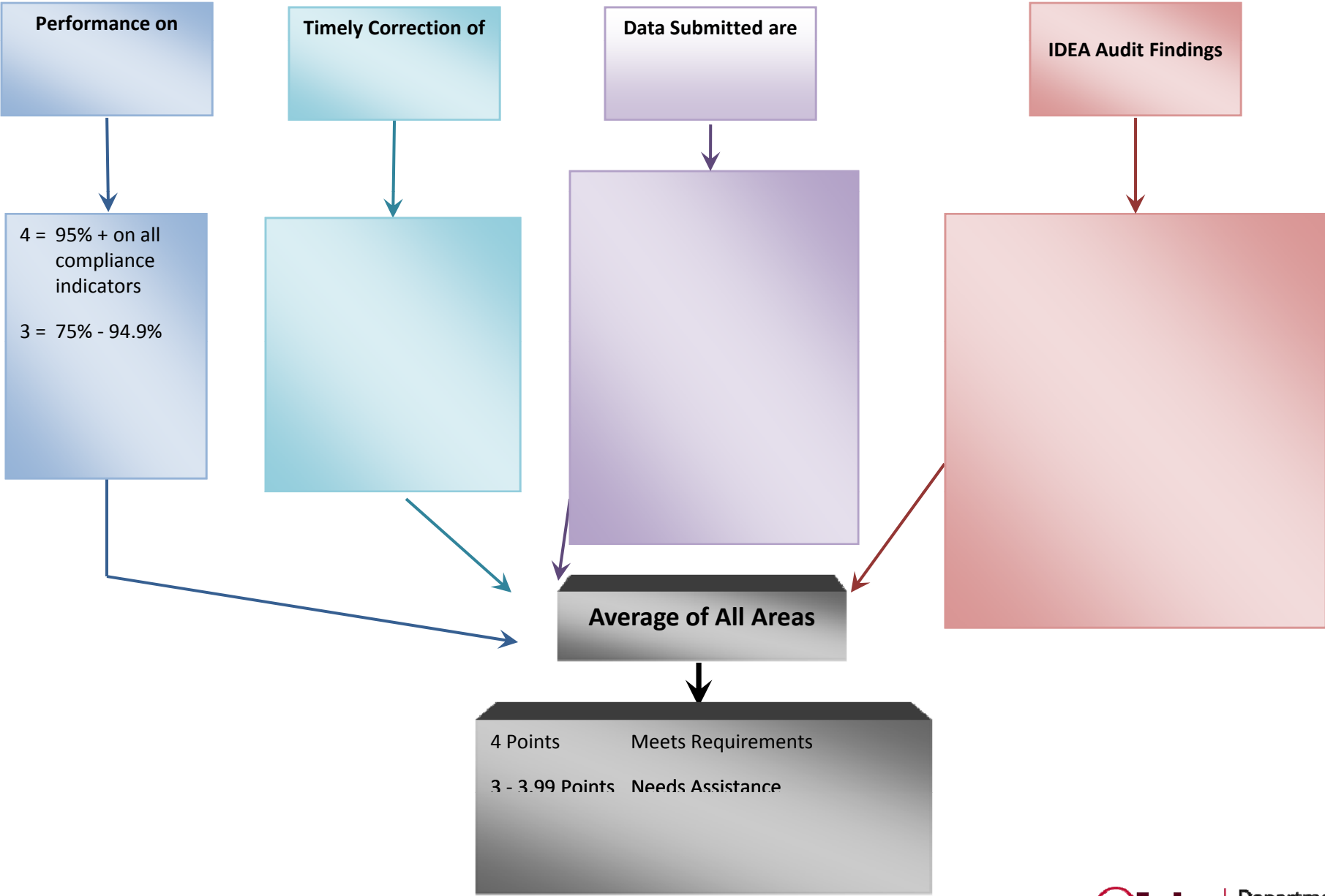
- ✓ APR compliance data
- ✓ Valid/timely data
- ✓ Correction of noncompliance from the previous year
- ✓ IDEA audit findings

To establish criteria for making LEA determinations OEC convened a stakeholder group with representation from:

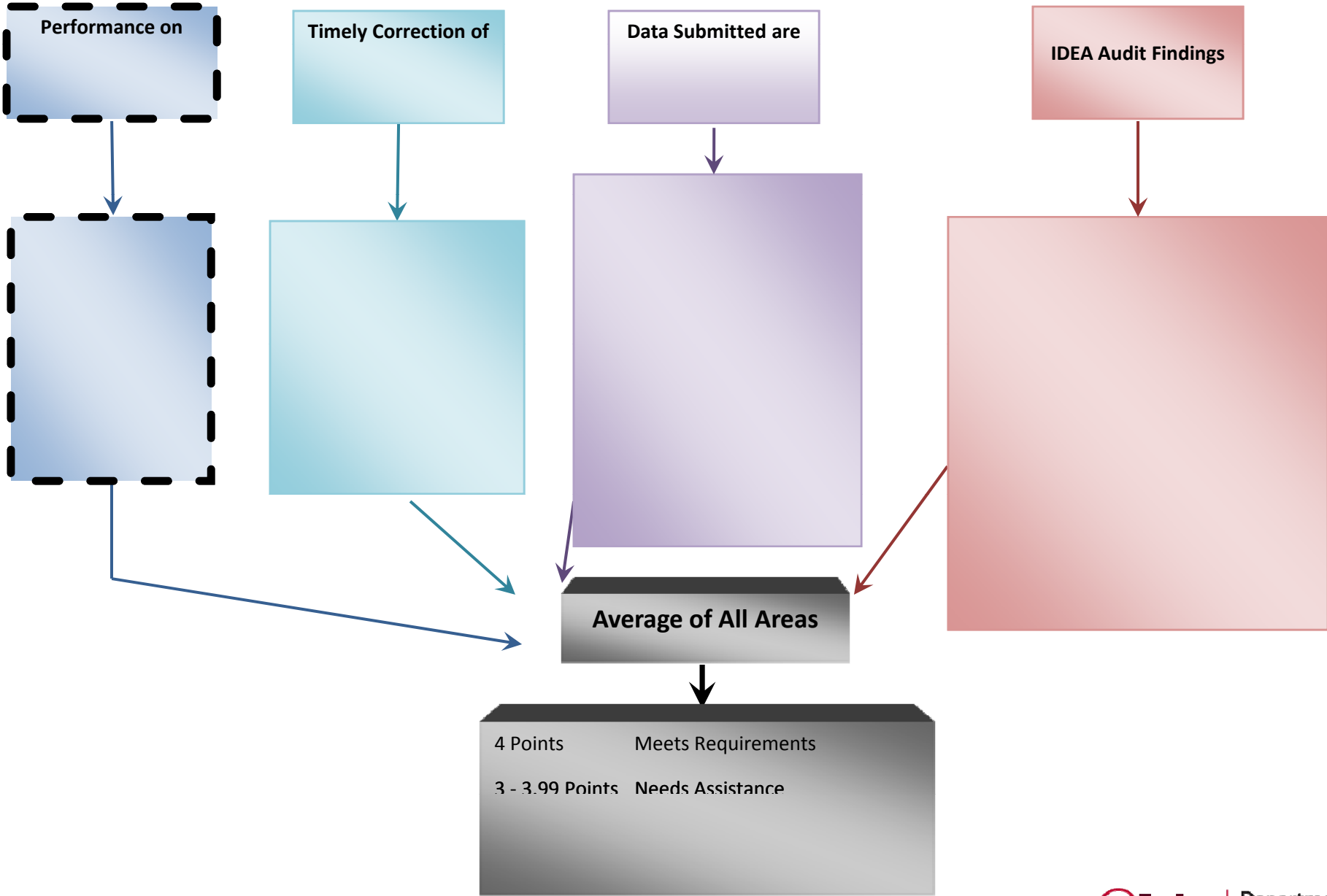
- Urban, suburban and rural school districts
- Community schools
- ESCs and SSTs
- The State Advisory Panel for Exceptional Children
- The Ohio Coalition for the Education of Children with Disabilities
- The Buckeye Association of School Administrators
- The Ohio Association of Pupil Service Administrators



Determinations Criteria



Determinations Criteria



Indicator 9

Indicator: Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Data source: 2009-2010 EMIS year-end enrollment files; calculated to identify LEAs with significant risk ratios.

