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Linda McCulloch
Superintendent

April 11, 2008

To: Ruth Ryder
Office of Special Education Programs (OSEP)

From: Tim Harris
State Director of Special Education

Re: 618—Indicator 20 Table
Montana's Clarifications to its FFY 2006 SPP/APR Documents

618 Data-Indicator 20

Montana is one of a few states which report its child count data through EDEN only. Both Table 1 (Child Count) and Table 3 (Ed. Environments) were reported in accord with given timelines. Montana is requesting that OSEP revise its 618 Data-Indicator 20 table to reflect that Montana reported the required data on a timely basis.

Revisions To The APR And SPP

In response to OSEP's memorandum of April 7, 2008, and the accompanying indicator status table, Montana has added clarifying language to the following indicators and has attached a revised State Performance Plan and Annual Performance Report which include the clarifying and revised language.

Clarifying language has been added in red. All other portions of the documents remain as originally submitted. The newly revised SPP and APR will be placed on the Office of Public Instruction Web site the week of April 14, 2008.

Revisions to Indicators in the APR

- Indicator 9 (pg 52)—Disproportionate Representation As A Result of Inappropriate Identification: In Table 9.2, subscripts 2 and 3 have been revised. The red font for the changes to the subscript did not show up when pasting the table into the document. However, the table heading appears in red.

- Indicator 11 (pg 63)—Child Find/60-Day Timeline: Clarifying language has been added in red.
- Indicator 13 (pg 73)—Post-Secondary Transition: Clarifying language has been added in red.

Revision to Indicator in the SPP

- Indicator 14—Post-Secondary Outcomes (pg 91): The OPI revised its measurement to ensure the denominator did not include survey non-respondents. Because the revised measurement affected the baseline, targets were revised and clarifying language added to explain the rationale used for determining the targets. The targets were revised consistent with the intent of the State Special Education Advisory Panel. Table 14.1 (pg 92) contains the revised measurement. The red font for the changes do not show up when pasting the table into the document. However, the table heading appears in red. Revised targets (in red) can be found on page 94.

We wish to thank the OSEP for making available the opportunity to add clarifying language and appropriate revisions to our documents. Questions regarding the clarifications or revisions should be directed to Marilyn Pearson at mpearson@mt.gov or 406-444-4428.

c: Ken Kienas, OSEP State Contact

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

The February 1, 2008, Annual Performance Report under Part B of IDEA serves as Montana's accountability report on its performance relative to state performance targets identified in its State Performance Plan (SPP) submitted to the Office of Special Education Programs (OSEP) in the U.S. Department of Education on December 2, 2005. The Annual Performance Report contains actual target data from the FFY 2006 reporting period (July 1, 2006-June 30, 2007) and other responsive APR information for indicators 1-3, 4A, 5, 8-13, and 15-20.

A copy of the State Performance Plan is available on the Office of Public Instruction's (OPI) Web site at www.opi.mt.gov/speced/. The State Performance Plan was revised in January 2008 to include baseline information, targets and improvement activities for performance indicator 14, progress data and improvement activities for performance indicator seven and revisions, as indicated, under selected performance indicators in the Annual Performance Report. Revisions to the State Performance Plan appear in bold print.

In the development of the Annual Performance Report and new State Performance Plan indicators, the OPI staff collected data from the multiple data collections currently implemented by the OPI, worked collaboratively with the Director of the Part C program to implement a new data collection and reporting system for children who are referred by Part C to Part B for determination of eligibility for services under IDEA Part B to meet the reporting needs of both programs, and conducted an analysis of the data through review of performance at both the state and LEA levels. Following this review, and to ensure broad stakeholder involvement, the data, its analysis, and improvement activities were shared and discussed with the state Special Education Advisory Panel on January 17-18, 2008. The Panel carefully reviewed and discussed the performance data for each of the indicators, old and new, including any progress or slippage and made recommendations for establishing targets and improvement activities by indicator, as needed. Proposed revisions and the rationale for the proposed revisions to the State Performance Plan were discussed with the Panel. The Advisory Panel passed a motion that they approved the proposed revisions to the State Performance Plan, the establishment of the targets as reported for performance indicator number 14 and of the improvement activities. Panel recommendations were incorporated in the State Performance Plan and Annual Performance Report.

Data Collection and Reporting

The Office of Public Instruction has revised portions of its electronic data collection and reporting system to ensure the collection of valid and reliable district-level data. Technical assistance guides, video streaming, and 'on time' technical assistance are made available to LEAs to ensure school personnel have the necessary information to submit valid and reliable data. Data verification procedures, at the state level, are also implemented to ensure the collection and reporting of valid and reliable data. In addition, the OPI is working with a vendor to design a student-based reporting system that will be the single reporting system for all student-level data. When fully implemented, it will be the single source for the collection and reporting of LEA and state-level data.

Statistical Methods Used

To ensure statistically sound data when assessing the state's progress in meeting its established performance target, a minimum number (N) and/or confidence intervals are applied to reduce the effect of small sample sizes on the determination of performance. Montana is considered a frontier state with an exceptionally low-density population and a large number of rural schools. Fifty-six percent of our schools have fewer than 100 students enrolled. Eighty-four percent of Montana's districts are eligible under the Small, Rural School Achievement Program (SRSA). Results based on small sample sizes have a wider margin of error than those based on large sample sizes. In other words, the larger the sample size, the greater the likelihood that the data are representative of the population and not due to random factors unrelated to student characteristics or educational programs, known as measurement or sampling error. The use of the minimum N and confidence intervals is intended to improve the validity and reliability of

target determinations by reducing the risk of falsely identifying the state as having failed to meet its target, based on measurement/sampling error.

Dissemination Of The State Performance Plan And Annual Performance Report To The Public

The February 1, 2008, Annual Performance Report and revised State Performance Plan will be made available to the public via the OPI Web site at www.opi.mt.gov/speced by no later than March 1, 2008. An electronic announcement of the report with links to the State Performance Plan and Annual Performance Report will be sent to authorized representatives of the LEAs, directors of special education, to the parent training and information center, PLUK, to the Montana Advocacy Program (MAP) and to state and regional CSPD Council members. Hard copies of both documents are given to members of the state Special Education Advisory Panel.

Annual Report to the Public Regarding the Measurable and Rigorous Targets

In accordance with 20 U.S.C. 1416(b)(C)(ii), the OPI will report annually to the public on the performance of each local educational agency (LEA) on the targets in the State Performance Plan. The report on performance of LEAs will be made available to the public on the OPI Web site at http://www.opi.state.mt.us/SpecEd/index.html no later than May 31, 2008. The OPI will not report any information on performance to the public that would result in the disclosure of personally identifiable information about individual children or data that is insufficient to yield statistically reliable information.

The LEA performance results will also be incorporated as a part of the IDEA Consolidated E-Grants system. If an LEA has failed to meet a performance target, the LEA is required to identify an improvement activitiy(ies) it will conduct that will result in improved performance.

Questions regarding this report should be directed to the OPI, Division of Special Education, at 406-444-5661.

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Given a minimum N of 10, the graduation rate for students with disabilities will be maintained at **69.9**% within a 95% confidence interval.

Measurement

The measurement of youth with IEPs graduating from high school with a regular diploma and the measurement of all youth in the state graduating with a regular diploma is as follows:

General Education Graduation Rates

Montana has adopted the National Center for Education Statistics (NCES) cohort method as a practical way to calculate a completion rate for general education students. The estimated cohort method utilizes both dropout and graduate data and can be calculated for all public schools using data from four consecutive years. This method is the method used by Montana for assessing graduation rates in the AYP determinations for the No Child Left Behind Act (NCLB).

Assuming the 2006-2007 graduates were 9th graders in 2003-2004, the *cohort graduation rate* is calculated by dividing the number of graduates, ages 14-21+, in 2006-2007 by the sum of the total school leavers (graduates + dropouts) over a four-year period. The formula for the *cohort graduation rate* for the cohort that graduated in 2006-2007 is:

$$\frac{\text{Graduates (2006-2007)}}{\text{Graduates (2006-2007)} + 12^{th}\text{ Grade Dropouts (2006-2007)} + 11^{th}\text{ Grade Dropouts (2005-2006)} + 10^{th}\text{ Grade Dropouts (2004-2005)} + 9^{th}\text{ Grade Dropouts (2003-2004)}}$$

Special Education Graduation Rates

The data source for calculating the special education leaver graduation rate is Part B 618 data as reported in *Table 4 - Report of Children with Disabilities Exiting Special Education* for school years 2002-2003 through 2006-2007.

The *leaver graduation rate*[1] is an estimation of the status graduation rate that utilizes a cohort method to measure the proportion of students who, at some point in time, completed high school. This is similar to the graduation rate being proposed by NCES using the Common Core Data and what is being used to calculate the completion rates for general education.

Assuming the 2006-2007 graduates were 9th graders in 2003-2004, the *leaver graduation rate* is calculated by dividing the number of graduates, ages 14-21+, in 2006-2007 by the sum of the total school leavers (diploma + certificate + dropouts + reached maximum age) over a four-year period. The formula for the *leaver graduation rate* for the cohort that graduated in 2006-2007 is:

$$\frac{\text{Graduates (2006-2007)}}{\text{Graduates (2006-2007)} + \text{Other Completers (2003-2007)} + \text{12th Gr. Dropouts (2006-2007)} + \text{11th Gr. Dropouts (2005-2006)} + \text{10th Gr. Dropouts (2004-2005)} + \text{9th Gr. Dropouts (2003-2004)}}$$

Actual Target Data for FFY 2006 (2006-2007 School Year)

Target data for FFY 2006 for special education graduation rates are provided in Table 1.1 below. In accord with the instructions for the Part B State Performance Plan and Annual Performance Report, Section 1-(3), the percent of all youth graduating is not reported here.

Table 1.1 Montana Graduation Rates for School Year 2006-2007

School Year	Graduate Count for Special Education[1]	Total Special Education School Leaver Cohort[2]	Completion Rates for Special Education
	A	B	% = A / B
2006-2007	879	1275	**68.9%**

[1]Special Education Graduate Counts are reported on June 30th annually as part of the end-of-year special education data collection.

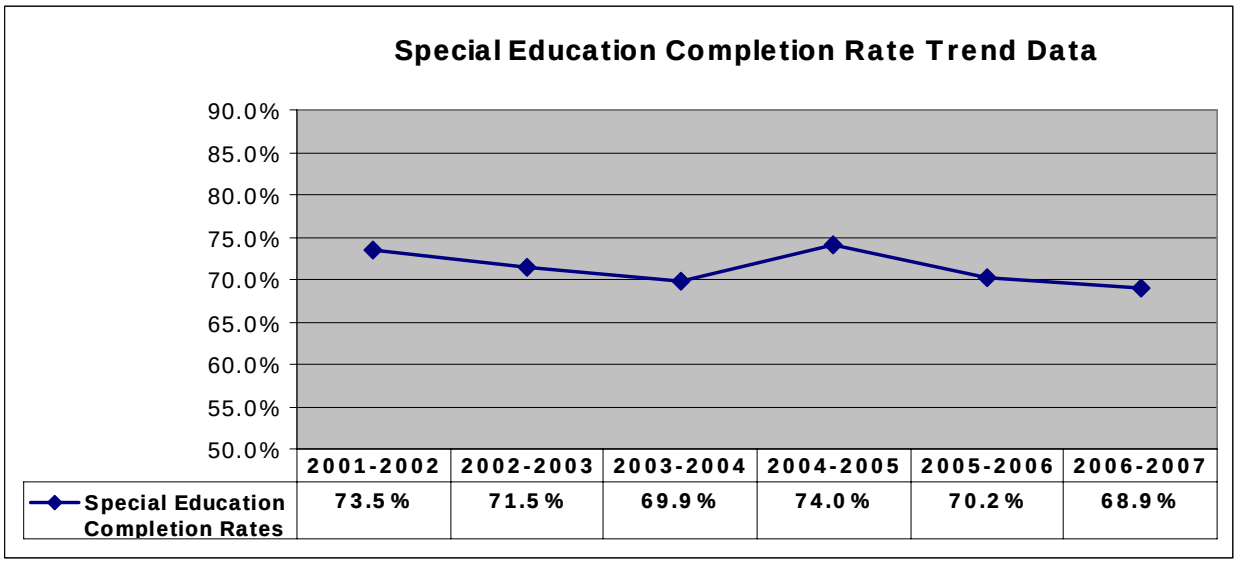
[2]Special Education School Leaver Cohort Total = The number of students with disabilities graduating in the 2006-2007 school year and the number of cohorts by age (students with disabilities) exiting school over four years. Exiting categories for school leavers include: Received a Certificate, Dropped Out, Reached Maximum Age.

For FFY 2006 (2006-2007 school year), the data indicate that 879 students with disabilities graduated high school with a regular diploma. In addition, the cohort of these graduates, 1,275 students with disabilities, left school over a four-year period. The result is a **68.9** percent completion rate.

Graduation rate trend data are presented in Figure 1.1 below.

[1] Westat. 1999. *Calculating Graduation and Dropout Rates: A Technical Assistance Guide.* December 1999. Contract #HS97020001.

Figure 1.1 Montana Graduation Rate Trend Data



Analysis of Target Data for FFY 2006 (2006-2007 School Year)

In calculating completion rates, Montana uses a cohort method to measure the proportion of students who, at some point in time, left high school through graduation, receiving a certificate, dropping out, or reaching maximum age. For the FFY 2006, target data indicate that, of the cohorts of the Class of 2007 leaving school at some point over the course of four years, **68.9** percent of students with disabilities graduated with a regular diploma (See Table 1.1 above).

Analysis of trend data indicates that there has been a slight **decline** in graduation rates from 2005-2006 and 2006-2007 of 1.3 percent (see Figure 1.1 above). In addition, trend data analysis shows an average annual **decrease** of 0.9 percent in the graduation rates for students with disabilities over the last five years. With the exception of the unusual increase in the graduation rates for 2004-2005, the trend data is consistent with our expectations, as noted in the State Performance Plan, that it will take several years for Montana to turn this downward trend around and begin to show continuous improvement.

Assessing State Progress in Meeting the FFY 2006 Performance Target

The data in Table 1.2 below is used to assess Montana's progress in meeting its performance target for FFY 2006. The OPI, in accord with the recommendations of the Special Education Advisory Panel, set a target of **69.9** percent, based on a sample size of a minimum N of 10 and within a 95 percent confidence interval. A confidence interval, based on the obtained graduation rates for students with disabilities, is applied to reduce the effect of variability of small sample sizes on the determination of performance.

Table 1.2 Montana Performance Target Status for FFY 2006

School Year	Graduate Count for Special Education	School Leaver Cohort Total	Completion Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	879	1275	**68.9%**	71.4%	66.3%	**69.9%**	**Met Target**

For FFY 2006, the completion rate for students with disabilities is **68.9** percent and the established performance target is **69.9** percent (see Table 1.2 above). In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper

and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained completion rate for students with disabilities and the established performance target. Therefore, Montana has met its performance target of 69.9 percent, within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of 427 LEAs to determine whether the LEA graduation rates met the state's established performance target for FFY 2006. Table 1.3 below presents the results of this review.

Table 1.3 Results of Review of Montana LEA Performance for FFY 2006

Number of LEAs With Exiting Data (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 Not Meeting State Performance Target (d)	
	#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
117	28	**23.9%**	21	**75.0%**	7	**25.0%**

As indicated in Table 1.3 above, **117** LEAs reported students with disabilities leaving school over a four-year period. Of the 117 reporting LEAs, **23.9** percent have a school leaver count that met the minimum N of 10 necessary to yield statistically reliable information. Of the reporting LEAs with a minimum N of 10, **75** percent met the state performance target for special education graduation rates and **25** percent did not meet the state's performance target.

The following table (Table 1.4) presents the data on the seven LEAs that did not meet the state's performance target on special education graduation rates.

Table 1.4 Montana LEAs Not Meeting State Performance Target for FFY 2006

LEA	Graduate Count for Special Education	School Leaver Cohort Total	Completion Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	LEA Performance Status
District 1	2	10	**20.0%**	51.0%	5.7%	69.9%	Did Not Meet Target
District 2	4	11	**36.4%**	64.6%	15.2%	69.9%	Did Not Meet Target
District 3	5	12	**41.7%**	68.0%	19.3%	69.9%	Did Not Meet Target
District 4	4	13	**30.8%**	57.6%	12.7%	69.9%	Did Not Meet Target
District 5	7	23	**30.4%**	50.9%	15.6%	69.9%	Did Not Meet Target
District 6	7	16	**43.8%**	66.8%	23.1%	69.9%	Did Not Meet Target
District 7	23	44	**52.3%**	66.2%	37.9%	69.9%	Did Not Meet Target

For FFY 2006, the LEA data indicate a range of completion rates for students with disabilities from 20 percent to **52.3** percent, with a range of graduates between two students and 23 students and a range of school leaver cohorts between 10 students and 44 students.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana met its performance target for the 2006-2007 reporting period. However, there is concern when the review of LEA data shows any LEA as not having met the state performance target for this indicator. In such cases, the LEA(s) were required to identify and implement activities that have the potential for improving student outcomes. When appropriate, the OPI implement focused intervention

procedures and/or provides direct technical assistance and support to the LEA to improve performance. If the LEA(s) did not meet the state's performance target and was identified as a school in need of improvement under ESEA, the Division of Special Education collaborated with the Division of Educational Opportunity and Equity and, as appropriate, the Division of Indian Education to assist the LEA(s) in identifying and implementing improvement strategies.

Following is a discussion of improvement activities completed, including the key improvement activities for this indicator.

The 2006-2007 was the second year of implementation for the State Personnel Grant. The Annual Performance Report is available on the OPI Web site at http://www.opi.mt.gov/PUB/PDF/SpecED/STRIDE/07GrantPerfRpt.pdf. Grant activities addressed increasing student access to skilled teachers and educationally responsive classrooms as the means of improving academic outcomes. Toward that end, proposed objectives and associated activities focused on three major goals: (1) increasing access to the general curriculum; (2) support to implement early intervening strategies; and (3) planned efforts that focused on the recruitment and retention of highly qualified teachers. Professional development initiatives focused on access to the general curriculum. Topics included, but were not limited to, differentiated instruction, universal design for learning, reading, early intervening services, and teacher mentoring. The grant is implemented in collaboration with the University of Montana, Montana State University-Billings, Parents, Let's Unite for Kids (PLUK), CSPD regional councils, independent contractors and a partnership between the Division of Special Education and the OPI.

The five CSPD regions provided training to school administrators, teachers, and related services personnel on instructional strategies that are known to increase the likelihood of students graduating from high school. Topics included, but were not limited to, the following: positive behavioral supports, assessment and response to intervention, reading instructional strategies, assistive technology, secondary transition, differentiated instruction (We Teach All) and developing interagency linkages and building community partnerships.

The Division of Special Education worked cross divisionally with the Divisions of Indian Education and Educational Opportunity and Equity on professional development and school improvement activities leading to improving graduation rates and decreasing dropout rates. The Division of Indian Education's Web site at http://www.opi.mt.gov/IndianEd/Index.html provides model curriculums, classroom materials, sample lesson plans and other documents to assist schools in the provision of culturally appropriate materials to improve outcomes for American Indian students. Division of Special Education staff have collaborated with School Improvement teams as a means of providing unified and comprehensive technical assistance to districts identified as in need of improvement.

Following are activities completed under specifically identified Improvement Activities in the State Performance Plan.

1. **Implement a student information system and special education records and information management system (SERIMS).**

   The Office of Public Instruction (OPI) has implemented a general education record system, Achievement in Montana (AIM), which collects census, demographic and assessment data for all students enrolled in the public schools. Information regarding AIM can be found at the following Web site http://www.opi.mt.gov/AIM/Index.html. Division of Special Education staff worked with the vendor on the development of the special education portion of the system. It is anticipated that the special education records and information management system will be fully implemented in 2008-2009 in accord with the timeline projected in the State Performance Plan. The system is designed to collect all of the data necessary to address the requirements of the State Performance Plan and compliance monitoring.

2. Continue to Support the Montana Behavioral Initiative Project.

The OPI, in collaboration with the Montana Board of Crime Control, again sponsored an MBI Summer Institute in June. Over 710 participants attended strands addressing Indian Education, Instructional Strategies, working with families, suicide prevention, sportsmanship, safe routes to schools, cyber safety, schoolwide discipline plans and challenging behaviors. Nineteen schools, of which three were high schools, implemented the MBI strategies in their school for the first time in 2006-2007. To date, over 360 schools and 11 Early Childhood sites have received MBI facilitator training. Information on the MBI can be found at the following Web site http://www.opi.mt.gov/mbi/Index.html.

Over 400 students attended the MBI Youth Days sponsored by the OPI. Youth Day activities focused on promoting positive school climate, citizenship skills, sportsmanship, diversity and community building. Schools brought student teams composed of middle and high school students who had the potential for implementing positive changes in their school environment.

3. Provide technical assistance/support to LEAs who, as a result of focused intervention, are required to develop/implement strategies to address student graduation/dropout.

The OPI provided discretionary grant funds, in the amount of $5,000, to a district for the development of a Freshman Academy for IDEA-eligible students. The district, through focused intervention procedures, had been identified as having a high rate of IDEA-eligible students dropping out of school. The impact of this pilot project will be shared with other districts as longitudinal data becomes available.

The OPI worked with its programmer and a vendor to create an E-Grant application for IDEA Part B funds which will incorporate each applicant's performance results in relation to state performance targets. It will also require applicants to identify activities they will implement to improve performance if they did not meet the state's target. This application will be fully implemented in the 2007-2008 school year. The OPI uses the LEA data to focus its technical assistance and support activities.

4. Work with the parent training/information center, PLUK, to identify ways to encourage more parent involvement in the education of their children.

The OPI provided discretionary grant funds to PLUK in the amount of $25,000 to implement strategies that would encourage parent involvement in their children's education. The PLUK and its 12 Family Support Consultants provided parent training through workshops, videoconferencing, outreach visits to schools and other parent training and information activities. The PLUK newsletter is a vital component in providing information to parents on ways in which they can be involved in their child's education and also be knowledgeable of parent resources and laws and rules which affect their child's education.

5. **Continue to make transition coaches available to assist schools in development of coordinated transition activities for IEPs.**

On January 26, 2007, the OPI presented a 5.5 hour train the trainer workshop on IDEA 2004 Transition Requirements. Workshop objectives were as follows:

- Participants will understand and be able to apply the new secondary transition requirements included in IDEA 2004.
- Participants will be prepared to present best practices in secondary transition to district and/or special education cooperative employees.

Thirty-one of the 58 participants had their travel expenses (and some substitute costs) reimbursed by the OPI. Individuals completing the training returned to their districts and provided transition training to school personnel.

In addition to the above training activity, the OPI staff provides ongoing technical assistance and support to schools. The OPI staff are available through phone contact or e-mail to respond to questions from the field and, as appropriate, provide technical assistance on-site to school personnel.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

1. Revised Timeline:The timeline for the activity identified as "Maintain/Implement activities described in the American Indian Dropout Prevention grant" has been revised to " Completed 2006-2007." The American Indian Dropout Prevention grant ended in 05-06. Training and technical assistance activities related to dropout prevention and improved graduation rates are now included in the revised improvement activity identified below.

2. Revised Improvement Activity: The Improvement Activity identified in the SPP as *"Provide technical assistance/support to LEAs who, as a result of Focused Intervention, are required to develop/implement strategies to address student dropout"* has been revised to "Provide professional development opportunities to enhance LEAs knowledge and implementation of effective strategies to improve graduation rates." This change has been made because all districts are working toward improving graduation rates and decreasing dropout rate, not just those districts which have been found not to have met the state's performance target for graduation. All districts will benefit from professional development which focuses on research-based strategies for improving graduation rates. The CSPD and SPDG have been added as additional resources.

3. Revised Improvement Activity: The Improvement activity identified in the SPP as *"Continue to make transition coaches available to assist schools in development of coordinated transition activities for IEPs*" has been revised to "Continue to provide professional development, technical assistance and support to LEAs in the development of transition services as a part of student's IEP." The following resources have been added: MPRRC, NSTTAC and CSPD. This revision has been made to be more inclusive of the broad range of technical assistance and support provided to LEAs. Transition coaches are only one of the strategies used to provide technical assistance and support to LEAs regarding transition.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Given a minimum N of 10, maintain the dropout rate of students with disabilities at **5.8** percent, within a 95% confidence interval.

Measurement

The measurement of youth with IEPs dropping out of high school with a regular diploma and the measurement of all youth in the state dropping out of high school are as follows:

General Education Dropout Rates
Montana school districts report an aggregated count of dropouts on October 1 each year. This count is part of the National Center for Education Statistics (NCES) Common Core of Data (CCD) reporting. The count includes students with disabilities. The count cannot be disaggregated. Therefore, the general education dropout rate is considered a dropout rate for all youth within the district that have dropped out of school. It is an event rate, a snapshot of the student body at the start of each school year to count dropouts for the previous school year. A student present in the school system on October 1 is not a dropout even if he or she was absent from school much of the previous school year.

Dropout Rates are calculated by dividing the number of dropouts as defined above, grades 7-12, by the number of students, grades 7-12, reported on the October enrollment data collection.

Number of dropouts, grades 7-12 / Number of students enrolled, grades 7-12

Special Education Dropout Rates

The data sources for calculating special education dropout rates is Part B 618 data as reported in *Table 1 - Report Of Children With Disabilities Receiving Special Education Under Part B Of The Individuals With Disabilities Education Act, As Amended* and in *Table 4 - Report Of Children With Disabilities Exiting Special Education*.

Montana's collection of special education dropout data is a **separate** data collection from the NCES CCD data collection for school population dropouts. The special education dropout collection is part of a larger collection of exiting data as required by the U.S. Department of Education, Office of Special Education Programs. The reporting period for special education dropout data is July 1 through June 30 of the reporting year. This is a status count in which the student's status at the end of the reporting year is used to determine whether that student is a dropout.

Dropout Rates are calculated by dividing the number of special education dropouts as defined above, ages 14-21, by the number of students with disabilities, ages 14-21, reported on the December 1 child count.

Number of dropouts, ages 14-21 / Number of students with disabilities, ages 14-21

Actual Target Data for FFY 2006 (2006-2007 School Year)

Target data for FFY 2006 for special education dropout rates are provided in Table 2.1 below. In accord with the instructions for the Part B State Performance Plan and Annual Performance Report, Section 1-(3), the percent of all youth dropping out of high school is not reported here.

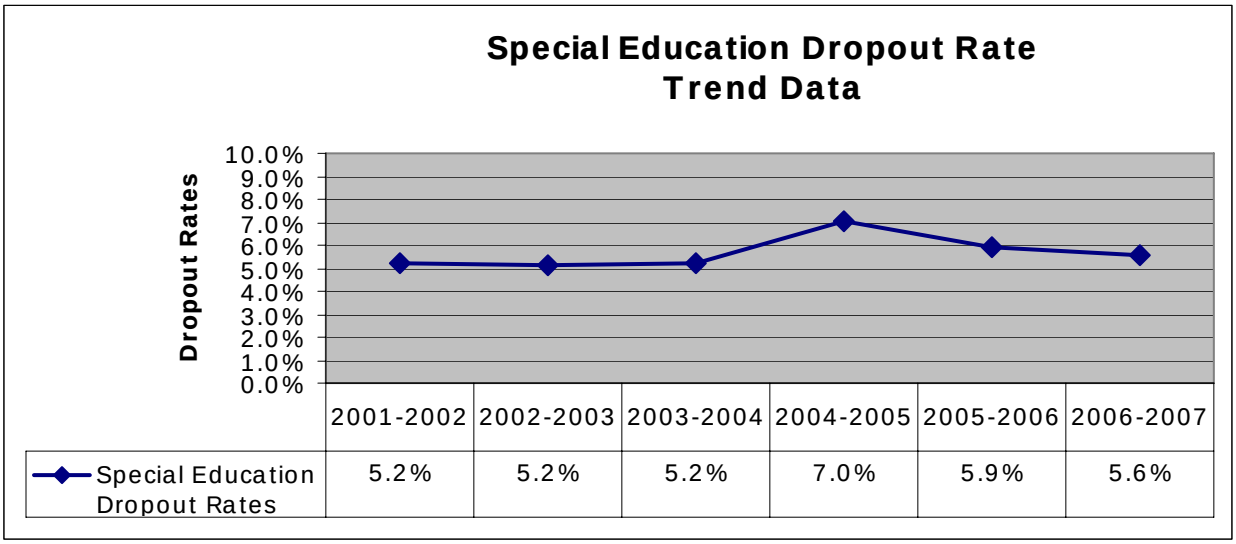
Table 2.1 Montana Dropout Rates for School Year 2006-2007

School Year	Special Education Dropout Count	Special Education Student Count, Ages 14-21[1]	Special Education Dropout Rate
	A	B	% = A / B
2006-2007	352	6320	**5.6%**

[1]Special Education Dropout Count, ages 14-21, are reported annually on June 30th as part of Montana's Part B 618 Special Education Exiting data collection.

Dropout trend data for students with disabilities dropping out of high school are presented in Figure 2.1 below.

Figure 2.1 Montana Dropout Rate Trend Data



Analysis of Target Data for FFY 2006 (2006-2007 School Year)
Montana's dropout rate for students with disabilities is defined as the proportion of students with disabilities, ages 14-21, reported as dropping out of school at the end of the school year, in relation to all students with disabilities, ages 14-21, reported on the December 1 child count for that school year. The target data for FFY 2006 indicate that the dropout rate for students with disabilities, ages 14-21, for the 2006-2007 school year is **5.6** percent (see Table 2.1 above).

Trend data analysis indicate that there is a slight **decline** in special education dropout rates of approximately 0.4 percent in the 2006-2007 school year when compared to the special education dropout rate in the 2005-2006 school year. Further analysis of the trend data indicates that there was an **average increase** of 0.1 percent in the special education dropout rate over the last five years.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 2.2 below is used to assess Montana's progress in meeting its FFY 2006 performance target for the dropout rates of students with disabilities. The state set a target, based on a sample size of a minimum N of 10, of decreasing the dropout rates of students with disabilities to 5.8 percent for FFY 2006, within a 95 percent confidence interval. When assessing Montana's progress in meeting its established performance target, a minimum N of 10 and a confidence interval is applied to reduce the effect of variability, due to small sample sizes, on the determination of performance.

Table 2.2 Montana Performance Target Status for FFY 2006

School Year	Special Education Dropout Count	Special Education Student Count, Ages 14-21	Special Education Dropout Rate	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	352	6320	**5.6%**	6.2%	5.0%	**5.8%**	**Met Target**

Target data for FFY 2006 indicate the dropout rate for students with disabilities is 5.6 percent and the established performance target is 5.8 percent. In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained dropout rate for students with disabilities and the established performance target. Therefore, given a sample size of a minimum N of 10, Montana has met its performance target within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of 427 LEAs to determine whether the LEA dropout rates met the state's established performance target for FFY 2006. The results of this review are presented in Table 2.3 below.

Table 2.3 Results of Review of Montana LEA Performance for FFY 2006

Number of LEAs With Students With Disabilities, Ages 14-21 (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
	#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
303	116	**38.3%**	107	**92.2%**	9	**7.8%**

As indicated in Table 2.3 above, **303** LEAs reported students with disabilities, ages 14-21. Of the 303 reporting LEAs, **38.3** percent have a count of students with disabilities that meet the minimum N of 10 necessary to yield statistically reliable information. Of the reporting LEAs with a minimum N of 10, **92.2** percent met the state performance target for special education dropout rates and **7.8** percent did not meet the state's performance target.

The following table (Table 2.4) presents the data on the nine LEAs that did not meet the state's performance target on special education dropout rates.