Points	Criteria
	LEA <u>does not have</u> disproportionate representation of racial and
1	LEA <u>does have</u> disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
NR	LEA does not meet the minimum group-size of 30.

Indicator 10

Indicator: Disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Data source: 2009-2010 EMIS year-end enrollment files; calculated to identify LEAs with significant risk ratios.

Points	Criteria
	LEA <u>does not have</u> disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
1	LEA <u>does have</u> disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
NR	LEA does not meet the minimum group-size of 30.

Indicator 11

Indicator: Percent of children who were evaluated within 60 calendar days of receiving parental consent for initial evaluation.

Data source: Data collected in 2009-2010 EMIS year-end Special Education Event Record.

Note: No minimum group size applied.

Points	Criteria
	—

Indicator 12

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

Data source: Data collected in 2009-2010 EMIS year-end Special Education Event Record.

Note: No minimum group size applied.

Points	Criteria
	—

Indicator 13

Indicator: Percent of youth aged 16 and above with an IEP that includes:

- 1) Appropriate measurable **postsecondary goals** that are annually updated and based upon an age appropriate **transition assessment**;
- 2) Transition **services**, including courses of study, that will reasonably enable the student to meet those postsecondary goal;
- 3) Annual **IEP goals** related to the student's transition services needs;
- 4) Evidence that the **student was invited** to the IEP Team meeting where transition services are to be discussed; and
- 5) 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.

Indicator 13

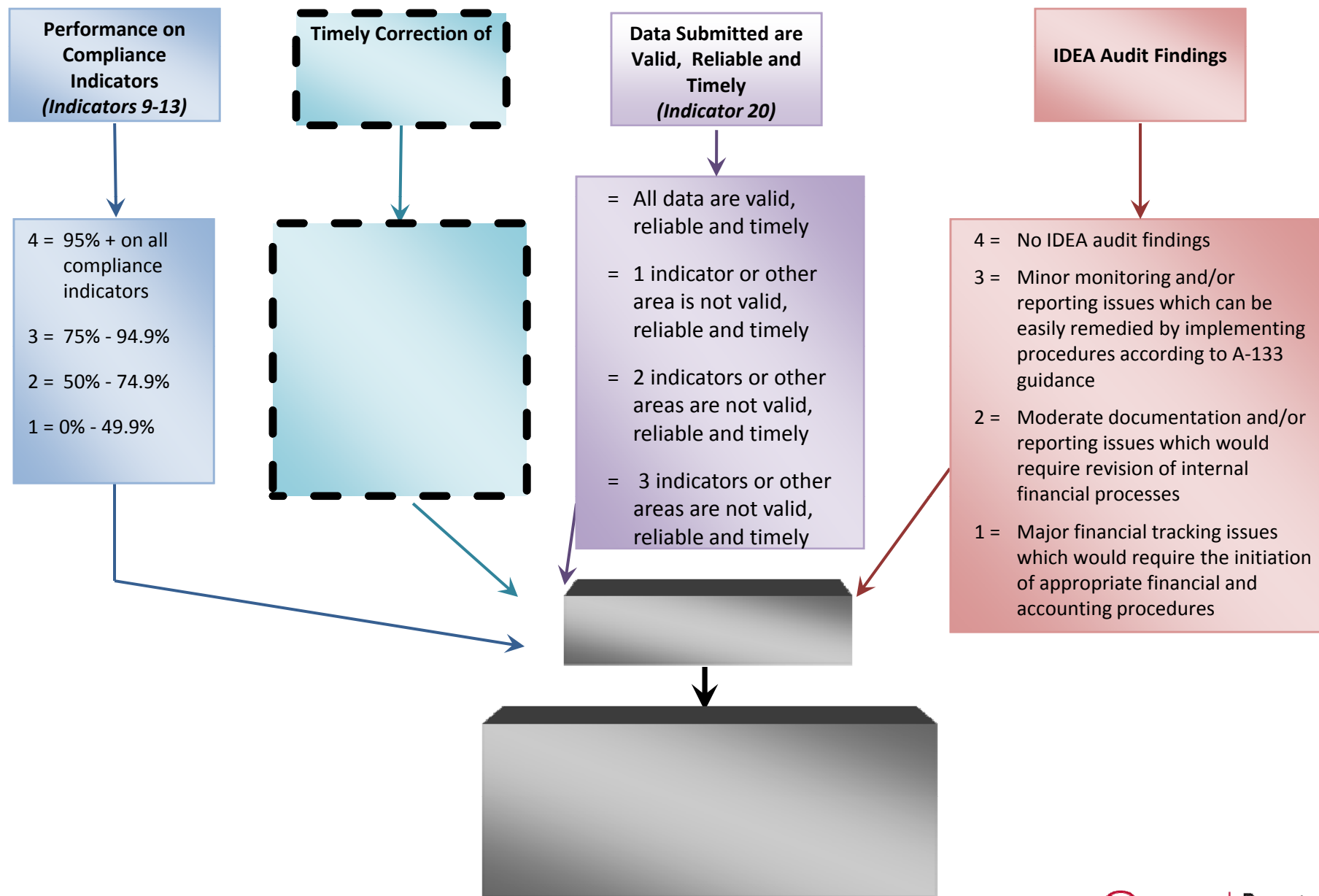
Data source: Data collected in 2009-2010 EMIS year-end Special Education Event Record.

Notes:

- 1) States have the option to include Indicator 13 this year; stakeholder group chose to include it.
- 2) No minimum group size applied.

Points	Criteria
	—

Determinations Criteria



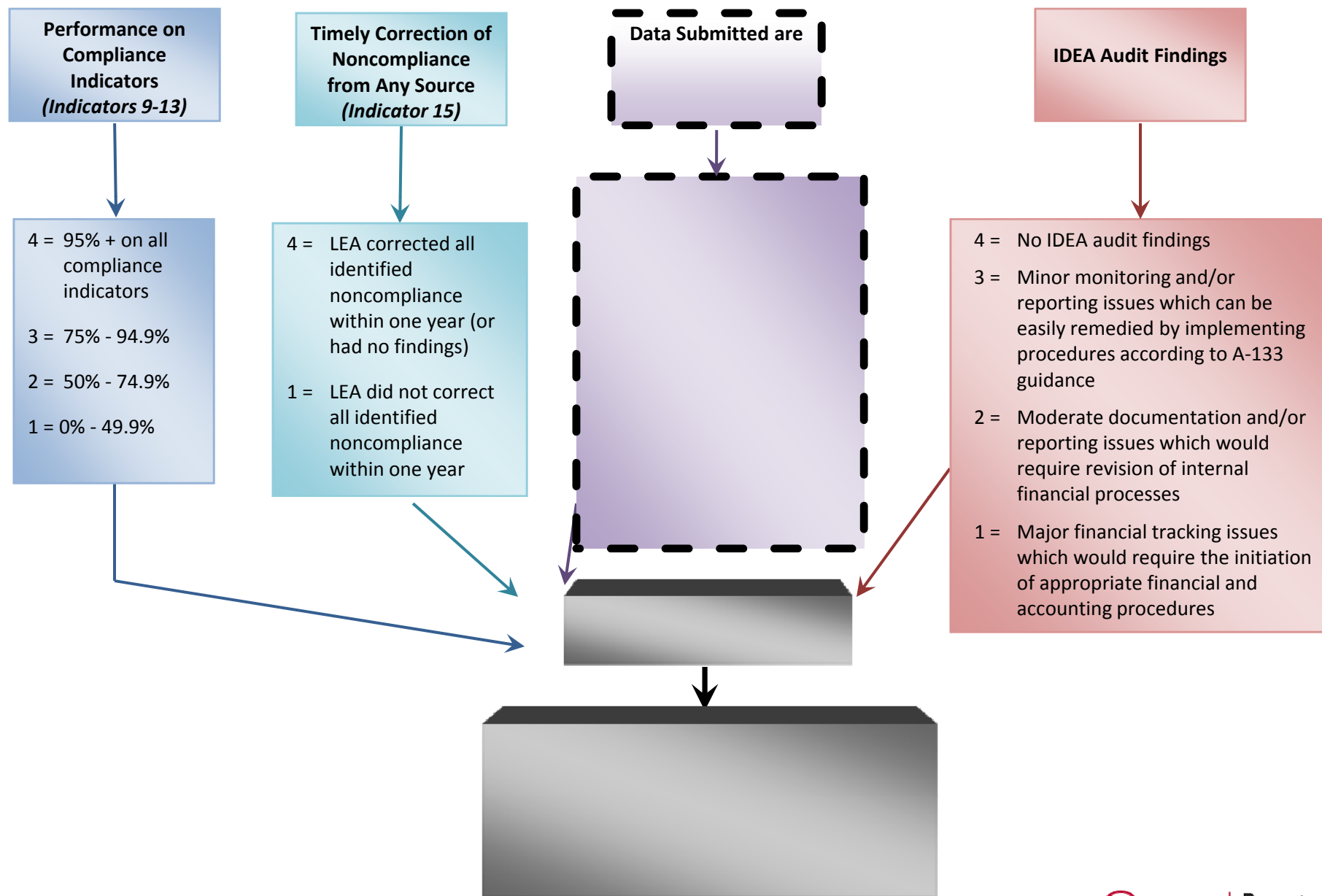
Indicator 15

Indicator: Identified **noncompliance** is corrected as soon as possible but in no case later than one year from identification.