Table 2.4 Montana LEAs Not Meeting State Performance Target for FFY 2006

LEA	Dropout Count for Special Education	Count of Students with Disabilities, Ages 14-21	Dropout Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	LEA Performance Status
District 1	12	16	**75.0%**	89.8%	50.5%	**5.8%**	Did Not Meet Target
District 2	7	45	**15.6%**	28.8%	7.7%	**5.8%**	Did Not Meet Target
District 3	5	30	**16.7%**	33.6%	7.3%	**5.8%**	Did Not Meet Target
District 4	4	16	**25.0%**	49.5%	10.2%	**5.8%**	Did Not Meet Target
District 5	8	62	**12.9%**	23.4%	6.7%	**5.8%**	Did Not Meet Target
District 6	48	365	**13.2%**	17.0%	10.1%	**5.8%**	Did Not Meet Target
District 7	4	26	**15.4%**	33.5%	6.1%	**5.8%**	Did Not Meet Target
District 8	23	170	**13.5%**	19.5%	9.2%	**5.8%**	Did Not Meet Target
District 9	14	103	**13.6%**	21.5%	8.3%	**5.8%**	Did Not Meet Target

For FFY 2006, the LEA data indicate a range of dropout rates for students with disabilities from **12.9** percent to **75** percent, with a range of dropouts between four students and 48 students and a count of students with disabilities, ages 14-21, between 16 students and 365 students.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana met its performance target for the 2006-2007 reporting period. However, there is concern when the review of LEA data shows any LEA as not having met the state performance target for this indicator. In such cases, the LEA(s) was required to identify and implement activities that have the potential for improving student outcomes. When appropriate, the OPI implements focused intervention procedures and/or provides direct technical assistance and support to the LEA to improve performance. If the LEA(s) did not meet the state's performance target and was identified as a school in need of improvement under ESEA, the Division of Special Education collaborated with the Division of Educational Opportunity and Equity and, as appropriate, the Division of Indian Education to assist the LEA(s) in identifying and implementing improvement strategies.

The LEAs statewide are working hard to reduce the rates of students dropping out of school. The high dropout rate of American Indian students is of particular concern. The Division of Indian Education at the OPI is working closely with LEAs on instructional strategies and activities related to cultural sensitivity to improve student outcomes.

Following is a discussion of improvement activities completed, including the key improvement activities for this indicator.

The 2006-2007 was the second year of implementation for the State Personnel Development Grant. The grant's Annual Performance Report is available on the OPI Web site at http://www.opi.mt.gov/PUB/PDF/SpecED/STRIDE/07GrantPerfRpt.pdf . Grant activities addressed increasing student access to skilled teachers and educationally responsive classrooms as the means of improving academic outcomes. Toward that end, proposed objectives and associated activities focused on three major goals: (1) increasing access to the general curriculum; (2) support to implement early intervening strategies; and (3) planned efforts that focused on the recruitment and retention of highly qualified teachers. Professional development initiatives focused on access to the

general curriculum. Topics included, but were not limited to, differentiated instruction, universal design for learning, reading, early intervening services, and teacher mentoring. The grant is implemented in collaboration with the University of Montana, Montana State University-Billings, Parents, Let's Unite for Kids (PLUK), CSPD regional councils, independent contractors and a partnership between the Division of Special Education and the OPI.

The five CSPD regions provided training to school administrators, teachers, and related services personnel on instructional strategies that are known to increase the likelihood of students graduating from high school. Topics included, but were not limited to, the following: positive behavioral supports, assessment and response to intervention, reading instructional strategies, assistive technology, secondary transition, differentiated instruction (We Teach All) and developing interagency linkages and building community partnerships.

The Division of Special Education worked cross divisionally with the Divisions of Indian Education and Educational Opportunity and Equity on professional development and school improvement activities leading to improving graduation rates and decreasing dropout rates. The Division of Indian Education's Web site at http://www.opi.mt.gov/IndianEd/Index.html provides model curriculums, classroom materials, sample lesson plans and other documents to assist schools in the provision of culturally appropriate materials to improve outcomes for American Indian students. Division of Special Education staff have collaborated with School Improvement teams as a means of providing unified and comprehensive technical assistance to districts identified as in need of improvement.

Following are activities completed under specifically identified Improvement Activities in the State Performance Plan.

1. **Fully implement a student information system and special education records and information management system (SERIMS) to ensure collection of valid and reliable data.**

   The Office of Public Instruction (OPI) has implemented a general education record system, Achievement in Montana (AIM), which collects census, demographic and assessment data for all students enrolled in the public schools. Information regarding AIM can be found at the following Web site http://www.opi.mt.gov/AIM/Index.html. Division of Special Education staff worked with the vendor on the development of the special education portion of the system. It is anticipated that the special education records and information management system will be fully implemented in 2008-2009 in accord with the timeline projected in the State Performance Plan. The system is designed to collect all of the data necessary to address the requirements of the State Performance Plan and compliance monitoring.

2. **Continue to Support the Montana Behavioral Initiative Project.**

   The OPI, in collaboration with the Montana Board of Crime, again sponsored an MBI Summer Institute in June. Over 710 participants attended strands addressing Indian Education, Instructional Strategies, working with families, suicide prevention, sportsmanship, safe routes to schools, cyber safety, schoolwide discipline plans and challenging behaviors. Nineteen schools, of which three were high schools, newly implemented the MBI strategies in their school in 2006-2007. To date, over 360 schools and 11 Early Childhood sites have received MBI facilitator training. Information on the MBI can be found at the following Web site http://www.opi.mt.gov/mbi/Index.html.

   Over 400 students attended the MBI Youth Days sponsored by the OPI. Youth Day activities focused on promoting positive school climate, citizenship skills, sportsmanship, diversity and community building. Schools brought student teams composed of middle and high school students who had the potential for implementing positive changes in their school environment.

3. **Provide technical assistance/support to LEAs who, as a result of focused intervention, are required to develop/implement strategies to address student dropout.**

The OPI provided discretionary grant funds, in the amount of $5,000, to a district for the development of a Freshman Academy for IDEA-eligible students. The district, through focused intervention procedures, had been identified as having a high rate of IDEA-eligible students dropping out of school. The impact of this pilot project will be shared with other districts as longitudinal data becomes available.

The OPI worked with its programmer and a vendor to create an E-Grant application for IDEA Part B funds which will incorporate the state performance targets and each applicant's performance results. It will also require applicants to identify activities they will implement to improve performance if they did not meet the state's target. This application will be fully implemented in the 2007-2008 school year. The OPI uses the LEA data to focus its technical assistance and support activities.

2. **Work with the parent training/information center, PLUK, to have parents become more involved in their child's education.**

   The OPI provided discretionary grant funds to PLUK in the amount of $25,000. to implement strategies that would encourage parent involvement in their children's education. The PLUK and its 12 Family Support Consultants provided parent training through workshops, videoconferencing, outreach visits to schools and other parent training and information activities. The PLUK newsletter is a vital component in providing information to parents on ways in which they can be involved in their child's education and also be knowledgeable of parent resources and laws and rules which affect their child's education.

3. **Continue to support Indian Education for All activities.**

   The Division of Special Education staff collaborates with Indian Education staff on professional development activities, technical assistance documents and other activities designed to decrease the dropout rates of American Indian students. An understanding of American Indian culture and factors that lead to a higher dropout rate for American Indian students are felt to be a critical component in keeping students in schools. Data on American Indian students with disabilities who have dropped out of school is analyzed and shared with the Division of Indian Education.

4. **The OPI will provide technical assistance to LEAs on child find practices to ensure that students who dropped out of school are included in child find activities.**

   The OPI has provided training and technical assistance to LEAs on child find practices to help ensure that students who have dropped out of school are included in child find activities. Additionally, the OPI provides a link on its Web site to the National Dropout Prevention Center-Students with Disabilities. Evidence-based practices identified by this center are shared with school personnel.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

1. <u>Revised Timeline:</u>The timeline for the activity identified as "Maintain/Implement activities described in the American Indian Dropout Prevention grant" has been revised to " Completed 2006-2007." The American Indian Dropout Prevention grant ended in 05-06. Training and technical assistance activities related to dropout prevention and improved graduation rates are now included in the revised improvement activity identified below. Strategies and activities which were a part of the Dropout Prevention grant and found to be effective will be incorporated in the revised improvement activity cited below.

2. Revised Improvement Activity: The Improvement Activity identified in the SPP as *"Provide technical assistance/support to LEAs who, as a result of Focused Intervention, are required to develop/implement strategies to address student dropout"* has been revised to "Provide professional development opportunities to enhance LEAs knowledge and implementation of effective strategies to decrease student dropout. This change has been made because all districts are working toward decreasing dropout rate, not just those districts which have been found not to have met the state's performance target for student dropout. All districts will benefit from professional development which focuses on research-based strategies reducing dropout rates. The following resources were added: MPRRC, CSPD, SPDG.
3. Revised Improvement Activity: The Improvement activity identified in the SPP as "*OPI will provide technical assistance to LEAs on child find practices to ensure that students who dropped out of school are included in child find activities"* has been revised to "OPI will provide technical assistance to LEAs on child find practices to ensure that students who are having instructional or behavioral difficulty are fully included in effective child find activities." The focus has been revised to ensure that students who are struggling instructionally and/or behaviorally, are identified early and appropriate strategies are implemented to prevent them from dropping out of school.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.

B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. (20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. Percent = [(# of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size in the State)] times 100.

B. Participation rate =

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

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

Overall Percent = [(b + c + d + e) divided by (a)].

C. Proficiency rate =

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

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

Overall Percent = [(b + c + d + e) divided by (a)].

FFY	Measurable and Rigorous Target
2006 (2006-2007)	A. Within a 95% confidence interval, **39%** of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval **95%** of SWD will participate in the state-level assessment. C. Within a 95% confidence interval, **32%** of all students with disabilities tested will be proficient or above.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Indicator 3A - AYP

Table 3.1 below presents target data on the percent of LEAs that have a disability subgroup that meets the minimum N of 40 and meets Montana's AYP objectives for progress for the disability subgroup for FFY 2006 (2006-2007 school year).

Table 3.1 LEAs Meeting Montana's AYP Objectives for Disability Subgroup

AYP Objectives	Overall (across Content Areas)				Math				Reading			
	2005-2006		2006-2007		2005-2006		2006-2007		2005-2006		2006-2007	
	#	%	#	%	#	%	#	%	#	%	#	%
Districts with a disability subgroup meeting Montana's minimum N size	57		**56**		57		**56**		57		**56**	
Districts meeting Montana's AYP objectives for progress for students with IEPs	23	40.4%	**28**	**50.0%**	28	49.1%	**31**	**55.4%**	42	73.7%	**35**	**62.5%**

Analysis of Target Data for FFY 2006 (2006-2007 School Year)

Target data for the 2006-2007 school year indicate that 56 school districts met Montana's minimum N size of 40 for the disability subgroup, and 28 (or 50 percent) of those districts met Montana's AYP objectives for progress for students with disabilities across content areas. Further, 55.4 percent of the districts with a minimum N size of 40 (31 districts) met Montana's AYP objectives for progress for students with disabilities for Math and 62.5 percent of the districts (35 districts) met Montana's AYP objectives for progress for students with disabilities for Reading (see Table 3.1 above).

Analysis of trend data indicates a 9.6 percent **increase** in the percent of districts meeting Montana's AYP objectives for progress for students with disabilities across content areas in the 2006-2007 school year, resulting in a 23.9 percent change relative to the percent of districts meeting Montana's AYP objectives for progress for students with disabilities in the 2005-2006 school year. In addition, there is a 6.2 percent **increase** in the percent of districts meeting Montana's AYP objectives for progress for students with disabilities in Math in 2006-2007, reflecting a 12.7 percent change relative to the percent of districts meeting the AYP objectives for progress in the 2005-2006 school year. However, trend data indicate an 11.2 percent **decrease** in the percent of districts meeting Montana's AYP objectives for progress for students with disabilities in Reading, resulting in a 15.2 percent change relative to the percent of districts meeting Montana's AYP objectives for progress for students with disabilities in the 2005-2006 school year.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 3.2 below is used to assess Montana's status in meeting its FFY 2006 performance target for the percent of LEAs meeting AYP objectives for progress for students with disabilities. The state set a target, based on a sample size of a minimum N of 40, **39** percent of LEAs will meet AYP objectives for progress for students with disabilities, within a 95 percent confidence interval. When assessing Montana's progress in meeting its established performance target, a minimum N of 10 and a confidence interval is applied to reduce the effect of variability, due to small sample sizes, on the determination of performance.

Table 3.2 Montana Performance Target Status for FFY 2006

School Year	Number of Districts Meeting Min N for Subgroup	Number of Districts Meeting AYP Objectives	Percent of Districts Meeting AYP Objectives	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
2006-2007	56	28	**50.0%**	62.7%	37.3%	**39.0%**	**Met Target**

For FFY 2006, the percent of LEAs, who met the Minimum N size of 40 for the disability subgroup, meeting AYP objectives for progress for students with disabilities, is **50** percent and the established performance target is **39** percent. In comparing the performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained percent of districts meeting AYP objectives and the established performance target. Therefore, Montana has **met** its performance target within a 95 percent confidence interval.

Indicator 3B – Participation Rates

Table 3.3 below presents participation rates of students with disabilities on statewide assessments by content area and each grade assessed. The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the content areas of reading and math for Grades 3 through 8 and Grade 10. The source for the data is the Part B 618 data reported in *Table 6 – Report of the Participation and Performance of Students with Disabilities on State Assessments* (see Appendix).

Table 3. 3 Participation Rates of Students with Disabilities in State Assessments for FFY 2006

Indicator 3B Measurement	2006-2007 Participation of Students with IEPs in Statewide Assessments							
	Subject	READING						
	Grade	3	4	5	6	7	8	10
	Students with IEPs Not Tested in Reading	27	15	12	64	24	29	87
(b)	Students taking Regular assessment (CRT) with no accommodations	448	340	363	360	362	423	441
(c)	Students taking Regular assessment (CRT) with accommodations	761	872	886	834	968	938	688
(d)	Students taking Alternate assessment against grade level achievement standards	0	0	0	0	0	0	0
(e)	Students taking Alternate assessment against modified achievement standards	0	0	0	0	0	0	0
(f)	Students taking Alternate assessment (CRT-Alt) against alternate achievement standards	74	93	72	108	69	78	102
(b+c+d+e+f)	**TOTAL Tested in Reading**	1283	1305	1321	1302	1399	1439	1231
(a)	Total Number of Students with IEPs Tested + Total Number of Students with IEPs Not Tested	1310	1320	1333	1366	1423	1468	1318
(b/a)*100	Students taking Regular assessment (CRT) with no accommodations	34.2%	25.8%	27.2%	26.4%	25.4%	28.8%	33.5%
(c/a)*100	Students taking Regular assessment (CRT) with accommodations	58.1%	66.1%	66.5%	61.1%	68.0%	63.9%	52.2%
(d/a)*100	Students taking Alternate assessment against grade level achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(e/a)*100	Students taking Alternate assessment against modified achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(f/a)*100	Students taking Alternate assessment (CRT-Alt) against alternate achievement standards	5.6%	7.0%	5.4%	7.9%	4.8%	5.3%	7.7%
[(b+c+d+e+f) / a]*100	**Overall Participation Rates in Reading**	**97.9%**	**98.9%**	**99.1%**	**95.3%**	**98.3%**	**98.0%**	**93.4%**

Indicator 3B Measurement	Subject	MATH						
	Grade	3	4	5	6	7	8	10
	Students with IEPs Not Tested in Math	31	16	12	63	19	23	69
(b)	Students taking Regular assessment (CRT) with no accommodations	460	343	357	369	356	414	504
(c)	Students taking Regular assessment (CRT) with accommodations	748	869	891	826	978	954	643
(d)	Students taking Alternate assessment against grade level achievement standards	0	0	0	0	0	0	0
(e)	Students taking Alternate assessment against modified achievement standards	0	0	0	0	0	0	0
(f)	Students taking Alternate assessment (CRT-Alt) against alternate achievement standards	71	92	73	108	70	77	102
(b+c+d+e+f)	**TOTAL Tested in Math**	1279	1304	1321	1303	1404	1445	1249
(a)	Total Number of Students with IEPs Tested + Total Number of Students with IEPs Not Tested	1310	1320	1333	1366	1423	1468	1318
(b/a)*100	Students taking Regular assessment (CRT) with no accommodations	35.1%	26.0%	26.8%	27.0%	25.0%	28.2%	38.2%
(c/a)*100	Students taking Regular assessment (CRT) with accommodations	57.1%	65.8%	66.8%	60.5%	68.7%	65.0%	48.8%
(d/a)*100	Students taking Alternate assessment against grade level achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(e/a)*100	Students taking Alternate assessment against modified achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(f/a)*100	Students taking Alternate assessment (CRT-Alt) against alternate achievement standards	5.4%	7.0%	5.5%	7.9%	4.9%	5.2%	7.7%
[(b+c+d+e+f) / a]*100	**Overall Participation Rates in Math**	**97.6%**	**98.8%**	**99.1%**	**95.4%**	**98.7%**	**98.4%**	**94.8%**

The data presented in Table 3.3 above indicate that students with disabilities participated in the statewide assessments in both Reading and Math at a consistent rate. The overall participation rates in Reading for students with disabilities range from a high of **99.1** percent in Grade 5 to a low of **93.4** percent in Grade 10, while the participation rates in Math for students with disabilities range from a high of **99.1** percent in Grade 5 to a low of **94.8%** in Grade 10.