Data source: Specific to findings made in 2008-2009 and due for correction in 2009-2010.

Points	Criteria

Determinations Criteria



Indicator 20

Indicator: LEA reported data are valid, reliable and timely.

Data source: Valid, reliable and timely data submission evaluated for:

- a) Initial evaluations (Indicator 11);
- b) Early childhood transition (Indicator 12);
- c) Secondary transition planning (Indicator 13); and
- d) Other areas of the 09-10 year-end Special Education Event Record.

Points	Criteria

Sources of Indicator 20 Information

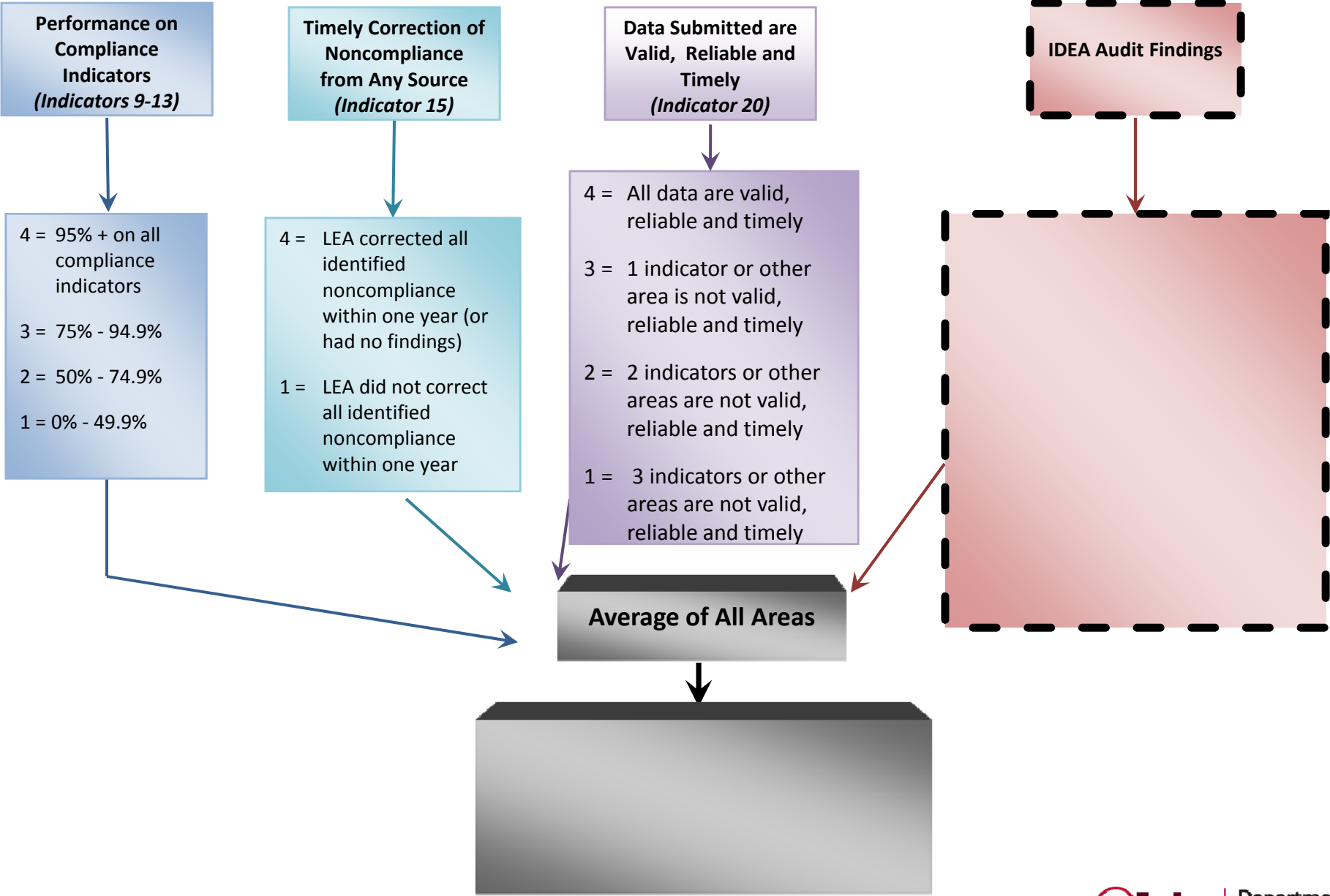


Verification of special education data through:

- 1) IDEA onsite reviews;
- 2) Compliance indicator reviews.

Did the records reflect actual practice?

Determinations Criteria



Audit Findings

Data source: Audits conducted by the Ohio Auditor of State's Office during the 2009-2010 school year.

Points	Criteria
4	No IDEA audit findings.

Calculating Determinations

OEC:

- Calculates determinations by averaging the points assigned to the LEA for each of the areas listed previously
- Identifies the overall LEA determination by linking the average to the corresponding determination category

Overall Determination Score	
Determination	Points

2011 Special Education Determinations

(Based on 2009-2010 data)

District: District Name	DIRN: 000000	Region: 16
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Performance on Compliance Indicators

Uncorrected Noncompliance from Other Sources

Data Submitted are Valid, Reliable and Timely

IDEA Audit Findings



Indicator		Points
9	No disproportionality in special education due to inappropriate identification	4
10	No disproportionality in specific categories due to inappropriate identification	4
11	84.6% of children evaluated within 60 days of parental consent	3
12	92.5% of children transitioning from Part C with an IEP in place by age 3	3

Indicator		Points
15	Findings not corrected within one year: None	4

Indicator		Points
20	Data issues: Indicator 11	3

Audit findings:	Points
None	NR

Calculation	
Total points	21
Number of indicators with data	6
Average of all points	3.50

Categories	Score
Meets Requirements	4.0 points
Needs Assistance	3.0 – 3.9 points
Needs Intervention	2.0 – 2.9 points
Needs Substantial Intervention	1.0 – 1.9 points

Overall Score	Determination
3.50	<i>Needs Assistance</i>

NR – not rated due to no data reported or data below minimum group size for Indicators 9 & 10

LEA Determinations


Category	2010 LEAs	2011 LEAs
		0
		0

Appeals Process

- ✓ Other states, like Illinois, use an appeals process for determinations
- ✓ Illinois **does not** allow appeals based on data (stakeholder group aligned with this)
- ✓ Appeals must be submitted within 30 days
- ✓ LEAs encouraged to contact OEC before submitting an appeal



Public Reporting

- States have been required to publicly report LEAs' SPP/APR data, but not determinations
- In May, 2011 states reported the 2010 LEA determinations to OSEP as part of Table 8 for the IDEA Section 618 data collection (see www.ideadata.org) 
- Stakeholder group chose to publicly report 2011 LEA determinations

Public Reporting

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Ohio Department of Education Families

Printer Friendly

- Choosing a School for your Child [+]
- Getting Involved with your Child's Learning [+]
- Getting Involved with your Child's School [+]
- Graduation Requirements / Ohio Core
- Keeping your Child Safe and Healthy [+]
- Learners with Special Needs and Talents
 - For Families of Gifted Students
 - For Families of Limited English Proficient Students
 - For Families of Students with Disabilities**
- Promising Practices [+]

District-Level Performance Data

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires states to annually report to the public on the performance of each local education agency (LEA) on the targets in the State Performance Plan (SPP) and Annual Performance Report (APR). These required reports must include the state targets for specified indicators, provide the LEA performance compared to those targets and indicate whether or not the LEA met the targets.