Table 3.4 below presents target and trend data on the overall participation of children with disabilities in statewide assessments for FFY 2006 (2006-2007 school year). The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the content areas of reading and math for grades 3 through 8 and Grade 10. The source for the data reported here is the Part B 618 data reported in *Table 6 – Report of the Participation and Performance of Students with Disabilities on State Assessments* (see Appendix).

Table 3.4 Overall Participation Rate for Students with Disabilities in State Assessments

Indicator 3B Measurement	Participation in Statewide Assessments	Overall (across Grades Assessed and Content Areas)			
		2005-2006		2006-2007	
		#	%	#	%
(a)	Number of students with IEPs in grades assessed (Number Tested + Number Not Tested)	**19506**		**19076**	
	Students with IEPs Not Tested	**218**	1.1%	**491**	2.6%
(b)	Students taking Regular assessment (CRT) with no accommodations	6477	33.2%	5540	29.0%
(c)	Students taking Regular assessment (CRT) with accommodations[1]	11576	59.3%	11856	62.2%
(d)	Students taking Alternate assessment against grade level achievement standards[2]	NA	NA	NA	NA
(e)	Students taking Alternate assessment against modified achievement standards[3]	NA	NA	NA	NA
(f)	Students taking Alternate assessment (CRT-Alt) against alternate achievement standards[4]	1251	6.4%	1189	6.2%
(b+c+d+e+f) / a * 100	**Overall rate of participation in statewide assessment for students with IEPs[5]**	**19304**	**99.0%**	**18585**	**97.4%**

Source: Montana Statewide Assessment data and AIM Spring Enrollment data.
[1]Regular assessment with accommodations include all students who paticipated with accommodations (both standard and nonstandard).
[2]Montana does not use an alternate assessment scored against grade level achievement standards at this time.
[3]Montana does not use an alternate assessment scored against modified achievement standards at this time.
[4]Alternate assessment against alternate achievement standards include students who had invalid results.
[5]Overall Participation Rates is equal to the number of students taking either a regular or alternate assessment in Math and in Reading divided by the total number of students with disabilities in the grades assessed.

Target data for FFY 2006 (2006-2007 school year) indicate there were 19,076 students with disabilities enrolled in the grades assessed during the testing window and 18,585 of those students were tested using the regular assessment (CRT) or the alternate assessment (CRT-Alt), for an overall participation rate of 97.4 percent. Analysis of the trend data shows a **decrease** in the number of students with disabilities participating in state assessments between the 2005-2006 school year and the 2006-2007 school year, resulting in a percent of change of 3.7 percent in the participation of students with disabilities in state assessments. This decrease is consistent with the percent of

decline in the enrollment of students with disabilities during the testing window of 2.2 percent combined with an increase in the number of students with disabilities not tested in the 2006-2007 school year.

In the 2006-2007 school year, there was an **increase** in the number of students with disabilities taking the regular assessment with accommodations when compared to the number of students with disabilities taking the regular assessment with accommodations in the 2005-2006 school year, resulting in a rate of change of 2.4 percent. Conversely, there was a **decrease** in the number of students with disabilities taking the regular assessment with no accommodations in the 2006-2007 school year, resulting in a 12.5 percent change, relative to the number of students with disabilities taking the regular assessment with no accommodations in the 2005-2006 school year. In addition, there was a **decrease** in the number of students with disabilities taking an alternate assessment in the 2006-2007 school year that resulted in a 5 percent change relative to the number of students with disabilities taking an alternate assessment in the 2005-2006 school year.

Assessing State Progress in Meeting the FFY 2006 Performance Target

Table 3.5 Montana Performance Target Status for FFY 2006 for Indicator 3B

School Year	Number of Students with Disabilities - All Grades Assessed	Number of Students with Disabilities - Participation Count	Participation Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
2006-2007	19076	18585	**97.4%**	97.6%	97.2%	**95.0%**	**Met Target**

The data in Table 3.5 above is used to assess Montana's progress in meeting its performance target for FFY 2006 for Indicator 3B, participation of students with disabilities in state assessments. The FFY 2006 target was established using data from the 2005-2006 school year as the baseline. The OPI, in accord with the recommendations of the Special Education Advisory Panel, set a target of 95 percent of students with disabilities will participate in state assessments, within a 95 percent confidence interval. A confidence interval, based on the obtained participation rate for students with disabilities, is applied to reduce the effect of small sample sizes on the determination of performance.

For FFY 2006, the percent of students with disabilities participating in state assessments is **97.4** percent and the established performance target is **95** percent. In comparing the performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained participation rate of students with disabilities and the established performance target. Therefore, Montana has **met** its performance target, within a 95 percent confidence interval.

Indicator 3C – Proficiency Rates

Table 3.6 below presents proficiency rates of students with disabilities on statewide assessments by content area and each grade assessed. The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the content areas of reading and math for grades 3 through 8 and Grade 10. The source for the data is the Part B 618 data reported in *Table 6 – Report of the Participation and Performance of Students with Disabilities on State Assessments* (see Appendix).

Table 3.6 Proficiency Rates for Students with Disabilities on State Assessments for FFY 2006

Indicator 3C Measurement	2006-2007 Performance of Students with IEPs in Statewide Assessments							
	Subject	READING						
	Grade	3	4	5	6	7	8	10
	Students with IEPs Not Tested in Reading	27	15	12	64	24	29	87
	TOTAL Tested in Reading	1283	1305	1321	1302	1399	1439	1231
(b)	Students tested Proficient or above in regular assessment (CRT) with no accommodations	335	242	230	216	210	213	169
(c)	Students tested Proficient or above in regular assessment (CRT) with accommodations	294	284	280	277	317	224	166
(d)	Students tested Proficient or above in alternate assessment against grade level standards	0	0	0	0	0	0	0
(e)	Students tested Proficient or above in alternate assessment against modified achievement standards	0	0	0	0	0	0	0
(f)	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	45	69	60	88	59	52	88
(b+c+d+e+f)	**TOTAL Tested Proficient and Above in Reading**	674	595	570	581	586	489	423
(a)	Total Number of Students with IEPs Tested + Total Number of Students with IEPs Not Tested	1310	1320	1333	1366	1423	1468	1318
(b/a)*100	Students tested Proficient or above in regular assessment (CRT) with no accommodations	25.6%	18.3%	17.3%	15.8%	14.8%	14.5%	12.8%
(c/a)*100	Students tested Proficient or above in regular assessment (CRT) with accommodations	22.4%	21.5%	21.0%	20.3%	22.3%	15.3%	12.6%
(d/a)*100	Students tested Proficient or above in alternate assessment against grade level standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(e/a)*100	Students tested Proficient or above in alternate assessment against modified achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(f/a)*100	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	3.4%	5.2%	4.5%	6.4%	4.1%	3.5%	6.7%
[(b+c+d+e+f) / a]*100	**Overall Proficiency Rates in Reading**	**51.5%**	**45.1%**	**42.8%**	**42.5%**	**41.2%**	**33.3%**	**32.1%**

Indicator 3C Measurement	Subject	MATH						
	Grade	3	4	5	6	7	8	10
	Students with IEPs Not Tested in Math	31	16	12	63	19	23	69
	TOTAL Tested in Math	1279	1304	1321	1303	1404	1445	1249
(b)	Students tested Proficient or above in regular assessment (CRT) with no accommodations	273	188	159	128	110	110	83
(c)	Students tested Proficient or above in regular assessment (CRT) with accommodations	201	215	199	132	151	74	48
(d)	Students tested Proficient or above in alternate assessment against grade level standards	0	0	0	0	0	0	0
(e)	Students tested Proficient or above in alternate assessment against modified achievement standards	0	0	0	0	0	0	0
(f)	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	41	63	45	64	51	39	63
(b+c+d+e+f)	**TOTAL Tested Proficient and Above in Math**	515	466	403	324	312	223	194
(a)	Total Number of Students with IEPs Tested + Total Number of Students with IEPs Not Tested	1310	1320	1333	1366	1423	1468	1318
(b/a)*100	Students tested Proficient or above in regular assessment (CRT) with no accommodations	20.8%	14.2%	11.9%	9.4%	7.7%	7.5%	6.3%
(c/a)*100	Students tested Proficient or above in regular assessment (CRT) with accommodations	15.3%	16.3%	14.9%	9.7%	10.6%	5.0%	3.6%
(d/a)*100	Students tested Proficient or above in alternate assessment against grade level standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(e/a)*100	Students tested Proficient or above in alternate assessment against modified achievement standards	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
(f/a)*100	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	3.1%	4.8%	3.4%	4.7%	3.6%	2.7%	4.8%
[(b+c+d+e+f) / a]*100	**Overall Proficiency Rates in Math**	**39.3%**	**35.3%**	**30.2%**	**23.7%**	**21.9%**	**15.2%**	**14.7%**

The data presented in Table 3.6 above indicate a gap between the performance of students with disabilities in the statewide assessments for Reading and for Math. The overall proficiency rates in Reading for students with disabilities range from a high of **51.5** percent in Grade 3 to a low of **32.1** percent in Grade 10, while the overall proficiency rates in Math for students with disabilities range from a high of **39.3** percent in Grade 3 to a low of **14.7** percent in Grade 10.

Table 3.7 below presents target and trend data on the proficiency rates of children with disabilities participating in Montana's statewide assessments for FFY 2006 (2006-2007 school year). The data reported are based on Montana's Criterion-Referenced Test (CRT) and the CRT-Alternate (CRT-Alt) for the subject areas of reading and math for Grades 3 through 8 and Grade 10. The source for the data reported here is the Part B 618 data reported in *Table 6 – Report of the Participation and Performance of Students with Disabilities on State Assessments* (see Appendix).

Table 3.7 Overall Proficiency Rates for Students with Disabilities on State Assessments

Indicator 3C Measurement	Proficiency Against Statewide Assessments	Overall (across Grades Assessed and Content Areas)			
		2005-2006		2006-2007	
		#	%	#	%
(a)	Number of students with IEPs in grades assessed (Number Tested + Number Not Tested)	**19506**		**19076**	
	Students with IEPs Not Tested	**218**	1.1%	**491**	2.6%
	Students Testing Not Proficient and Above in Statewide Assessments	13044	66.9%	12230	64.1%
(b)	Students tested Proficient or above in regular assessment (CRT) with no accommodations	2761	14.2%	2666	14.0%
(c)	Students tested Proficient or above in regular assessment (CRT) with accommodations[1]	2615	13.4%	2862	15.0%
(d)	Students tested Proficient or above in alternate assessment against grade level standards[2]	NA	NA	NA	NA
(e)	Students tested Proficient or above in alternate assessment against modified achievement standards[3]	NA	NA	NA	NA
(f)	Students tested Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	868	4.4%	827	4.3%
(b+c+d+e+f) / a * 100	**Overall rate of proficiency or above for students with IEPs[4]**	**6244**	**32.0%**	**6355**	**33.3%**

Source: Montana Statewide Assessment data and ADC Enrollment data.
[1]Regular assessment with accommodations include all students who participated with standard accommodations.
[2]Montana does not use an alternate assessment scored against grade level achievement standards at this time.
[3]Montana does not use an alternate assessment against modified achievement standards at this time.
[4]Overall Performance Rates is equal to the number of student tests scored proficient or above in Math and in Reading divided by the total number of students with disabilities in the grades assessed.

Target data for FFY 2006 (2006-2007 school year) indicate there were 19,076 students with disabilities enrolled during the testing window in the grades assessed and, of those students, 6,355 tested proficient or above on the regular assessment (CRT) or the alternate assessment (CRT-Alt), for an overall rate of proficiency or above of 33.3 percent. Analysis of the trend data shows a slight **increase** in the number of students with disabilities testing proficient or above in the 2006-2007 school year, resulting in a 1.8 percent change relative to the number of students with disabilities testing proficient or above in the 2005-2006 school year. The overall rate of proficiency or above for students with disabilities for 2006-2007 is 33.3 percent, compared to 32 percent in 2005-2006. This represents a 4.1 percent change in the proficiency rate for 2006-2007, relative to the proficiency rate in the 2005-2006 school year.

Further analysis of trend data indicate an 11.9 percent **increase** in the proficiency rate of students taking a regular assessment with accommodations in the 2006-2007 school year, relative to the proficiency rate for the 2005-2006 school year. Conversely, there was a slight **decrease** in the proficiency rate of students with disabilities taking the regular assessment with no accommodations in the 2006-2007 school year, resulting in a 1.3 percent change, relative to the number of students with

disabilities taking the regular assessment with no accommodations in the 2005-2006 school year. In addition, there was a **decrease** in the proficiency rate of students with disabilities taking an alternate assessment in the 2006-2007 school year that resulted in a 2.6 percent change relative to the proficiency rate of students with disabilities taking an alternate assessment in the 2005-2006 school year.

Assessing State Progress in Meeting the FFY 2006 Performance Target

Table 3.8 Montana Performance Target Status for FFY 2006 for Indicator 3C

School Year	Number of Students with Disabilities - All Grades Assessed	Number of Students with Disabilities - Proficient or Above	Performance Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
2006-2007	19076	6355	**33.3%**	34.0%	32.6%	**32.0%**	**Met Target**

The data in Table 3.8 above is used to assess Montana's progress in meeting its performance target for FFY 2006 for Indicator 3C, the performance of students with disabilities in state assessments. The FFY 2006 target was established using data from the 2005-2006 school year as the baseline. The OPI, in accord with the recommendations of the Special Education Advisory Panel, set a target of 32 percent of students with disabilities tested will be proficient or above, within a 95 percent confidence interval. A confidence interval, based on the obtained performance rate for students with disabilities, is applied to reduce the effect of small sample sizes on the determination of performance.

For FFY 2006, the percent of students with disabilities tests performing proficient or above is **33.3** percent and the established performance target is **32** percent. In comparing the performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the obtained performance rate of students with disabilities and the established performance target. Therefore, Montana has **met** its performance target, within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of 427 LEAs to determine whether the LEA participation and performance of students with disabilities in state assessments met the state's established performance target for FFY 2006. The results of this LEA review is presented in Table 3.9 below.

Table 3.9 Results of Review of Montana LEA Performance for FFY 2006

Assessment Performance Indicators	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
		#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
Indicator 3B-Participation in State Assessments	361	243	67.3%	234	**96.3%**	9	**3.7%**
Indicator 3C-Proficiency in State Assessments		119	33.0%	107	**89.9%**	12	**10.1%**

Indicator 3B – Participation Rates

Table 3.9 above indicates there were 361 LEAs that have students with disabilities in the grades assessed for FFY 2006 (2006-2007 school year).

Of the reporting LEAs, **67.3** percent (or 243 LEAs) had participation in state assessment counts that met the minimum N of 10 necessary to yield statistically reliable information. Of the LEAs with a minimum N of 10, **96.3** percent (or 234) of the LEAs met the state's performance target and **3.7**

percent (or nine) of the LEAs did not meet the state's performance target related to participation in state assessments.

The following table (Table 3.10) presents the data on the nine LEAs that did not meet the state's performance target on participation rates in all content areas and in all grades assessed.

Table 3.10 Montana LEAs Not Meeting the Indicator 3B Performance Target for FFY 2006

LEA	Students with Disabilities	Special Education Participation Counts	Special Education Participation Rate	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	LEA Performance Status
District 1	50	34	**68.0%**	79.2%	54.2%	**95.0%**	**Did Not Meet Target**
District 2	16	11	**68.8%**	85.8%	44.4%	**95.0%**	**Did Not Meet Target**
District 3	112	84	**75.0%**	82.1%	66.2%	**95.0%**	**Did Not Meet Target**
District 4	210	162	**77.1%**	82.3%	71.0%	**95.0%**	**Did Not Meet Target**
District 5	136	110	**80.9%**	86.6%	73.5%	**95.0%**	**Did Not Meet Target**
District 6	108	90	**83.3%**	89.2%	75.2%	**95.0%**	**Did Not Meet Target**
District 7	36	30	**83.3%**	92.1%	68.1%	**95.0%**	**Did Not Meet Target**
District 8	38	33	**86.8%**	94.2%	72.7%	**95.0%**	**Did Not Meet Target**
District 9	542	487	**89.9%**	92.1%	87.0%	**95.0%**	**Did Not Meet Target**

For FFY 2006, LEA data indicate a range of students with disabilities enrolled in the grades assessed between 16 students with disabilities to 542 students with disabilities. The participation counts for students with disabilities within these LEAs ranged between 11 students to 487 students.

Indicator 3C – Proficiency Rates

Table 3.9 above indicates there were 361 LEAs that have students with disabilities in the grades assessed for FFY 2006 (2006-2007 school year).

Of the reporting LEAs, **33** percent (or 119 LEAs) had proficiency counts of students with disabilities that met the minimum N of 10 necessary to yield statistically reliable information. Of the LEAs with a minimum N of 10, **89.9** percent (or 107) of the LEAs met the state's performance target and **10.1** percent (or 12) of the LEAs did not meet the state's performance target for students with disabilities testing proficient or above on state assessments.

The following table (Table 3.11) presents the data on the 12 LEAs that did not meet the state's performance target on students with disabilities testing proficient or above in all content areas and in all grades assessed.

Table 3.11 Montana LEAs Not Meeting Indicator 3C Performance Target for FFY 2006

LEA	Students with Disabilities	Students with Disabilities Proficient or Above	Special Education Proficiency Rate	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2006	LEA Performance Status
District 1	184	10	**5.4%**	9.7%	3.0%	**32.0%**	**Did Not Meet Target**
District 2	108	11	**10.2%**	17.3%	5.8%	**32.0%**	**Did Not Meet Target**
District 3	132	15	**11.4%**	17.9%	7.0%	**32.0%**	**Did Not Meet Target**
District 4	142	18	**12.7%**	19.1%	8.2%	**32.0%**	**Did Not Meet Target**
District 5	112	16	**14.3%**	22.0%	9.0%	**32.0%**	**Did Not Meet Target**
District 6	120	21	**17.5%**	25.3%	11.7%	**32.0%**	**Did Not Meet Target**
District 7	56	10	**17.9%**	29.8%	10.0%	**32.0%**	**Did Not Meet Target**
District 8	136	27	**19.9%**	27.3%	14.0%	**32.0%**	**Did Not Meet Target**
District 9	210	45	**21.4%**	27.5%	16.4%	**32.0%**	**Did Not Meet Target**
District 10	170	37	**21.8%**	28.6%	16.2%	**32.0%**	**Did Not Meet Target**
District 11	94	21	**22.3%**	31.8%	15.1%	**32.0%**	**Did Not Meet Target**
District 12	170	42	**24.7%**	31.7%	18.8%	**32.0%**	**Did Not Meet Target**

For FFY 2006, LEA data indicate a range of students with disabilities enrolled in the grades assessed to be between 56 students with disabilities to 210 students with disabilities. Those students with disabilities testing proficient or above within these LEAs ranged between 10 students to 45 students.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana met its performance targets for the 2006-2007 reporting period. However, there is concern when the review of LEA data shows any LEA as not having met any one of the performance targets

for this indicator. If an LEA(s) did not meet a performance target, it was required to identify and implement activities that have the potential for improving student outcomes. When appropriate, the OPI implements focused intervention procedures and/or provides direct technical assistance and support to the LEA to improve performance. If the LEA(s) did not meet the state's performance target and was identified as a school in need of improvement under ESEA, the Division of Special Education collaborated with the Division of Educational Opportunity and Equity and, as appropriate, the Division of Indian Education to assist the LEA(s) in identifying and implementing improvement strategies.

The Professional Development Unit of the OPI worked, cross divisionally within the OPI, as well as through its state and regional Comprehensive System of Personnel Development (CSPD) councils to provide training and technical assistance to school personnel for purposes of improving student performance. Professional development activities were supported through the State Personnel Development Grant (SPDG), as well as with IDEA Part B funds. The CSPD activities are aligned with State Performance Plan performance indicators to improve outcomes for students with disabilities. Topics have included, but are not limited to the following: Assistive and instructional technology, response to Intervention, DIBELS training, and instructional strategies.

Technical assistance documents to guide school personnel and IEP teams on the provision of test accommodations and implementation of testing procedures were made available on the OPI Web site at http://www.opi.mt.gov/Assessment/index.html. The OPI also published a newsletter known as "*JUMP"* to keep school personnel informed of testing windows, requirements, as well as other relevant assessment information.

A statewide Assessment conference was held in April 2007. Some of the topics addressed included test accommodations for students with disabilities and using data to inform instruction. Further information on the Montana 2007 Assessment Conference is available at http://www.opi.mt.gov/AssessConf/Present.html.

In accord with administrative rule, all students are required to participate in state-level testing. School personnel receive training on the requirements, as well as procedures to ensure tests are implemented appropriately and include accommodations for students with disabilities if their IEP documents the need for accommodations.

Compliance monitoring procedures included review of required IEP documentation regarding assessments (participation, accommodations, type of assessment). The student-based data collection system, Achievement in Montana (AIM), collected individual student assessment information. This data collection and reporting system helps ensure reporting of valid and reliable assessment data.

Montana met its performance targets for 3A, 3B, and 3C. Following is a discussion of the key improvement activities.

1. **Continue to implement the We Teach All Project**: We Teach All is one of the vehicles through which OPI is assisting teachers to increase their capacity to plan and deliver instruction designed to support the learning of heterogeneous groups of students. After expanding throughout the state in previous years, the OPI identified and supported a "high implementing" site at the high school level, and other trainers from the elementary levels. These teams provided professional development at other schools and statewide conferences and developed materials for dissemination. These activities were supported through the SPDG and reported on its Annual Performance Report. A copy of the report is available on the OPI Web site at http://www.opi.mt.gov/PUB/PDF/SpecED/STRIDE/07GrantPerfRpt.pdf.

5. **Continue collaboration between Division of Special Education and ESEA staff on Reading First to provide training on research-based strategies that lead to improved instruction in reading and math.**

The Reading First Initiative is supported through the SPDG and has been underway throughout the first two years of the SPDG. A second cohort was begun in fall of 2006, adding an additional 13 schools. The Division of Special Education's instructional strategies coordinator provided professional development to special education teachers employed at Cohort 2 Reading First schools. Site visits included support and coaching for teachers in the areas of reading and interpreting reading assessment to provide best instruction to students.

6. **Continue to implement MBI to promote a positive environment which supports student learning**.

   The OPI, in collaboration with the Montana Board of Crime, again sponsored an MBI Summer Institute in June . Over 710 participants attended strands addressing Indian Education, Instructional Strategies, working with families, suicide prevention, sportsmanship, safe routes to schools, cyber safety, schoolwide discipline plans and challenging behaviors. Nineteen schools, of which three were high schools, newly implemented the MBI strategies in their schools in 2006-2007. To date, over 360 schools and 11 Early Childhood sites have received MBI facilitator training. Information on the MBI can be found at the following Web site http://www.opi.mt.gov/mbi/Index.html .

   Over 400 students attended the MBI Youth Days sponsored by the OPI. Youth Day activities focused on promoting positive school climate, citizenship skills, sportsmanship, diversity and community building. Schools brought student teams composed of middle and high school students who had the potential for implementing positive changes in their school environment.

7. **Pending OSEP funding, implement a pilot study on the feasibility of establishing an alternate assessment to be known as "CRT-Modified."**

   This pilot study was completed. General Supervision Enhancement Grant (GSEG) funding was received from OSEP to conduct a pilot study on the feasibility of establishing an alternate assessment to be known as the "CRT-Modified. Field testing of a CRT-Modified (CRT-M) in math was conducted in Grade 4 in the fall of 2006. Results showed that the procedures used by the OPI and Measured Progress (Montana's Testing Contractor) to develop a modified test based on modified performance standards would meet technical adequacy requirements for this type of assessment. Based on the determination that further studies would be needed prior to implementation of a CRT-M as a part of state-level testing, the OPI submitted two grant applications to the U.S. Department of Education.

8. **If the pilot study demonstrates the feasibility of establishing an alternate assessment based on modified achievement standards and pending the availability of additional financial support from the U.S. Department of Education, implement across grades 3, 4, 5, 6, 7, 8, the CRT-Modified.**

   The concept of adding a modified test to the statewide assessment system is seen as a desirable outcome by key personnel within the OPI. However, much additional work needs to occur in order to determine whether this can actually occur on a statewide basis in all subject areas that are currently tested. Toward that end, the OPI will analyze current data and participate in two recent grant-awarded projects:

   Enhanced Assessment Grant (EAG), *Adapting Reading Test Items to Increase Validity of Alternate Assessments Based on Modified Academic Achievement Standards (ARTIIV)*

   - The *ARTIIV* was submitted in partnership with Maine, New Hampshire, Rhode Island, Vermont, Measured Progress, the Education Development Center, the University of Arizona, and WestEd to improve state academic assessment to better serve the assessment needs of students who are eligible for alternate assessments based on modified academic achievement standards.

- The project will include the collection of multiple measures of student academic achievement (including cognitive labs), development of items for a pilot test, administration of pilot tests, and the interpretation of pilot test results.
- The target population is high school reading.

General Supervision Assessment Grant (GSEG), *Identifying Students in Need of Modified Achievement Standards and Developing Valid Assessments*

- The *Identifying Students in Need of Modified Achievement Standards and Developing Valid Assessments* was submitted in partnership with Measured Progress, Mountain Plains Regional Resource Center, WestEd, Children's Progress, the Montana Technical Advisory Committee, and the Montana Special Education Advisory Panel.
- The project will continue the work accomplished with *Determining the Feasibility of an Alternate Assessment Based on Modified Achievement Standards: A Planning Project and Pilot Test* and will develop the following:
    - modified academic achievement standards based on Montana's grade level academic content standards,
    - assessments based on modified academic achievement standards, and
    - clear and appropriate guidelines for IEP teams to use in determining which students should be assessed based on modified academic achievement standards.

The target population is middle school (grades 7 and 8) reading and math. This study will build on the work already accomplished to pilot a CRT-Modified (CRT-Mod) mathematics assessment for grade 4.

9. Implement training on Universal Design for Learning (UDL) as a strategy for improving access to the general curriculum.

Professional development initiatives of the SPDG focused on access to the general curriculum focused on pedagogical practices such as differentiated instruction and universal design that lead to implementation of standard-based instructional units designed with a full range of students in mind. Such practices not only improve students with disabilities access to the general curriculum, but also support students with disabilities likelihood of achieving proficiency on state-level assessments.

10. Continue to collaborate with the Big Horn Teacher projects at MSU-Billings in an effort to support Indian Education for All activities.

A Summer Institute was held in July with one of the intended outcomes being the development of four Native American cultural trunks and associated lesson plans which incorporated essential understanding(s) and Montana state standards. Teachers had the opportunity to interact and learn from each other. Participants included practicing K-12 teachers, Tribal master teachers, pre-service Indian professional development students and instructors for Tribal Colleges. Information on the Big Horn Teacher projects is available on the Web sitesite at http://www.msubillings.edu/bighornteacherproj.

11. Provide training to school personnel on Read Well and DIBELS.

A statewide DIBELS Training of Trainers was conducted in February 2007. Thirty-eight individuals, with all CSPD regions represented, participated in the training. Each of the individuals returned to their own CSPD region and then provided additional training to school personnel in their respective region.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

1. Revisions to Indicator 3A 2005-2006 data: Revisions were made to 2005-2006 AYP data, baseline and targets. These revisions were necessary because 2005-2006 AYP data used for the February 1, 2006, APR was preliminary and final AYP determinations for 2005-2006 were not available until March 2006 following submission of the FFY 2005 APR. The following revisions have been made to the SPP:

   In 2005-2006, there were 57 districts with a disability subgroup meeting Montana's minimum N size rather than the 53 districts as reported in the FFY 2005 APR and SPP.

   In 2005-2006, the number of districts meeting Montana's AYP objectives for progress for students with IEPs was 23, not 21 as reported in the FFY 2005 APR and SPP. The final 2005-2006 data shows that 40.4 percent of districts met AYP objectives for the students with disabilities subgroup in 2005-2006. Baseline data for 2005-2006 has been revised in the SPP to reflect the final AYP data. The targets have been revised in the SPP to reflect the new baseline data and anticipated improvements in meeting AYP.

   The revisions to 3A are consistent with 2005-2006 school report cards and public reporting of district performance relative to SPP targets. Changes have been made to 3A in the State Performance Plan (SPP) to reflect these revisions.

2. Revisions to 3 B State Targets for Participation Rate for Students with Disabilities in State-Level Assessments. To ensure consistency with the target established by No Child Left Behind Act (NCLB), recommendation of the state Special Education Advisory Panel, and following discussion with the OSEP, targets for participation of students with disabilities in statewide assessments have been revised for each year of the SPP as follows: Within a 95 percent confidence interval, 95 percent of SWD will participate in the state-level assessment.

3. Revision to Improvement Activities Timeline: Revise the timeline for *"If the pilot study demonstrates the feasibility of establishing an alternate assessment based on modified achievement standards and pending the availability of additional financial support from the U.S. Department of Education, implement across grades 3-8 and 10 the CRT-Modified" from 2008-2009 (if funded) to 2011-2012.* This revision is necessary because the OPI is still conducting pilot studies and will need to conduct an analysis of those studies prior to developing and implementing the assessments as a part of the state assessment system.

4. Revision to Improvement Activities: The following improvement activities in the SPP plan: *(1) Continue to implement the We Teach All project; (2) Continue collaboration between Division of Special Education and ESEA staff on Reading First to provide training on research-based strategies that lead to improved instruction in reading and math; (6) Implement training on Universal design for Learning (UDL) as a strategy for improving access to the general curriculum;* and *(8) provide training to school personnel on Read Well and Dibels,* have been revised to be incorporated under a single improvement activity identified as "Provide professional development opportunities to LEAs on research-based strategies to improve student achievement."

   This change was made to be more inclusive of all professional development activities that are focused on improving student achievement. These activities include all of the activities identified in the SPDG, but also extensive professional development activities offered by the OPI and those supported by IDEA Part B funds and offered through the CSPD regions. All of the improvement activities identified in the preceding paragraph are professional development activities. This revision will result in making the SPP and APR more readable documents.

5. Revision to Improvement Activity: Improvement activity #7, "*Continue to collaborate with the Big Horn Teacher projects at MSU-Billings in an effort to support Indian Education for All activities"* has been revised to "Continue to collaborate with the OPI Indian Education Division and other agencies on projects and activities which focus on improving American Indian student achievement."

This change was made to be more inclusive of all projects and activities that are conducted for the purpose of improving American Indian student achievement.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

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

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

Measurement:

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

Include State's definition of "significant discrepancy."

FFY	Measurable and Rigorous Target
2006 (2006-2007)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a 99% confidence interval.