States are required to include Indicators 1 through 14 in future annual reports; however, due to changes in measurements and data sources, only the following indicators are required in the 2008-2009 report of district-level performance data:

- Graduation rates (Indicator 1);
- Dropout rates (Indicator 2);
- Participation and performance on state assessments (Indicator 3);
- Discrepancies in discipline rates (Indicator 4);
- Least restrictive environment for school-age students (Indicator 5);
- Parent involvement (Indicator 8);
- Disproportionality across all disability categories (Indicator 9);
- Disproportionality in specific disability categories (Indicator 10);
- Completion of initial evaluations within 60 days (Indicator 11); and
- Transition from Part C to Part B services (Indicator 12).

This report includes only 2008-2009 data, as it must reflect the performance of

Internet

2009-2010 District-Level Performance Data.xlsx - Microsoft Excel

Home Insert Page Layout Formulas Data Review View Developer Acrobat

Normal Page Layout Page Break Preview Custom Views Full Screen

Ruler Formula Bar Gridlines Headings Message Bar

Zoom 100% Zoom to Selection

New Window Arrange All Freeze Panes Unhide

Split Hide View Side by Side Synchronous Scrolling Reset Window Position

Save Workspace Switch Windows

Macros

Workbook Views Show/Hide Window

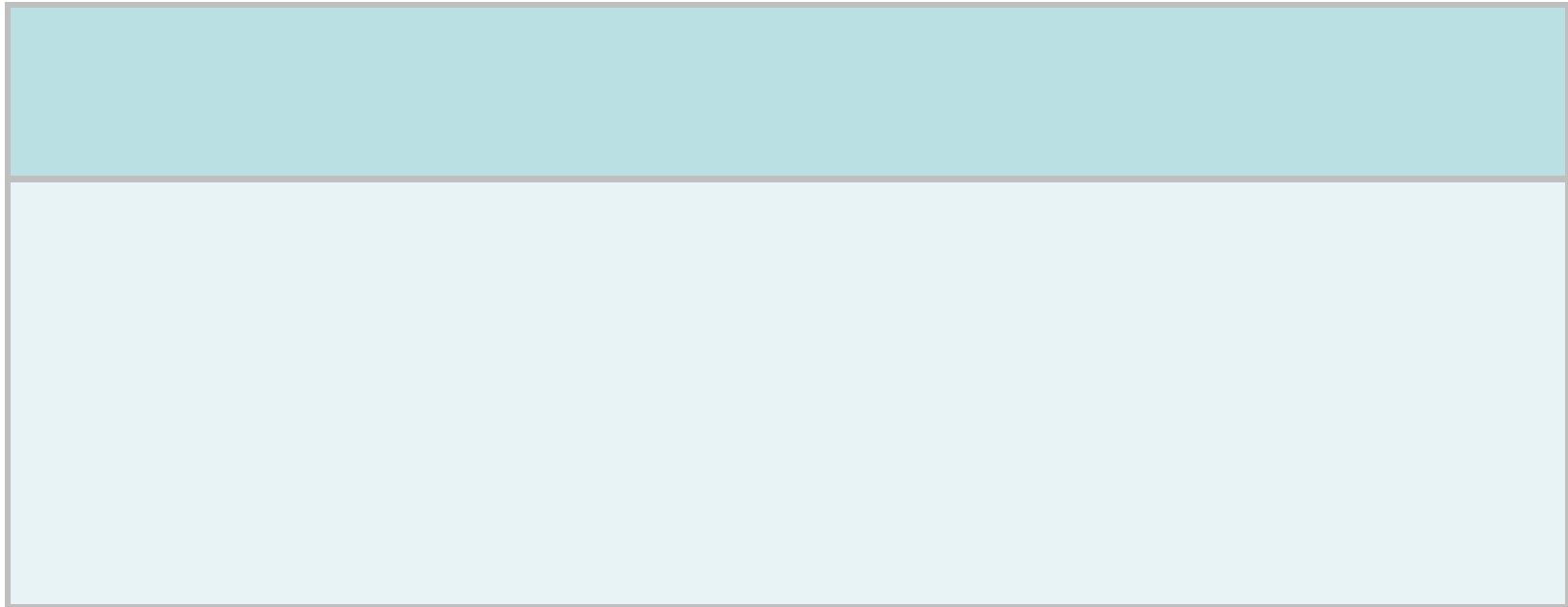
A1 DIRN

	A	B	C	D	E	F	G	1 - Graduation Rate			
	DIRN	District	County	District Type	2010 Determination	Typical Students Enrollment	SWD Enrollment	08-09	Target	Met?	08-09
3	011470	A.B. Graham Academy	Champaign	Community	NR	<10	24	NR	87.50%	NR	NR
4	000556	A+ Arts Academy	Franklin	Community	Meets Requirements	128	12	NR	87.50%	NR	NR
5	000912	Academic Acceleration Academy	Franklin	Community	Needs Assistance	142	<10	NR	87.50%	NR	NR
6	007982	Academy of Arts and Humanities	Trumbull	Community	NR	223	19	NR	87.50%	NR	NR
7	008064	Academy of Arts and Sciences	Lorain	Community	Meets Requirements	118	<10	NR	87.50%	NR	NR
8	000784	Academy of Columbus	Franklin	Community	Needs Assistance	319	28	NR	87.50%	NR	NR
9	011507	Achieve Career Preparatory Academy	Lucas	Community	NR	176	68	NR	87.50%	NR	NR
10	045187	Ada Exempted Village	Hardin	Public	Meets Requirements	807	111	100.00%	87.50%	Met	0.00%
11	061903	Adams County/Ohio Valley Local	Adams	Public	Meets Requirements	3,297	711	94.83%	87.50%	Met	5.17%
12	049494	Adena Local	Ross	Public	Meets Requirements	1,056	165	92.86%	87.50%	Met	7.14%
13	043489	Akron City	Summit	Public	Needs Assistance	18,987	4,408	80.75%	87.50%	Not Met	19.25%
14	149054	Akron Digital Academy	Summit	Community	Needs Assistance	545	189	29.51%	87.50%	Not Met	70.49%
15	045906	Alexander Local	Athens	Public	Meets Requirements	1,292	385	100.00%	87.50%	Met	0.00%
16	045757	Allen East Local	Allen	Public	Meets Requirements	1,031	151	87.50%	87.50%	Met	12.50%
17	000139	Alliance Academy of Cincinnati	Hamilton	Community	Meets Requirements	349	47	NR	87.50%	NR	NR
18	043497	Alliance City	Stark	Public	Meets Requirements	2,345	534	76.00%	87.50%	Not Met	24.00%
19	143396	Alternative Education Academy	Lucas	Community	Needs Assistance	1,474	326	63.64%	87.50%	Not Met	36.36%
20	046847	Amanda-Clearcreek Local	Fairfield	Public	Meets Requirements	1,574	215	87.50%	87.50%	Met	12.50%
21	045195	Amherst Exempted Village	Lorain	Public	Meets Requirements	3,343	636	86.11%	87.50%	Not Met	13.89%
22	049759	Anna Local	Shelby	Public	Needs Assistance	1,112	114	100.00%	87.50%	Met	0.00%
23	046623	Ansonia Local	Darke	Public	Meets Requirements	541	107	100.00%	87.50%	Met	0.00%
24	048207	Anthony Wayne Local	Lucas	Public	Meets Requirements	4,059	421	93.10%	87.50%	Met	6.90%
25	048991	Antwerp Local	Paulding	Public	Meets Requirements	587	101	66.67%	87.50%	Not Met	33.33%
26	000560	Apex Academy	Cuyahoga	Community	Meets Requirements	568	52	NR	87.50%	NR	NR
27	047415	Arcadia Local	Hancock	Public	Meets Requirements	516	56	100.00%	87.50%	Met	0.00%
28	046631	Arcanum-Butler Local	Darke	Public	Meets Requirements	929	92	100.00%	87.50%	Met	0.00%
29	047043	Archbold-Area Local	Fulton	Public	Needs Assistance	1,149	150	100.00%	87.50%	Met	0.00%
30	047423	Arlington Local	Hancock	Public	Meets Requirements	505	104	100.00%	87.50%	Met	0.00%

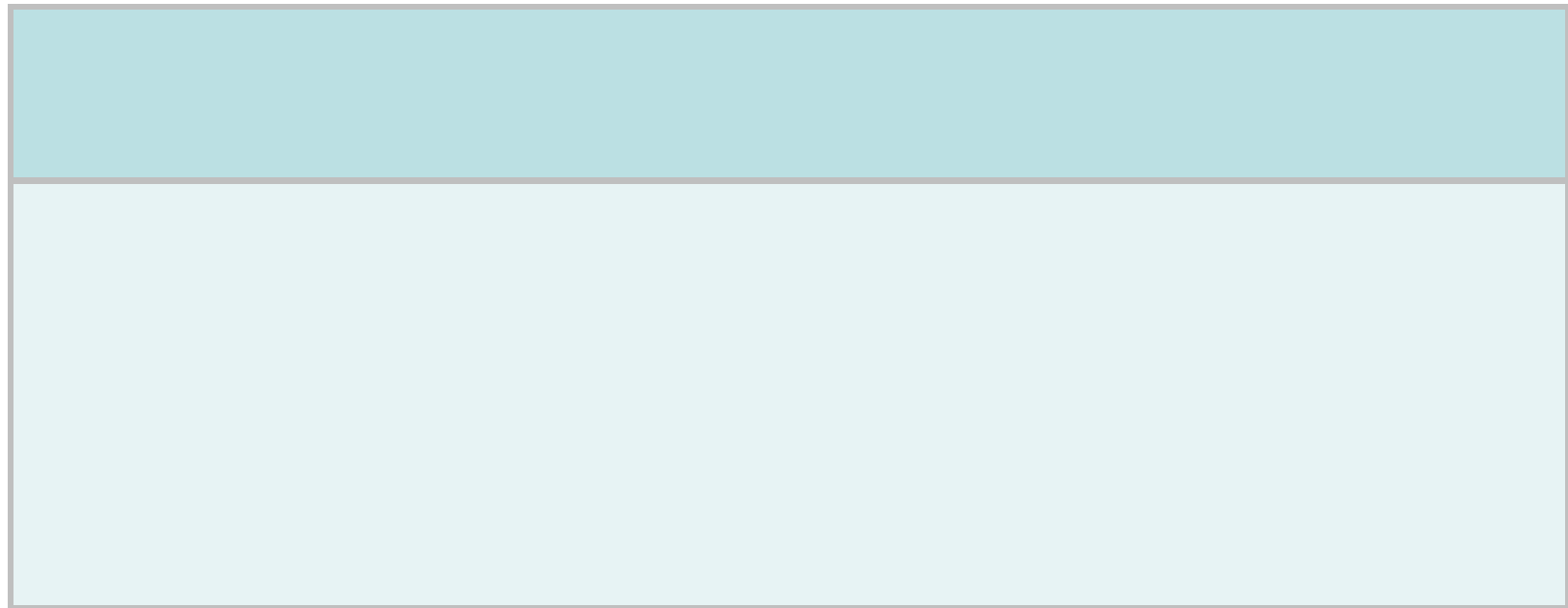
Data Notes District Data

Enforcement Actions

Needs Assistance (Year 1)



Needs Assistance (Year 2)



Needs Intervention

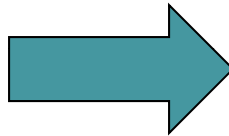


Needs Substantial Intervention

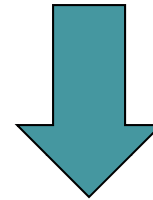


Next Steps

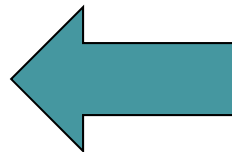
June 2011 – LEA determinations (based on **2009-2010** data)



Nov. 2011 – Special Education Profiles & Summary Reports (based on **2010-2011** data)



June 2012 – LEA determinations (based on **2010-2011** data)



Dec. 2011 – Sept. 2012 Compliance Indicator Reviews – LEAs develop & implement action plans, OEC reviews data to verify correction

Questions?



Summary of Complaints, Mediations and IEP Facilitations

January 1, 2010 through March 31, 2011

Presented to SAPEC on June 15, 2011

1. Redacted copies of Letters of Findings for formal written complaints are posted on www.edresourcesohio.org.

2. SUMMARIES

From September 7, 2010 through March 31, 2011 twenty-six (26) direct requests for mediation were filed with the Office for Exceptional Children (OEC). The following results were documented:

Agreements were reached in 13/26 mediations which is 50%. Of the mediations held, 76% of the mediations resulted in agreements.

Agreements were not reached in 4/26 mediations which is 15%. Of the mediations held, 24% of the mediations did not result in agreements.

Of the 26 mediations requested, nine (35%) of those requests resulted in mediations not being held.

From September 7, 2010 through March 31, 2011 facilitators were requested for forty (40) individualized education program (IEP) team meetings. The following results were documented:

IEPs were signed in 28/40 facilitations which is 70%. Of the facilitations held, 82% resulted in signed IEPs.

IEPs were not agreed upon in 6/40 facilitations which is 15%. Of the facilitations held, 18% did not result in an agreed upon IEP.

Of the 40 facilitated IEP team meetings requested, 6 were not held.

3. From January 1, 2010 through June 1, 2011, 380 formal written complaints were filed with the OEC. Based on the documented information in the new database, there were approximately 190 issues in these complaints. The issues appear below. The number in parenthesis after the issue documents the number of times that issue was found in complaints.

Development, review and revision of IEP (35)

Prior Written Notice (25)

When IEPs are in effect (21)

Parent participation (16)

Facilities (14)

Definition of the IEP (10)

Evaluation procedures (9)

Required members at the IEP team meeting (8)

Free, appropriate public education (FAPE) (6)

Independent educational evaluations (IEEs) (4)

Child find (4)

Measurable goals and objectives (4)

Extended school year services (4)

Access to the IEP (4)

Least restrictive environment (3)

- Continuum of placements (3)
- Parental copy of the IEP or evaluation team report (ETR) (3)
- Parental consent (3)
- Fiscal issues as they relate to the Autism Scholarship Program (ASP) (3)
- Transition (2)
- Examination of records (2)
- Appropriate service professionals and paraprofessionals (2)
- Progress reports (2)
- Surrogate parents (1)
- Provision of procedural safeguards (1)
- Delivery of services in the ASP (1)

Sixty-five (65) of the formal written complaints which were filed in the time period defined above were determined to be insufficient. This resulted in 315 formal written complaints which were opened and assigned to a consultant for investigation. Thirty-five (35) of those 315 complaints, or about 11% were assigned to a mediator. Twenty-six (26) of those 35 complaints, or 74% were resolved successfully in mediation. Nine (9), or 26%, of those complaints assigned to a mediator were not resolved successfully.

4. The monitoring section of the OEC conducts selective reviews when systemic problems are discovered through a variety of means such as through the Educational Management Information System (EMIS), through multiple complaints, or through the on-going monitoring system. The following school districts or community schools were in selective review during the 2010 - 2011 school year. The number in parenthesis after each school name is the number of complaints which were filed with the OEC against that school.

- Bloom Carroll Local (4)
- Carter G. Woodson Community School (0) (Closed)
- East Cleveland City(3)
- East Clinton Local (1)
- Lynchburg City (0)
- Mansfield City (3)
- National Heritage Academy Community School (0)
- Promise Academy Community School (0)
- Scholarts Community School (0)
- Warrensville Heights City (1)
- Worthington City (11)

5. The following list is comprised of all school districts and community schools against which complaints were filed with the OEC during the time period from January 1, 2010 through March 31, 2011. The number in parenthesis after the name is the number of complaints filed with the OEC. Not all complaints are investigated as they may be insufficient for a variety of reasons, the parents and the district reach agreement either through an alternative dispute resolution process or through an informal discussion between the parent(s) and the district or community school, the parent chooses to withdraw the complaint, or the issues are resolved through a due process hearing. The **asterisk** beside some districts indicates multiple complaints which were filed by one or two complainants.