Significant Discrepancy Definition

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Indicator 4A

Statewide long-term suspension and expulsion rates for both students with disabilities and nondisabled students are presented in Table 4.1 below. The source for the data reported here is the Part B 618 data reported in Section A, Column 3B of *Table 5 Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More Than 10 Days*.

Table 4.1 Montana Long-Term Suspension and Expulsion Rates for FFY 2006

School Year	Number of Special Education Students with Long-term Suspension or Expulsion[1]	Special Education Child Count[2]	Special Education Long-term Suspension or Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion[3]	General Education Enrollment[4]	Regular Education Long-term Suspension and Expulsion Rates
2006-2007	129	16515	**0.8%**	400	143334	**0.3%**

[1]Count of students with disabilities who qualify for services under IDEA, with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

[2]Special education counts are students with disabilities who qualify for services under IDEA, ages 6-21, reported on the December 1st child count.

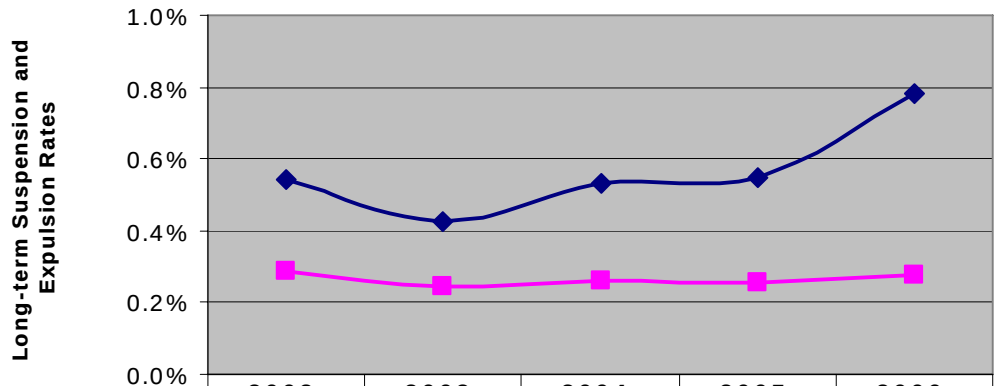
[3]Count of nondisabled students with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

[4]Students enrolled as of October 1st of the count year in grades K-12. This count includes students with disabilities who qualify under IDEA and can not be disaggregated.

Target data for the 2006-2007 school year indicate that the rate of long-term suspension and expulsions for students with disabilities is **0.8** percent, while the rate for non-disabled students is **0.3** percent (see Table 4.1 above).

Trend data for long-term suspension and expulsion rates are presented in Figure 4.1 below. The trend data is used to compare the long-term suspension and expulsion rates for students with disabilities to the rates of nondisabled students over time.

Figure 4.1 Montana Long-Term Suspension and Expulsion Rates Trend Data



	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
Special Education	0.5%	0.4%	0.5%	0.5%	0.8%
Regular Education	0.3%	0.2%	0.3%	0.3%	0.3%

Analysis of Target Data for FFY 2006 (2006-2007 School Year)

The target data for FFY 2006 indicate that there is a .5 percent gap between the long-term suspension and expulsion rates of students with disabilities compared to the rates of nondisabled students. Analysis of trend data also indicates that the long-term suspension and expulsion rates for students with disabilities are consistently higher than the rates for nondisabled students (see Figure 4.1 above). Further, there is an indication that while the long-term suspension and expulsion rates for nondisabled students has remained relatively stable over the last five years, the long-term suspension and expulsion rates for students with disabilities is increasing. In a state such as

Montana, with a relatively small population of students with disabilities, there is a high probability of significant variations in the data from year to year. Extensive analysis of changes in long-term suspension and expulsions rates for students with disabilities was conducted to determine what factors may have contributed to the increase in suspension and expulsion rates. The results of the analysis are reported in Table 4.2 below.

Table 4.2 Number of LEAs and Range of Change in Long-Term Suspension and Expulsions

Range of Changes in Long-Term Suspension and Expulsions between FY 2005 and FFY 2006	Number of LEAs
Increase of 1-4 students	36
Increase of 5-8 students	4
Decrease of 1-4 students	33
Decrease of 5-8 students	1

The overall change in the number of suspension and expulsions of students with disabilities was 34 students. A review of LEAs demonstrates that changes were distributed across most of the LEAs in the state. There were 40 LEAs that reported an increase of one to eight students in the number of suspension and expulsions of students with disabilities, with the majority of these LEAs reporting a change of one to four students. Conversely, there were 34 LEAs that reported a decrease of one to eight students in the number of suspensions and expulsions for students with disabilities, with the majority of these LEAs reporting a change of one to four students. This analysis suggests that, between the 2005-2006 school year and the 2006-2007 school year, the percent of change in suspension and expulsion rates for students with disabilities within the LEAs are too small to be statistically significant.

LEA Review to Identify Significant Discrepancies

In its letter and accompanying table dated June 15, 2007, to the OPI, the Office of Special Education Programs stated that Montana "did not use an appropriate method of identifying significant discrepancies because it included a review of policies, practices, and procedures as a part of its identifying process. To correct this noncompliance the state must demonstrate in the FFY 2006 APR that it has adopted and used an appropriate method of identifying significant discrepancies either in or among LEAs based on the FFY 2005 and FFY 2006 data." As a result of this requirement, data for FFY 2005 and FFY 2006 are presented here.

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if there is a significant discrepancy in the rates of long-term suspensions and expulsions of students with disabilities when compared to the rates of long-term suspension and expulsion rates of nondisabled students within each LEA. Using a test of the difference between proportions as the revised methodology for identifying significant discrepancy, an LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

Table 4.3 below presents a summary of the OPI review of LEA-level long-term suspension and expulsion data for students with disabilities to identify significant discrepancies for FFY 2005 (2005-2006 school year).

Table 4.3 Review of Montana LEA Long-Term Suspension and Expulsion Data for FFY 2005

School Year	Number of LEAs[1]	Number of LEAs reporting long-term suspensions and/or expulsions[2]	Number of LEAs reporting long-term suspension and/or expulsions for students with disabilities[3]	Percent of LEAs reporting long-term suspension and/or expulsions for students with disabilities[4]	Number of LEAs with Minimum N of 10	Percent of LEAs identified with significant discrepancy[5]
2005-2006	**436**	117	**46**	10.6%	1	**0%**

[1]Number of public schools in Montana for the school year 2005-2006

[2]Number of public schools that reported long-term suspension and/or expulsions. The LEAs may be duplicated in that an LEA may have suspended or expelled both special education and regular education students.

[3]Of the number of all LEAs in the state, the number of LEAs reporting long-term suspension and/or expulsions for students with disabilities.

[4]Of the number of all LEAs in the state, the percent reporting long-term suspension and/or expulsions for students with disabilities.

[5]The percent of LEAs identified with a significant discrepancy in the rates of long-term suspension and expulsions between students with disabilities and nondisabled students.

For FFY 2005, **10.6** percent (or 46) of the total number of LEAs in the state reported long-term suspension and expulsions of students with disabilities. Within these LEAs, **one** LEA had a minimum N of 10 or more necessary to produce statistically reliable results. This LEA reported 11 students with disabilities subjected to long-term suspensions and expulsions. A test of difference between proportions indicated no statistical difference between the rates of long-term suspensions and expulsions of students with disabilities and the rates for nondisabled students within this LEA. Therefore, no LEAs were identified as having a significant discrepancy in the rate of long-term suspension and expulsions for students with disabilities.

Table 4.4 below presents a summary of the OPI review of LEA-level long-term suspension and expulsion data for students with disabilities to identify significant discrepancies for FFY 2006 (2006-2007 school year).

Table 4.4 Review of Montana LEA Long-Term Suspension and Expulsion Data for FFY 2006

School Year	Number of LEAs[1]	Number of LEAs reporting long-term suspensions and/or expulsions[2]	Number of LEAs reporting long-term suspension and/or expulsions for students with disabilities[3]	Percent of LEAs reporting long-term suspension and/or expulsions for students with disabilities[4]	Number of LEAs with Minimum N of 10	Percent of LEAs identified with significant discrepancy[5]
2006-2007	**425**	108	**51**	12.0%	2	**0%**

[1]Number of public schools in Montana for the school year 2005-2006

[2]Number of public schools that reported long-term suspension and/or expulsions. The LEAs may be duplicated in that an LEA may have suspended or expelled both special education and regular education students.

[3]Of the number of all LEAs in the state, the number of LEAs reporting long-term suspension and/or expulsions for students with disabilities.

[4]Of the number of all LEAs in the state, the percent reporting long-term suspension and/or expulsions for students with disabilities.

[5]The percent of LEAs identified with a significant discrepancy in the rates of long-term suspension and expulsions between students with disabilities and nondisabled students.

For FFY 2006, **12** percent (or 51) of the total number of LEAs in the state reported long-term suspension and expulsions of students with disabilities. Within these LEAs, **two** LEAs had a minimum N of 10 or more necessary to produce statistically reliable results. A test of difference between proportions indicated no statistical difference between the rates of long-term suspensions and expulsions of students with disabilities and the rates for nondisabled students in each of the LEAs. Therefore, no LEAs were identified as having a significant discrepancy in the rate of long-term suspension and expulsions for students with disabilities.

Assessing State Progress in Meeting the FFY 2006 Performance Target

The data in Table 4.5 below is used to assess the state's progress in meeting its performance target for FFY 2006. The OPI set a target, based on a minimum N of 10, of maintaining 0 percent of LEAs identified as having a significant discrepancy in long-term suspension and expulsion rates for students with disabilities, within a 99 percent confidence interval.

Table 4.5 Montana Performance Target Status for FFY 2006

School Year	Number of LEAs (a)	Number of LEAs with a Minimum N of 10	Number of LEAs identified with significant discrepancy (b)	Percent of LEAs identified with significant discrepancy (b/a)*100	SPP Performance Target	State Performance Status
2006-2007	**425**	**2**	**0**	**0.0%**	**0.0%**	**Met Target**

For FFY 2006, **0** percent of the LEAs were identified as having a significant discrepancy in the long-term rates of suspensions and expulsions of students with disabilities when compared to the long-term rates of suspension and expulsions of nondisabled students. Given a sample size of a minimum N of 10, the state has met its performance target of 0 percent, within a 99 percent confidence interval.

Indicator 4B

In accord with instructions from the Office of Special Education Programs, states do not have to address or report performance related to Indicator 4B in this Annual Performance Report.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana met its performance target for the 2006-2007 reporting period. No LEAs were found to have a significant discrepancy in long-term suspension/expulsion rates. Additionally, review of 2006-2007 findings from written complaints, due process and procedural compliance reviews shows no corrective actions were issued to LEAs related to this performance indicator. Overall, Montana continued to have an extremely low rate of long-term suspensions and expulsions. School administrators worked closely with staff and parents to implement strategies that resulted in students remaining in school and receiving their education. It is felt that the identified improvement activities have been successful in assisting schools in addressing behavioral issues and maintaining a low level of long-term suspensions and expulsions.

Following are the activities completed under specifically identified Improvement Activities in the State Performance Plan.

1. **Continue to make "on-time technical assistance available to school personnel through the EAP and OPI staff.**

   The EAP continued to provide 'on-time' technical assistance to school personnel when they had questions regarding discipline procedures under IDEA and suggested strategies school personnel and parents could use to address the discipline issue while not having to implement long-term suspension or expulsion. In most cases, this technical assistance was successful and the student was not subjected to a long suspension or expulsion.

2. **Continue to monitor compliance with IDEA regulations regarding suspensions and expulsions through compliance monitoring procedures.**

   School improvement/compliance monitors included a file review of a sampling of student records for those students who were subjected to a long-term suspension or expulsion to ensure IDEA procedures were followed. No corrective actions were given in 2006-2007 to an LEA for failure to comply with the discipline provisions under IDEA.

3. **Continue to make MBI training available to school personnel.**

   The OPI, in collaboration with the Montana Board of Crime Control, again sponsored an MBI Summer Institute in June. Over 710 participants attended strands addressing Indian Education, Instructional Strategies, working with families, suicide prevention, sportsmanship, safe routes to schools, cyber safety, schoolwide discipline plans and challenging behaviors. The specific strategies presented and discussed at the MBI conference, particularly those addressing discipline and challenging behavior, addressed this indicator. Nineteen schools, of which three were high schools, newly implemented the MBI strategies in their school in 2006-2007. To date, over 360 schools and 11 Early Childhood sites have received MBI facilitator training. Information on the MBI can be found at the following Web site http://www.opi.mt.gov/mbi/Index.html.

   Over 500 students attended the MBI Youth Days sponsored by the OPI. Youth Day activities focused on promoting positive school climate, citizenship skills, sportsmanship, diversity and community building. Schools brought student teams composed of middle and high school students who had the potential for implementing positive changes in their school environment.

   School personnel and parents report that MBI training has been particularly effective in proactively addressing student discipline issues and reducing the need for suspension or expulsion procedures.

4. **Continue to provide TA and training to LEAs to assist them with strategies that will lead to fewer suspensions/expulsions.**

The CSPD regions provided training for LEAs on positive behavior supports and non-violent crisis intervention. In addition, some of the regional CSPD councils provided scholarships to school personnel to assist them in attending the MBI Summer Institute.

The OPI staff provided training to school personnel at the CEC conference on school discipline procedures.

5. **Provide guidance to LEAs on discipline procedures and make this available on the OPI Web site.**

   The OPI continued to provide a technical assistance guide on disciplinary removals under the IDEA on its Web site at http://www.opi.state.mt.us/PDF/SpecED/guides/SuspguideMay02.pdf.

6. **Work with the Division of Indian Education to identify promising practices to decrease long-term suspensions and/or expulsions for American Indian students.**

   The Indian Education Division was one of the partners in the design of the MBI Summer Institute. The Divisions of Special Education, Educational Opportunity and Equity, and Indian Education worked collaboratively to support school improvement activities for those schools identified as in need of school improvement.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year *[If applicable]*

In its letter and accompanying table dated June 15, 2007, to the OPI, OSEP stated that Montana "did not use an appropriate method of identifying significant discrepancies because it included a review of policies, practices, and procedures as a part of its identifying process. To correct this noncompliance the state must demonstrate in the FFY 2006 APR that it has adopted and used an appropriate method of identifying significant discrepancies either in or among LEAs based on the FFY 2005 and FFY 2006 data."

As a result of OSEP's requirement and based on clarification provided at the 2007 OSEP Leadership Conference, the OPI has made the following revisions to its State Performance Plan (SPP).

1. Revision to definition of Significant Discrepancy

   The definition of *Significant Discrepancy* has been revised as follows: An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

2. Revision to state's targets

   The performance targets for indicator 4A have been revised to ensure consistency with the definition of Significant Discrepancy. The target for each year of the State Performance Plan reads as follows:

   Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0 percent within a 99 percent confidence interval.

3. Revision to narrative for Indicator 4A Page 39 of the SPP

Identifying Districts for Significant Discrepancy-Indicator A

Indicator A

The assessment of an LEA's performance based on long-term suspension and expulsion rates is accomplished by comparing the LEA's long-term suspension and expulsion rates for students with disabilities to the LEA's long-term suspension and expulsion rates for nondisabled students. The OPI conducts a test of the difference between proportions to determine if there is a *statistically significant difference*. The *level of statistical significance* has been set at a .01 level and with a minimum sample size of 10. In other words, in districts with sample sizes of greater than 10, we ensure that we are **99** percent confident that the results are due to a real difference in the population and not by chance factors[2]. If an LEA demonstrates a statistically significant difference in its long-term suspension and expulsion rates for students with disabilities when compared to its long-term suspension and expulsion rates for nondisabled students, the LEA is identified as having a ***significant discrepancy***.

To ensure statistically sound data when assessing statistical differences between the rates of long-term suspension and expulsions for students with disabilities and nondisabled students, the OPI applies a minimum N and a 99 percent confidence level to reduce the effect of small sample sizes on the determination of significant discrepancy. The use of a minimum N and confidence level is intended to improve the validity and reliability of the determination of significant discrepancy by reducing the risk of falsely identifying an LEA as having a significant discrepancy when, in fact, there is no real difference in the population.

If, based on an LEA's data, the LEA is found to have a significant discrepancy in long-term suspension and expulsion rates for students with disabilities, the OPI informs the LEA of its determination and conducts a review of the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that the policies, procedures and practices comply with IDEA. The LEA-level review includes review of selected student files, review of district policies and their implementation and interviews with selected school personnel and parents, as determined appropriate. If, as a result of the review, it is determined that the LEA must revise its policies, practices and or procedures, a corrective action(s) and timeline(s) for completion of the corrective action(s) are given to the LEA.

Indicator 4B

In accord with the OSEP's instructions, the OPI did not report on 4 B of this indicator for the 06-07 reporting period. Additionally, no revisions were made to 4B in the SPP. Revisions will be made in the future, as required, following receipt of guidance from the OSEP.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

A. Removed from regular class less than 21% of the day;[3]

B. Removed from regular class greater than 60% of the day; or

C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Measurement:

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

B. Percent = [(# of children with IEPs removed from regular class greater than 60% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	**A.** Given a minimum N of 10, 48.5% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 12.5% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.8% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.

Actual Target Data for FFY 2006 (2006-2007 School Year)

The FFY 2006 (2006-2007 School Year) educational placement target data for students with disabilities, ages 6-21, are provided in Table 5.1 below. The data source used is the Part B 618 data

[3] At the time of the release of this package, revised forms for collection of 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State reported data collections.

as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act, As Amended* and *Table 3 Part B, Individuals With Disabilities Education Act Implementation of FAPE Requirements*.

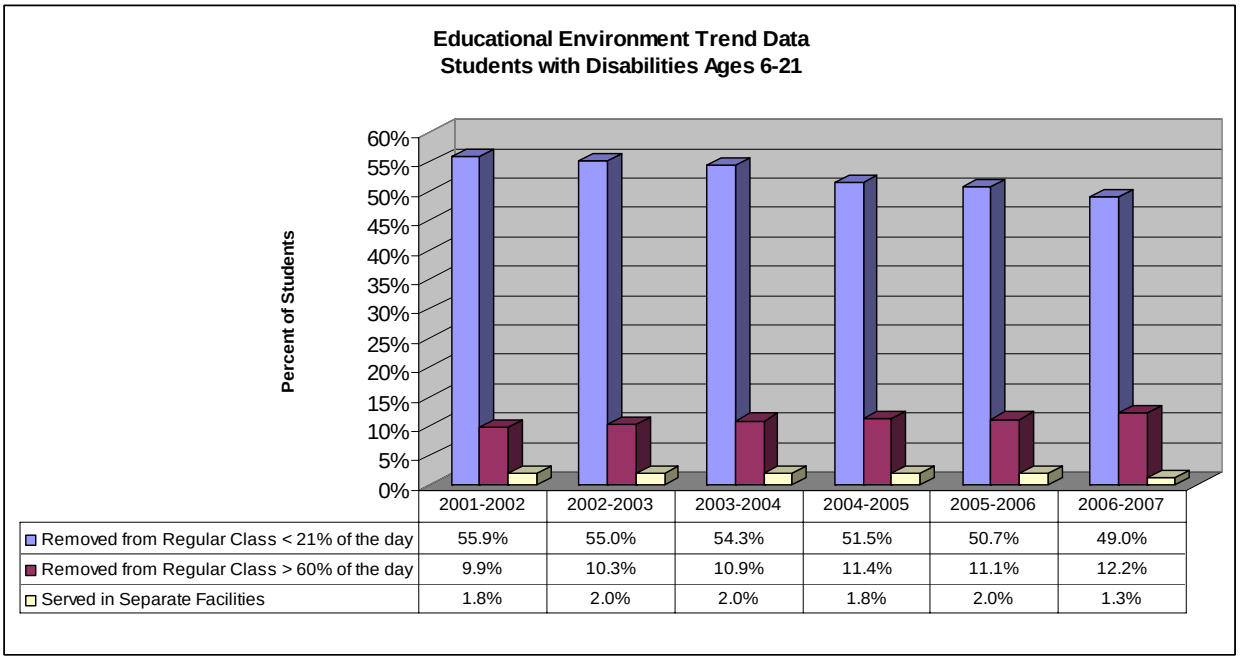
Table 5.1 Montana Educational Placement Data for the 2006-2007 School Year

SPP Indicator	Education Environment	Special Education Setting Count[1] (a)	Special Education Child Count, ages 6-21[2] (b)	Educational Placement Percent %=(a/b)*100
Indicator 5A	Removed from Regular Class < 21% of the day	8147	16623	**49.0%**
Indicator 5B	Removed from Regular Class > 60% of the day	2031	16623	**12.2%**
Indicator 5C	Served in Separate Facilities[3]	214	16623	**1.3%**

[1]Special Education Setting Count is reported annually with the December 1st Special Education Child Count data collection and includes students with disabilities, ages 6-21.
[2]Special Education Child Count is the annual December 1st Special Education Child Count data collection and includes students with disabilities, ages 6-21.
[3]Separate Facilities include a count of students with disabilities, ages 6-21, served in public or private separate schools, residential placements, or homebound or hospital placements.

Trend data are presented in Figure 5.1 for the educational placement of students with disabilities, ages 6-21, in order to compare educational placement patterns over time.

Figure 5.1 Montana Educational Placement Trend Data



	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
Removed from Regular Class < 21% of the day	55.9%	55.0%	54.3%	51.5%	50.7%	49.0%
Removed from Regular Class > 60% of the day	9.9%	10.3%	10.9%	11.4%	11.1%	12.2%
Served in Separate Facilities	1.8%	2.0%	2.0%	1.8%	2.0%	1.3%

Analysis of Target Data for FFY 2006 (2006-2007 School Year)

The target data for FFY 2006 indicate that **49** percent of students with disabilities are removed from the regular class for less than 21 percent of the day, while **12.2** percent are removed from regular class for greater than 60 percent of the day. A small percentage of students with disabilities (**1.3%**) receive their education in public or private separate facilities (see Table 5.1 above).

Trend data above indicate a **1.4** percent average annual **decrease** over the last five years in the percentage of students with disabilities removed from the Regular Class for less than 21 percent of the day, and a **0.5** percent average annual **increase** over the last five years in the percentage of students removed from the Regular Class for greater than 60 percent of the day. In addition, trend data indicate a **0.1** percent **decrease** over the last five years in the percentage of students with disabilities being served in separate facilities (see Figure 5.1 above). These findings are consistent with our expectations when setting the performance targets for this indicator as outlined in our State Performance Plan. At the time we submitted our original State Performance Plan, trend data suggested that the downward trend would continue for several years until such time as the applied intervention strategies begin to reverse this trend.

Assessing State Progress in Meeting the FFY 2006 Performance Target

The data presented in Table 5.2 below is used to assess the state's progress in meeting its performance target for FFY 2006. Based on a minimum N of 10 and within a 95 percent confidence interval, the state set a target of **48.5** percent of students with disabilities removed from the Regular Class for less than 21 percent of the day, **12.5** percent of students with disabilities removed from the Regular Class for greater than 60 percent of the day, and **1.8** percent of students with disabilities are served in public or private separate facilities.

Table 5.2 Montana Performance Target Status for FFY 2006

SPP Indicator Number	Education Environment	Special Education Setting Count	Educational Placement Percent	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
Indicator 5A	Removed from Regular Class < 21% of the day	8147	**49.0%**	48.3%	49.8%	**48.5%**	**Met Target**
Indicator 5B	Removed from Regular Class > 60% of the day	2031	**12.2%**	11.7%	12.7%	**12.5%**	**Met Target**
Indicator 5C	Served in Separate Facilities	214	**1.3%**	1.1%	1.5%	**1.8%**	**Met Target**

Indicator 5A

For FFY 2006 (2006-2007 school year), **49** percent of students with disabilities are **removed from the Regular Class for less than 21 percent of the day**. The established performance target for FFY 2006 as reported in our State Performance Plan is **48.5** percent (see Table 5.2 above). In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the special education educational placement percent and the established performance target. Therefore, given a sample size of a minimum N of 10, the state has met its performance target for this indicator, within a 95 percent confidence interval.

Indicator 5B

For FFY 2006 (2006-2007 school year), **12.2** percent of students with disabilities are **removed from the Regular Class for greater than 60 percent of the day**. The established performance target for FFY 2006, as reported in our State Performance Plan, is **12.5** percent (see Table 5.2 above). In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the special education educational placement percent and the established performance target. Therefore, given a sample size of a minimum N of 10, the state has met its performance target for this indicator, within a 95 percent confidence interval.

Indicator 5C

For FFY 2006 (2006-2007 school year), **1.3** percent of students with disabilities are **served in public or private separate facilities**. The established performance target is **1.8** percent (see Table 5.2 above). In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the special education educational

placement percent and the established performance target. Therefore, given a sample size of a minimum N of 10, the state has met its performance target for this indicator, within a 95 percent confidence interval.

LEA Review

Montana also conducted a review of LEAs to determine their performance in meeting the state's established performance targets for Indicator 5 for FFY 2006 (2006-2007 school year). The results of the LEA review are presented in Table 5.3 below.

Table 5.3 Results of Review of Montana LEA Performance for FFY 2006

SPP Indicator Measure	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 Not Meeting State Performance Target (d)	
		#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
Indicator 5A	438	233	53.2%	186	79.8%	47	20.2%
Indicator 5B		168	38.4%	153	91.1%	16	9.5%
Indicator 5C		53	12.1%	39	73.6%	14	26.4%

For FFY 2006, there were 438 LEAs reporting students with disabilities for the December 1st child count. Of these reporting LEAs, **53.2** percent met the minimum N of 10 for the subgroup of students with disabilities removed from regular class less than 21 percent of the school day, **38.4** percent met the minimum N of 10 for the subgroup of students with disabilities removed from the regular class for more than 60 percent of the school day, and **12.1** percent met the minimum N of 10 for the subgroup of students with disabilities receiving special education and related services in separate schools.

Indicator 5A
For FFY 2006, **79.8** percent of the LEAs **met** the state performance target for students with disabilities removed from the regular class less than 21 percent of the school day, while **20.2** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Indicator 5B
For FFY 2006, **91.1** percent of the LEAs **met** the state performance target for students with disabilities removed from the regular class for more than 60 percent of the school day, while **9.5** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Indicator 5C
For FFY 2006, **73.6** percent of the LEAs **met** the state performance target for students with disabilities receiving special education and related services in separate schools, while **26.4** percent of the LEAs **did not meet** the performance target (see Table 5.3 above).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Although the OPI met all of its performance targets for this indicator, review of trend data shows a decrease in the percent of students removed from regular class for less than 21 percent of the day and an increase in the percent of students removed from regular class for more than 60 percent of the day. This trend indicates a steadily growing number of students in more restrictive settings. Although there was an overall decrease in child count of 3.6 percent between 2005-2006 and 2006-2007, there was a 9 percent increase in students identified with Autism. The OPI believes this trend is not related to a lack of providing appropriate improvement activities, but rather results from the increasing number of students with more severe disabilities who require intensive special education services, some of which are determined by the IEP team to be more appropriately provided in a

setting other than the regular education classroom. A review of findings from written complaints, due process and procedural compliance monitoring shows there were no corrective actions issued in the 2006-2007 school year related to least restrictive environment.

Overall, Montana has a very small number of students with disabilities receiving their education in a separate setting or in placements outside the regular classroom. All decisions regarding the least restrictive environment are made by the IEP team based on the individual needs of the student in accord with the requirements under IDEA. In most cases, the placement of a student in a separate facility is made by another state agency and not for the purpose of education. Examples of this would be placements made by other state agencies such as the Department of Corrections or the Department of Public Health and Human Services for reasons other then education.

The OPI is in its second year of implementation of the SPDG. Activities implemented as a part of the SPDG grant and professional development activities implemented by CSPD regions and the OPI with IDEA Part B funds have been instrumental in providing the necessary skills for instructional personnel to meet the needs of students with disabilities in the general education setting. Professional development has also assisted special education personnel and IEP team members in designing individualized education programs (IEP) that will help to prepare students with more significant disabilities to obtain the academic and/or behavioral skills that will result in more time spent in the regular education setting.

Following is a summary of improvement activities conducted during FFY 2006 (2006-2007 school year).

1. **Continue to provide technical assistance and support to LEAs to assist them in providing FAPE in the LRE.**

   Division of Special Education staff continue to provide direct technical assistance to schools, on request, to assist them in the development of behavioral plans and implementation of positive behavioral supports for students with disabilities so they are more able to be served in the regular education setting. Professional development/training activities are also made available through the SPDG and CSPD activities funded through IDEA to assist the LEAs. Training activities are ongoing and have included, but are not limited to, the following: Positive behavioral supports, evidenced-based reading strategies, instructional design and evaluation, mentoring, differentiated instruction, and response to intervention. The SPDG annual performance report provides a more in-depth report of the activities funded through the SPDG. The report is available by clicking on the following link: http://www.opi.mt.gov/PUB/PDF/SpecED/STRIDE/07GrantPerfRpt.pdf.

   The OPI implements a Deaf-Blind project in collaboration with the University of Montana Rural Institute and the Montana School for the Deaf and the Blind. This project provides technical assistance to LEAs on issues related to providing FAPE in the LRE to students with deaf-blindness. As a part of this project, training is made available to parents, as well as school personnel.

   The Montana School for the Deaf and Blind (MSDB) provides technical assistance to LEAs through its outreach services which are funded, in part, with IDEA Part B funds. Technical assistance regarding evaluation and the provision of special education and related services helps to ensure that FAPE is provided in the LRE.

2. **Using compliance monitoring procedures, continue to review LEAs' documentation to ensure placement decisions are made in accord with IDEA and state regulations.**

   As a part of its monitoring review procedures, the OPI monitoring staff review a sample of student files to determine if the LEA has met requirements under IDEA. Included in this review is documentation related to LRE. Montana has always required that placement decisions and parent approval of placements is done on an annual basis. No corrective actions were given in 2006-

2007 related to settings of services (placements) and an LEA's failure to make placements in accord with LRE requirements under IDEA.

3. **Continue to provide training for general education personnel on strategies to use in responding to students with disabilities needs in the regular education setting.**

   The SPDG and IDEA funds support training activities for general education personnel to provide them with the skill sets to respond to students with disabilities needs in the regular education. Additionally, regular education personnel may participate in any training offered through the CSPD regions or OPI training activities. Division of Special Education staff provided workshops for general education teachers as a part of the MEA/MFT conference, as well as at other state conferences and CSPD workshops. The annual MBI conference has been extremely successful in providing general education personnel the skills necessary to implement positive supports in the regular education setting.

4. **Provide training on the use of technology as access to the general curriculum.**

   The OPI provides a technical assistance document titled “Assisitive Technology" on its Web site at http://www.opi.state.mt.us/PDF/SpecED/guides/AssistiveTechGuide.pdf. This document has been instrumental in assisting school personnel in making decisions regarding the use of technology as a means of access to the general curriculum. Additionally, LEAs have access to ESEA Title II, Part D, funds for professional development on using technology for improving student achievement and access to the general curriculum.

5. **Continue to provide technical assistance to LEAs on educational practices that provide opportunities for children with disabilities to be educated with nondisabled peers.**

   The CSPD regions provided technical assistance in the form of training for school personnel. Following is an example of some of the topics addressed: Building Number Sense; orientation to RtI; The Difficult Child; Managing Angry and Defiant Students; Behavior Management and Instructional Strategies That Work; Conscious Discipline; and Research-Based Curriculum. Workshop participants included general and special education teachers, related services personnel, paraeducators, administrators, and others. Building teachers' knowledge and skills in effective instructional strategies and behavior management has a positive impact on meeting students with disabilities needs in the general education setting.

   The Division of Special Education, through its SPDG Grant, employs an instructional strategies coach to assist LEAs on effective educational practices that help to address the needs of all students, including students with disabilities, in the general education setting.

   Paraeducator academies are available to assist paraprofessionals in acquiring the skills and knowledge to support instruction in the general education, as well as the special education setting. Skilled paraprofessionals in the general education setting are a vital support to teachers in meeting the needs of students in the general education setting. The following link on the OPI Web site serves as a resource to paraeducators and school administrators: http://www.opi.mt.gov/CSPD/Para.html.