*Akron City (3)
Ashtabula Area (1)
Aurora (1)
*Austintown Local (5)
Batavia City (1)
Bay Village City (1)
Beaver Local (1)
Beavercreek (1)
Bethel (1)
Bexley City (2)
Bloom Carroll Local (4)
Boardman Local (2)
Bowling Green (1)
*Brooklyn City (7)
Brown Local (1)
Brunswick (1)
Canal Winchester (2)
*Canton City (6)
Centerville City (1)
Central Local (1)
Cincinnati Public (16)
Clearview Local (1)
Cleveland Heights-University Heights City (1)
Cleveland Metropolitan (8)
Cloverleaf (1)
Coldwater Exempted Village (1)
Colonel Crawford Local (1)
Columbus City (12)
Copley-Fairlawn (1)
Cuyahoga Falls (2)
Dayton City (2)
Dover City (2)
Dublin City (3)
East Cleveland City (3)
East Clinton (1)
East Palestine (1)
Eastern Local (2)
Edgewood (1)
Elgin (1)
*Euclid City (4)
Fairfield City (1)
Fairland (2)
Forest Hills (1)
Fredricktown (1)
Geneva Area City (2)
Goshen (1)
Grandview Heights City (1)
Greenon Local (1)
Harrison Hills (1)
Hilliard City (4)
Holgate Local (1)
Jackson Local (1)
Keystone Local (1)
Kirkland Local (1)
Lake Local (3)
Lakewood City (3)
Lakota Local (1)
Lancaster City (5)
Liberty-Union Thurston (1)
London City (1)
Lorain City (2)
Louisville City (1)
Loveland (1)
Mad River (1)
Madison Local (1)
Madison Plains (1)
Mansfield City (3)
Maple Heights City (2)
Mentor Exempted Village (1)
Middletown City (1)
Mt. Gilead (1)
New Philadelphia City (1)
Newark City (1)
North Canton City (2)
Northwest Local (2)
Norwalk City (3)
Olentangy Local (3)
*Olmsted Falls (4)
*Parma City (10)
Perry Local (1)
Plain Local (1)
Portsmouth City (1)
Princeton City (1)
Reading Community (2)
*Revere (8)
Reynoldsburg (2)
Rolling Hills (1)
Sandusky City (1)
Scioto Valley (1)
Solon City (3)
South-Western City (4)
Southeast Local (1)
Southwest Licking (1)
Springfield (1)

Strongsville City (4)
Sycamore Community City (1)
*Tallmadge City (6)
Talawanda (2)
Teays Valley Local (1)
Toledo City (8)
Union Scioto (1)
Upper Arlington City (3)
Vandalia-Butler (1)
Wapakoneta City (3)
Warren Local (1)
Warrensville Heights (1)
West Claremont (2)
West Liberty Salem (1)
West Muskingum (1)
Western Brown (1)
Whitehall City (3)
Willoughby-Eastlake (1)
Wilmington (2)
Winton Woods City (1)
Worthington City (11)
Wyoming (2)

COMMUNITY SCHOOLS

F.C.I. Academy (3)
Ohio Virtual Academy (1)
Alternative Education Academy (1)
Electronic Classroom of Tomorrow (ECOT) (9)
Columbus Humanities (2)
Arts and Technology Academy (1)
*Riverside Academy (16)
VLT Academy (1)
Goal Digital Academy (1)
Arts and Preparatory Academy (2)
KIPP Journey Academy (1)
Oakstone Academy (1)
Millennium Academy (2)
George Washington Carver Academy (2)
Summit Academy - Parma (1)
Summit Academy - Painesville (1)
Pathway School of Discovery (1)
Ohio Connections Academy (1)
Glass City Academy (1)
Chase Academy for Com. Arts (1)
Summit Academy - Youngstown (1)

**SUMMARY OF DUE PROCESS HEARINGS,
STATE LEVEL REVIEWS, AND
MEDIATIONS**

January 1, 2010 through June 1, 2011

I. Redacted copies of the hearing officers' decisions, state level review officers' decisions, and decisions from the courts are posted on www.edresourcesohio.org. The Due Process Case Archive which had been posted on the Ohio Department of Education (ODE) website has been taken down and is no longer available.

II. **SUMMARIES**

Hearings since 1976:

Impartial Hearing Officer Decisions	455
Appeals to State Level Review Officers	252
Expedited Hearing Officer Decisions	10

Mediations since 1998:

Total Mediations	1,327
Successful Mediations	1,035
Unsuccessful Mediations	288

III. There were one hundred and ninety-eight (198) requests for impartial due process hearings between January 1, 2010 and June 1, 2011. There were one hundred and forty six (146) requests for impartial due process hearings between July 1, 2009 and June 31, 2010. Nine (9) decisions were written by hearing officers involving eight (8) school districts and one (1) community school. Three (3) state level review decisions were written involving three (3) school districts. One (1) court decision was rendered involving one (1) decision.

IV. Resolution meetings were held during the thirty day resolution period for one hundred and six (106) of the due process hearing requests. One (1) resolution meeting was held over the thirty day resolution period. Fifty-four (54) of these resolution meetings resulted in written settlement agreements which resulted in the withdrawal of the due process hearing request.

V. Mediation was requested and held in thirty (30) of the above due process hearing requests. Twenty-seven (27) of the thirty (30) – 90% - of the mediations resulted in successful resolutions to the due process hearing requests. Three (3) of the mediations – 10% - were unsuccessful.

**SUMMARY OF DUE PROCESS HEARINGS,
STATE LEVEL REVIEWS,
AND COURT DECISIONS**

January 1, 2010 through June 1, 2011

I. Winton Woods City School District (Hamilton County) – SE 2309-2009

Due Process Hearing Issues – The district requested the due process hearing seeking confirmation that the proposed individualized education program (IEP) with partial resource room placement provides a free appropriate public education (FAPE) for the student in the least restrictive environment (LRE). The district had refused to put “facilitated communication” on the student’s IEP. District personnel stated that the American Speech-Language-Hearing Association have determined the technique to be improper and unethical. The parents believe the student is capable of grade level work if the district provides facilitated communication.

Decision of the Impartial Hearing Officer (IHO) – The IHO found that the district’s evaluation of the student was appropriate in its planning and execution although the results may be too low due to the student’s interfering behaviors and lack of ability to communicate independently. The district’s IEP is designed to provide a FAPE to the student in the LRE. The IHO stated that it is impossible to determine the student’s actual abilities until a reliable method of independent communication is established. Further, the IHO determined that the student cannot receive an educational benefit from regular classes without intense modification to the curriculum. The IEP does not provide a FAPE to the extent that it does not sufficiently address the student’s behavior or communication needs. The IHO ordered the IEP to provide for the use of a specific communication device in all settings and for training for staff and parents as soon as possible. Additionally, the IHO ordered intensive, one-on-one training on the communication device in 60 minutes of combined speech and occupational therapy per day for the student. The student’s behavior will be assessed by a qualified applied behavior analyst to evaluate her behavior needs. The staff and parents will be trained in appropriate strategies to assist the student in meeting her behavior goals. Once the student has become proficient in the use of the communication device, the student can be reassessed to determine her actual capabilities. Until that time the student’s IEP is to focus on behavior and communication goals with a de-emphasis on academic classes.

Decision of the State Level Review Officer (SLRO) – The SLRO upheld the IHO’s decision in part and reversed the decision in part. The SLRO determined that the IHO was correct in determining that the district’s evaluation and IEP was appropriate and that the IEP provided FAPE in the LRE. The SLRO reversed the IHO’s decision in part stating that the student’s behavior and communication needs were appropriately addressed in the child’s IEP and that the district was not required to provide any particular communication device. The district was also not required to provide an evaluation by an applied behavioral specialist or to train the parents and staff. Further the district was not required to develop strategies or goals to address behavior or communication and the academic course load did not need to be reduced.

Note: Both parties appealed the SLRO decision into court.

Copley-Fairlawn City School District (Summit County) SE 2325-2009

Due Process Hearing Issues – The district filed this request for a due process hearing. The district alleges that it appropriately conducted a reevaluation of the student and found her to be no longer

eligible for special education services. The parent requested an independent educational evaluation (IEE). The district requested the IHO find their evaluation appropriate and their denial of the IEE justified on that basis.

Decision of the IHO – The IHO determined that the student’s evaluation team report (ETR) was not procedurally compromised. The district appropriately denied the parent’s request for an IEE. The IHO determined that based on the evidence presented at the hearing there was insufficient evidence to conclude that the student was eligible for an IEP in any category of disability. The IHO further determined that the team reasonably and appropriately determined that the student was not a child with a disability.

Decision of the SLRO – The SLRO upheld the IHO’s decision in its entirety.

II. Electronic Classroom of Tomorrow (Franklin County) SE 2341-2009

Due Process Hearing Issues – The parent alleged that the school removed extended school year (ESY) services from the IEP without notifying the parent. The parent further alleges that the school misrepresented the student’s progress, and he is still in need of ESY services to learn basic reading and math skills. Because of the student’s seizures, the parent states that the student is in need of a face-to-face tutor to insure attention and engagement.

Decision of the IHO – The IHO decided that one-on-one reading and math ESY services were not removed from the student’s IEP. There is inadequate data concerning regression and recoupment to determine if ESY services are appropriate. Instruction provided in one-on-one sessions should be provided with the addition of a web camera so teachers can determine if the student is being attentive to the lesson. The student has not received all of the speech and occupational therapy provided for in the IEP. The student is to be provided with compensatory speech and occupational therapy services in an amount specified in the decision.

III. Forest Hills Local School District (Hamilton County) SE 2381-2009

Due Process Hearing Issues – The parents alleged in their due process hearing request that there were no measurable goals or objectives on the IEP and no behavior plan. The parents further alleged that the district did not conduct an assistive technology assessment, did not provide the parents an independent educational evaluation upon request, did not provide prior written notice as required by law, did not provide the parents access to their child’s educational records, did not invite the child to the IEP team meeting, and did not consider the parents reports and information when making educational decisions. They further alleged that there was no research based reading instruction, inappropriate provision of related services, an inadequate transition plan, no adequate measure of progress, no access to the general curriculum and extracurricular activities and no extended school year services; The parents paid for some material for a class and they believed this was a violation of their procedural safeguards and their right to FAPE. Finally, the parents alleged that the school staff were not trained appropriately, there was no meaningful parent participation in the IEP team process, the district made a unilateral placement decision, and there was no notice of the transfer of rights when the child turned seventeen (17).

Decision of the IHO – The IHO ruled for the district on the following items: the placement is FAPE in the LRE; the parents have fully participated in the IEP process; the transition plan is appropriate; the child’s educational needs do not warrant a behavior plan; the progress reports meet minimum requirements; ESY services are not necessary to provide the child FAPE; the school staff are adequately trained; the

parent did have a minor out of pocket expense for bread for a life skills class, but the cost was so minimal that the IHO determined there was no corrective action needed; the district did complete the notice of the transfer of rights at the age of majority and it was provided to the parents since they sought and acquired legal guardianship of the child at age eighteen (18); the IEE was completed by order of the IHO during the hearing process; PWN was not provided one time due to a miscommunication between the parties and therefore no corrective action was required; the district did not deny access to records and the district did not retaliate against the parents;

The IHO ruled for the parents on following items: The child does need an assistive technology (AT) assessment and an AT device provided based on the assessment; the district must have a regular education teacher at the IEP team meetings; the district does need to rewrite the IEP with measurable goals and objectives including the following: a structured reading program for forty (40) minutes per school day that targets fluency, a speech goal to address initiating speech, a math goal for numbering and money skills and math instruction for forty (40) minutes per school day; and a goal to address independent movement (orientation and mobility training). Finally, the district is to provide the child compensatory education for two hundred and forty hours (240) hours in reading and for two hundred and forty hours (240) hours in math.

IV. Columbus City School District (Franklin County) SE 2386-2010

Due Process Hearing Issues – The parent alleged in their due process hearing request that the 2008-2009 and 2009-2010 IEPs were not tailored to meet the unique needs of the child and therefore did not provide FAPE. The parent further alleged that the district was punishing the child for behaviors related to his disability including withholding lunches and placing him in a time out room which was not safe. Finally, the parent alleged that there was a procedural violation when the district changed the child’s placement from the resource room to home instruction as part of the disciplinary action taken by the district.

Decision of the IHO – The IHO determined that the 2008-2009 and 2009-2010 IEPs were appropriate and did provide the child FAPE. The IHO found that the district did not create a hostile environment for the child and did not punish the child for behaviors related to his disability. Finally, the IHO found that the district did not violate the procedural requirements of the Individuals with Disabilities Education Act (IDEA) when it changed the child’s placement from the resource room to home instruction as part of the disciplinary process.

Decision of the SLRO – The SLRO upheld the IHO’s decision in its entirety.

V. Batavia Local School District (Clermont County) SE 2435-2010E

Due Process Hearing Issues – The parent alleged in their due process hearing request that the IEP failed to address the child’s behavior and therefore the child was suspended inappropriately for behaviors that were related to their disability. The parent further alleged that the behavior plan was inadequate and was not followed consistently, the IEP did not contain adequate supports and services, occupational therapy and itinerant services to address the child’s emotional disturbance were not provided, and school personnel were not appropriately trained. Finally, the parent alleged that the school district was not transparent in dealing with them.

Decision of the IHO – The IHO determined that the IEP failed to address the student’s behaviors which interfered with the child’s ability to learn. However, no harm was done as the child was at grade level and completed all courses satisfactorily. Therefore, there was no denial of FAPE. The IHO further determined that the parent failed to show that the itinerant services were not provided and that the one day suspension that the child served did not constitute a change of placement under IDEA. Finally, the IHO found that the IEP for the upcoming school year does adequately address the child’s behaviors.

VI. Dayton City School District (Montgomery County) SE 2529-2011

Due Process Hearing Issues – The parent alleged in their due process hearing request that the district’s proposed placement in a career technology center was inappropriate and that the child should be placed in an alternative program that the parent favored. The district filed a sufficiency challenge with the hearing officer stating that the request for a due process hearing was insufficient because the child was over the age of 18 and the parent did not have standing to request a due process hearing.

Decision of the IHO – The IHO determined that the parent did not have standing to request a due process hearing because the child was over the age of 18 and dismissed the case.

VII. Cleveland Heights-University Heights City School District (Cuyahoga County) SE 2533-2011

Due Process Hearing Issues – The parent alleged in their due process hearing request that the district did not implement the support services contained in the IEP and that the placement on the IEP was not the LRE. The parent further alleged that the district failed to assign an aide for a period of time and then when an aide was assigned the aide was not qualified. There were no weekly spelling lists sent home and no weekly spelling tests administered to the student according to the parent. The parent alleged that the child was suspended from school for over ten (10) days in the current school year without following proper procedures and that no services were provided during the suspension period. Finally, the parent alleged that the district’s visitation policies did not allow her to participate in her child’s education, that staff verbally assaulted the child, and that the child was isolated and discriminated against by students and staff. The parent requested placement in a different building within the district.

Decision of the IHO – The IHO determined that the parent did not carry her burden of proof on any of the alleged issues and therefore ruled in favor of the school district on all items.

VIII. Eastern Local School District (Brown County) SE 2542-2011

Due Process Hearing Issues – The parent alleged in their due process hearing that the district released confidential information about their child at a board of education meeting and that the local paper published the information the next day. The parent sought an apology from the district both in person and in the local media, payment for the counseling services that the child engaged in to deal with the publication of the confidential information and payment for a college education for the child.

Decision of the IHO – The district moved for dismissal of the case because the issue stated in the request for a due process hearing was not an issue that a parent could request a due process hearing to address. The IHO determined that the parent’s request for a due process hearing was sufficient, however, the

issue brought forth by the parent was not a matter under IDEA that could be the subject of a due process hearing and that the IHO could not order the relief sought even if the matter was properly brought forth in a due process hearing request.

SUMMARY OF CASES APPEALED TO THE COURTS

Toledo City School District (Lucas County) 3:07CV3779 – The parents appealed the decision of the SLRO. The district moved for dismissal because the parent did not file their appeal in a timely manner. The court agreed with the district that the parent did not file their appeal in a timely manner and dismissed the case.

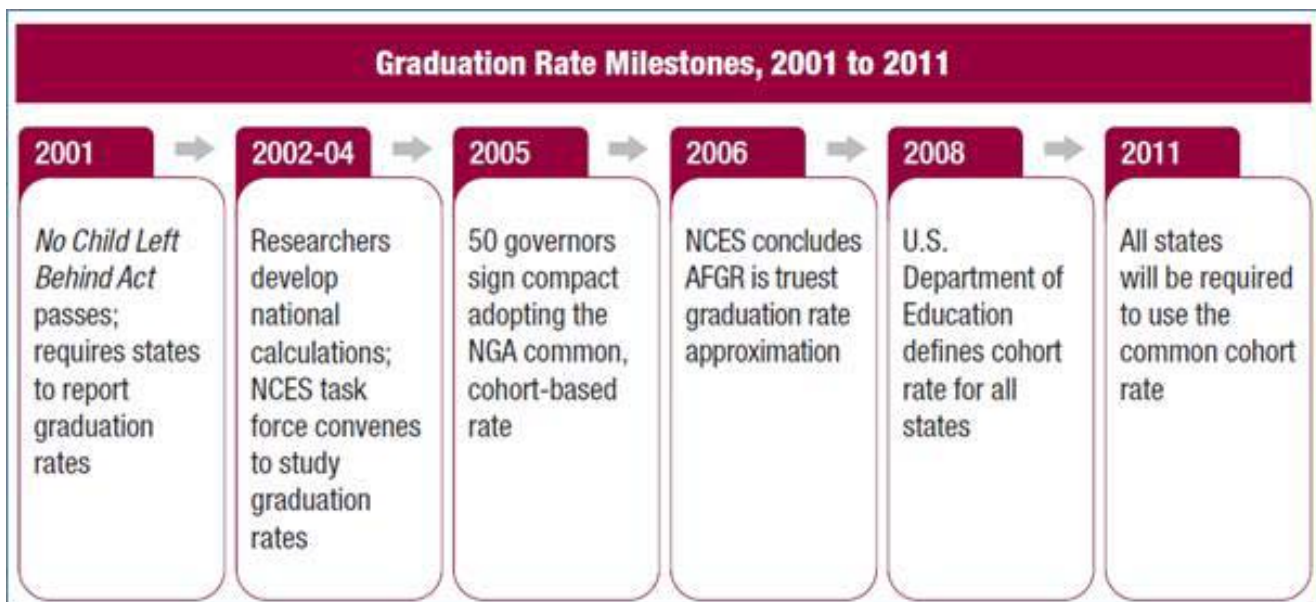
Proposed Change to Graduation Rate Calculation

Background. The federal *No Child Left Behind Act of 2001 (NCLB)* requires states to report graduation rates every year and calls for annual improvements. It sets some general requirements for how states should measure graduation rates. For example, graduates must finish “with a regular diploma in the standard number of years.” The law does not, however, stipulate the specific calculation to be used, so states calculated graduation rates in their own, various ways and reported those rates to USDOE. Some states drew on information from comprehensive statewide student data systems to refine their calculations, while other states still were building these systems. Some states changed their rates after the first year or two of reporting under the new federal law; others did not. Consequently, the country had an incoherent reporting system that did not allow for national comparisons.

As a result, all 50 of the nation’s governors in 2005 signed a National Governors Association (NGA) compact, committing states to work toward using a common, cohort-based graduation rate and to develop the data systems needed to calculate the rate. The compact stemmed from a comprehensive report completed by the NGA that, among other things, recommended states develop a common method of calculating their graduation rates as a way to allow for comparisons and analyses of the data. One of the key provisions in the compact was that the new calculation should be a four-year, adjusted cohort graduation rate (meaning a rate that would measure the number and percentage of students who earned their diplomas no later than four years after starting the 9th grade). To calculate the adjusted cohort graduation rate, states would need to create a unique student identification system, which would assign students to a cohort and then follow them as they progressed through their high school years.

At the time the compact was signed, Ohio already had created a student identification system, and could assign students to a cohort group for the purpose of determining whether they graduated within four years. The State Board of Education approved incorporating the NGA adjusted cohort rate into the 2008 Local Report Cards. However, in early 2008, the USDOE decided to require all states (and not just the states that signed the NGA Compact) to move to a uniform, four-year, on-time graduation rate. With this information, the State Board agreed to delay implementation of the compact rate so as not to confuse the field with multiple changes over a short period of time in how the graduation rate was calculated. The USDOE issued its final guidance document in late 2008, which outlined how and when states must implement the new calculation. The compact rate and the federal rate are similar, but not identical and ODE now is working to implement the changes required in order to comply with the federal regulations. Our submission deadline with USDOE is January 15, 2010.

The chart on the next page helps to explain the evolution of changes to the graduation rate calculation.



NCEs - National Center for Educational Statistics
 AFGR – Averaged Freshmen Graduation Rate

New Calculation. The federal regulations require states to report on their annual report cards the four-year adjusted cohort graduation rate, disaggregated by subgroups, at the school, district (or similar configuration) and state levels, beginning with the report cards that include 2010-11 school year test data. Since Ohio lags its graduation rate by one year to allow districts to include summer graduates in the calculation, the graduation rate reported on the 2011 report card will be the graduation rate for the graduating class of 2010.

The regulations also require that states:

- Use the new calculation, disaggregated by subgroups, in making adequate yearly progress (AYP) determinations for schools, district (or similar configuration) and the state, beginning with the determinations that are based on 2011-12 school year assessment results (i.e., graduating Class of 2011); and
- Set a goal and targets for high school graduation and incorporate the goal and targets into its AYP definition, beginning in 2009-2010.

The calculation itself is very simple. It is defined as the number of students who graduate in four years or less with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. The cohort represents students who are identified as first time 9th graders and is adjusted by:

- Adding any students who transfer into the cohort either later in the 9th grade or sometime in any of the next three years; and
- Subtracting any student who transfers out, emigrates to another country, or died during that same period.

The calculation can be represented as a simple ratio equation:

Number of cohort members who earn a regular high school diploma by the end of the 2009-2010 school year

Number of first time ninth-graders in the fall 2006 (starting cohort),
+ students who transfer in
- students who transfer out, emigrate or die during school years 2006-2007, 2007-2008,
2008-2009 and 2009-2010

Ohio is required to submit to the USDOE a modification to its Accountability Workbook to: [A] include the four-year adjusted cohort graduation rate; and [B] identify a new goal and targets for this new rate.

Ohio will also be requesting approval to implement an extended year rate in its calculation of AYP. The extended year rate essentially is a five-year adjusted cohort graduation rate that will provide an additional opportunity for schools and districts to meet the minimum performance standards for federal and state accountability (five years vs. four years) for meeting graduation rate targets.

The Committee will be asked to support a resolution of intent calling for the Ohio General Assembly to pass a joint resolution requesting a change to the graduation rate calculation (four-year cohort) and the graduation rate goals and targets for federal and state accountability purposes (five years). The adoption resolution will be contingent upon the USDOE's approval of the proposed changes to Ohio's Accountability Workbook.

TO: LEA Superintendents and Directors of Special Education
FROM: Kathe Shelby, Ph.D., Director, Office for Exceptional Children
DATE: June 8, 2011
SUBJECT: Students with Disabilities, FAPE and the Graduation Rate

Over the past few weeks, the Office for Exceptional Children has been contacted by parents in school districts across the state. These parents have expressed concerns that their districts are encouraging students with disabilities to graduate and thus leave school, contrary to the students' individualized education program (IEP) transition plans. OEC suspects that some districts may be doing this in an attempt to meet the targets for Annual Yearly Progress (AYP) in graduation rates. As you know, recent changes to the calculation require that students graduate in four years in order to be counted as a graduate, regardless of the target date for completion of a free appropriate public education (FAPE) set by the IEP team.

The Office for Exceptional Children must remind you that the Individuals with Disabilities Education Improvement Act (IDEA) requires districts to provide FAPE as determined by the IEP team. They must continue to provide FAPE even if doing so means graduation will thus occur more than four years after a child first enters ninth grade.

We have advised parents that if they believe that a district is NOT providing FAPE to their child, they should:

- Remind the district that it is required to provide FAPE, based on the decisions of an IEP team that includes the parent and child; and
- File a complaint or request to engage in mediation or due process investigations if the district ignores, overrides, or puts pressure on staff to change decisions of the IEP team.

As a reminder, the Graduation Rate Calculation is determined by the U.S. Department of Education (USDOE). USDOE issued its final guidance document related to the change in the graduation rate calculation in late 2008, which outlined how and when states must implement the new calculation. Attached is the information about the graduation rate calculation that was provided to the State Board of Education last year. Ohio is still awaiting final approval of its Accountability Workbook, but plans to apply the described calculations to this year's graduates.

The Office for Exceptional Children believes that districts will continue to provide students with disabilities the services they need to become productive citizens. If you have questions about your obligations to provide FAPE, please contact Sandy Kaufman at 614-752-1404 or Sandy.Kaufman@ode.state.oh.us. If you have questions regarding the graduation rate calculation please contact the Office of Accountability at accountability@ode.state.oh.us or (614) 995-0098.