6. **Initiate training on universal design**.

   Professional development initiatives of the SPDG focused on access to the general curriculum focus on pedagogical practices such as differentiated instruction and universal design. One of the objectives is to provide schools with multiple avenues of support through which teachers increase their capacity to plan and deliver instruction designed to support the learning of heterogeneous groups of students. The WE Teach All initiative provided professional development and support to schools implementing differentiated instruction. High implementing schools worked to recruit other schools to implement differentiated instruction. This plan resulted in mixed success.

Schools which have been implementing differentiated instruction since the We Teach All initiative was first implemented have requested additional training to assist them in increasing their program effectiveness. A copy of the SPDG and the grant's 2007 Annual Performance Report are available on the OPI Web site at http://www.opi.state.mt.us/SpecEd/SIG2.html.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

In the response table included with OSEP's June 15, 2007, letter to the OPI, it stated the following: "The state met its targets for FFY 2005. However, OSEP could not determine Montana's progress for Indicators 5A and 5C because of inconsistencies between the baseline data reported in the SPP and the APR…Montana must clarify its baseline in the FFY 2006 APR due February 1, 2008."

Following a review of the baseline data reported in the SPP, it was determined that the baseline data for 5A and 5C was accurate as reported. However, there were typos found in the FFY 2005 APR which led to the inconsistency between the SPP and the APR. The typos in the 2005 APR for this indicator will be corrected. The correction will not affect the results that the state met its FFY 2005 targets for these indicators.

No revisions are required for this indicator in the SPP. Therefore, none were made.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

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

Measurement: Percent = [(# of preschool children with IEPs who received special education services in settings with typically developing peers) divided by the (total # of preschool children with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	

Actual Target Data for FFY 2006 (2006-2007 School Year)

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2006.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006 (2006-2007 School Year):

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Given a minimum N of 10, the Parent Involvement Percentage will be 65.5% within a 95% confidence interval.

Actual Target Data for FFY 2006 (2006-2007 School Year

Table 8.1 below presents the results of parent respondents who reported that schools facilitate parent involvement.

Table 8.1 Percent of Parents Who Report that the School Facilitated Their Involvement

	FFY2006
Total number of Parent respondents	533
Number who reported school facilitated their involvement	367
Percentage who reported school facilitated their involvement	**68.9%**

In FFY 2006, for those LEAs who were to receive a compliance monitoring in the 2007-2008 school year, all parents of students, ages 3-21, receiving special education services during the 2006-2007school year were asked to complete and then mail the survey to Mountain Plains Regional Resource Center (MPRRC). Parents were assured of anonymity. A total of 3,318 surveys were distributed and 533 were returned for a response rate of 16.1

To report on this indicator, each of the 533 survey respondents received a percent of maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a “6” (Very Strongly Agree) on each of the 26 items received a 100 percent score; a respondent who rated their experiences with the school a “1” (Very Strongly Disagree) on each of the 26 items received a 0 percent score. A respondent who rated their experiences with the school a “4” (Agree) on each of the 26 items received a 60 percent score. (Note: a respondent who **on average** rated

their experiences a “4,” e.g., a respondent who rated 8 items a “4," 9 items a “3,” and 9 items a “5,” would also receive a percent of maximum score of 60%.) A parent who has a percent of maximum score of 60 percent or above was identified as one who reported that the school facilitated his/her involvement. A 60 percent cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that school facilitated their involvement.

Reliability and Validity
The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; and (4) by the age of the child. For example, 86 percent of the parents who returned a survey indicated that their children are white, and 76 percent of special education students in the monitored districts are white. Even though parents of white children were slightly more likely to complete a survey than parents of non-white children, survey responses did not vary significantly by race/ethnicity. Representativeness was also ensured by a cross-section of parents with children of various types of disabilities responding to the survey. Weighting of survey responses was not necessary given the representativeness of the respondents and the lack of significant differences among groups of respondents.

Furthermore, the reliability of the results were reaffirmed by contacting a random sample of 55 parents. This random sample of parents were called and asked five key questions from the Parent Survey. The responses of the phone interviewees were compared to the responses of those who completed and mailed the Parent Survey. The percent of phone respondents who agreed to each item was compared to the percent of mail respondents. There were no significant differences. Thus, the phone respondents were no more or no less satisfied than the mail respondents; as such, nonresponse bias is not present. This suggests that the results based on the mail respondents are representative of all parents of students with disabilities.

Trend data of school-facilitated parental involvement are presented in Table 8.2 below.

Table 8.2 Montana Parental Involvement Trend Data

	FFY 2005	FFY 2006
Total number of Parent respondents	539	533
Number who reported school facilitated their involvement	353	367
Percentage who reported school facilitated their involvement	**65.5%**	**68.9%**

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 8.3 below is used to assess the state’s progress in meeting its performance target for FFY 2006.

Table 8.3 Montana Performance Target Status for FFY 2006

School Year	Number who reported school facilitated their involvement	Total number of Parent respondents	Percentage who reported school facilitated their involvement	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	367	533	**68.9%**	**65.5%**	**Met Target**

For FY 2006, the state’s established performance target for this indicator is **65.5** percent. The results of the parent survey for the 2006-2007 school year indicate that the percent of parent respondents who reported the school facilitated their involvement is **68.9** percent. Therefore, Montana has **met** this performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 school year)

As indicated in Table 8.2, the percentage of parents who reported that the school facilitated their involvement increased from FFY 2005 to FFY 2006. Possible reasons for the increase are the efforts of the OPI, the Parent Information Center (PLUK) and CSPD regions to provide teachers with information about enhancing the involvement of parents in the special education process. Beginning in the fall of 2006, the annual New Teacher Training and Compliance Monitoring Trainings were expanded to include information and skills-training on helping parents participate in the education of their child.

Additionally, the OPI has created a Web page which specifically includes information for parents, including information about organizations that offer information and training for parents of students with disabilities at the following site: http://www.opi.mt.gov/parents/SpecialNeedsNew.html.

1. **The OPI will continue to work with the parent training and information center, Parents, Let's Unite for Kids (PLUK), to seek and encourage parents to become involved with their child's educational program.**

   The OPI provided IDEA Part B funds in the form of a discretionary project to the PLUK to support the organization's newsletter, as well as for the purpose of providing ongoing training for parents. The PLUK organization has been instrumental in providing parents with information on rules, regulations, instructional strategies and ways in which parents can be effectively involved in their child's education. It has been found that the more informed the parent is about their child's educational needs, the more likely the parent will participate in decisions regarding their child's education.

2. **The OPI, with the support of its regional CSPD structure, will share strategies and best practices with school personnel and LEAs on improving parental involvement.**

   Information on improving parent involvement was included in new teacher training workshops as well as in workshops conducted by school improvement/monitoring staff.

3. **The OPI will continue to make available special education information on its Web site to keep parents informed.**

   The OPI places all of its technical assistance guides and other resource documents on its Web site. Information is continually added as it becomes available.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 school year) *[If applicable]*

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a 99% confidence interval.

Definition of Disproportionate Representation

An LEA is determined to have *disproportionate representation* (under or over) if, given a minimum N of 10 and within a 99 percent confidence interval, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of a specific racial/ethnic group receiving special education and related services compared to the proportion of students with disabilities in all other racial/ethnic groups receiving special education and related services in that LEA.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Target data on the identification of LEAs as having disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification is shown below in Table 9.1 The data source for the calculation of disproportionate representation is the IDEA – Part B Child Count data for children with disabilities ages 6 through 21 as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act*.

Table 9.1 Disproportionate Representation Due to Inappropriate Identification Procedures for FFY 2006

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100
2006-2007	**427**	4	**0**	**0.0%**

Table 9.1 above shows that racial and ethnic data were reviewed for 427 LEAs in Montana. Using a minimum N of 10 and a 99 percent confidence interval, a test of difference between proportions was used to measure statistically significant differences between the special education identification rate for students of a specific racial and ethnic group and the special education identification rate for all other students within that LEA. Target data show that **four** out of the 427 LEAs demonstrated a statistically significant difference, resulting in determination of disproportionate representation of racial and ethnic groups in special education and related services. Further, target data show that none of the four LEAs identified with disproportionate representation were determined to have disproportionate representation due to inappropriate identification.

Racial and ethnic disproportionality data for the four LEAs identified with disproportionate representation is presented in Table 9.2 below.

Table 9.2 Montana LEAs with Disproportionate Representation for FFY 2006

LEA	Racial and Ethnic Group	District Reference Group Count[1] (a)	District Reference Group Enrollment[2] (b)	District Comparison Group Count[3] (c)	District Comparison Group Enrollment[4] (d)	District Reference Group Pct % = (a/b)*100	District Comparison Group Pct % = (c/d)*100	Disproportionate Representation Status
District 1	White, Non-Hispanic	571	4843	160	770	**11.8%**	**20.8%**	Under-Representation
District 2	White, Non-Hispanic	10	126	3	2	**7.9%**	**100.0%**	Under-Representation
District 3	White, Non-Hispanic	70	346	14	22	**20.2%**	**63.6%**	Under-Representation
District 4	American Indian/Alaskan Native	15	22	41	217	**68.2%**	**18.9%**	Over-Representation

[1]The number of students with disabilities for the specified racial and ethnic group in the LEA, as reported in the IDEA-Part B Special Education Child Count on December 1st.

[2]The number of students for the specified racial and ethnic group enrolled in the LEA, as reported in the OPI Annual Data Collection on October 1st.

[3]The number of students with disabilities in all other racial and ethnic groups in the LEA, as reported in the IDEA-Part B Special Education Child Count on December 1st.

[4]The number of students in all other racial and ethnic groups enrolled in the LEA, as reported in the OPI Annnual Data Collection on October 1st.

A review of LEA racial and ethnic disproportionality data in Table 9.2 above indicate that three of the four LEAs show *under-representation* in the number of students with disabilities receiving special education and related services that are reported as White, non-Hispanic, while one of the four LEAs indicate *over-representation* in the number of students with disabilities receiving special education and related services that are reported as American Indian/Alaskan Native.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 9.3 below is used to assess the state's progress in meeting its performance target for FFY 2006 (2006-2007 school year). Based on a minimum N of 10 and within a 99 percent confidence interval, the state set a target that the percent of LEAs with disproportionate representation (both under and over) of racial and ethnic groups receiving special education and related services resulting from inappropriate identification will be **0** percent.

Table 9.3 Montana Performance Target Status for FFY 2006

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	427	0	0.0%	0.0%	Met Target

For FFY 2006 (2006-2007 school year), **0** percent of LEAs were identified with disproportionate representation due to inappropriate identification procedures. The established performance target for FFY 2006 as reported in our State Performance Plan is **0** percent (see Table 9.3 above). Therefore, Montana has **met** its performance target for this indicator.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Following the determination of disproportionate representation, the OPI contacted each of the LEAs and conducted a review of each LEA' policies, procedures and practices, interviewed selected LEA staff, and reviewed selected student files. Following an analysis of the reviews the OPI made its determination whether disproportionate representation was the result of inappropriate identification. There were no findings of disproportionate representation as a result of inappropriate identification.

The OPI provided extensive training on topics related to identification of students as students with disabilities under the IDEA. School improvement/compliance monitors provided a workshop for new special education teachers in fall of 2006 on special education requirements, including the documentation of general education interventions prior to referral to special education. Training on other special education requirements and procedures which have an impact on identification of students under IDEA was also provided at the spring CEC conference, MCASE meeting and at the MEA/MFT fall conference. Additionally, training activities were implemented with support of SPDG and IDEA Part B funds. Following are improvement activities conducted under each of the improvement strategies as identified in the SPP.

1. **The OPI will continue to implement a pilot project with selected LEAs on the implementation of Early Intervening Services and the use of Response to Intervention (RtI). The OPI will provide training and technical assistance to LEAs on Early Intervening strategies.**

   The RtI was in its second year of implementation under the SPDG. Four sites throughout the state received best-practices training and coaching on implementing the RtI model. Data collection and analyses focused on project outcomes are collected by an OPI contractor and will be disseminated in 2007-2008.

The OPI worked with a vendor to design an RtI portion on the OPI Web site. The design allows for RtI resources such as video modules, power point presentations, links to technical assistance centers and additional resources.

Two of the CSPD regions used IDEA grant funds to provide RtI training on implementation to schools within their region. The OPI is focusing on expanding the availability of RtI training at the local level.

2. **The OPI will continue collaboration with Reading First on early intervening strategies.**

   This was the second year of the Reading First initiative under the SPDG grant. A second cohort consisting of 13 schools was added. Special education personnel from these schools were involved in a series of trainings across the school year. Training focused on the use of scientifically based research strategies for use with children with disabilities.

3. **Provide technical assistance to schools in collaboration with the Division of Indian Education on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.**

   The Indian Education Division of the OPI maintains a Web site which provides curriculum materials, model lesson plans and other resources for schools to assist them in providing culturally sensitive instruction to all students. A representative of the Indian Education Division is an active participant in the state CSPD Council and assists in the design and development of technical assistance and training activities that are culturally responsive to American Indian students.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

Following the receipt of new and clarifying information from OSEP regarding this performance indicator, revisions have been made to the SPP as follows:

1. <u>Revision to definition of Disproportionate Representation:</u> The definition of Disproportionate Representation has been revised to read as follows:

   <u>Definition of Disproportionate Representation</u>

   An LEA is determined to have disproportionate representation (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of a specific race/ethnicity group receiving special education and related services compared to the proportion of students with disabilities in all other race/ethnicity groups receiving special education and related services in that LEA, within a 99 percent confidence interval.

2. <u>Revisions to the Narrative</u>: Extensive revisions to the narrative portion of the SPP for indicator #9 have been made to align procedures with the changes required by the OSEP and guidance provided at the OSEP Leadership conference. The revisions made to the SPP text are bolded in the revised SPP. The revisions reflect the requirements that the determination of disproportionate representation be made solely based on data and once data shows disproportionate representation (either over or under) the OPI conducts a review of LEA policies, practices and procedures to ensure identification is not the result of inappropriate identification. If, following a review of an LEA's policies, practice and procedures, the OPI determines that identification is the result of inappropriate identification, corrective actions with specified timelines are given to the LEA and the LEA is required to provide public notice of its revision(s) to policies, practices and/or procedures.

3. Revisions to Targets in the SPP.

   All of the targets in the SPP for this indicator were revised to align with the revised definition of disproportionate representation. The targets were revised from "*Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0 percent within a 95 percent confidenceinterval"* to

   "*Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0 percent within a 99 percent confidence interval."*

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a 99% confidence interval.

Definition of Disproportionate Representation

An LEA is determined to have ***disproportionate representation*** (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups and within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Target data on the identification of LEAs as having disproportionate representation of racial and ethnic groups in special education and related services in specific disability categories that is the result of inappropriate identification is shown below in Table 10.1. The data source for the calculation of disproportionate representation is the IDEA – Part B Child Count data for children with disabilities ages 6 through 21 as reported in *Table 1 Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act*.

Table 10.1 Disproportionate Representation Due to Inappropriate Identification Procedures for FFY 2006

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100
2006-2007	427	0	0	0.0%

Target data above show that of 427 LEAs examined to identify disproportionate representation of racial and ethnic groups in specific disability categories receiving special education and related services, none were identified as having a disproportionate representation of racial and ethnic groups in specific disability categories for the 2006-2007 school year. Further, none were identified as having disproportionate representation of racial/ethnic groups due to inappropriate identification procedures.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 10.2 below is used to assess the state's progress in meeting its performance target for FFY 2006 (2006-2007 school year). Based on a minimum N of 10 and within a 99 percent confidence interval, the state set a target that the percent of LEAs with disproportionate representation (both under and over) of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be **0** percent.

Table 10.2 Montana Performance Target Status for FFY 2006

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	427	0	0.0%	0.0%	Met Target

For FFY 2006 (2006-2007 school year), **0** percent of LEAs were identified with disproportionate representation due to inappropriate identification procedures. The established performance target for FFY 2006 as reported in our State Performance Plan is **0** percent (see Table 10.2 above). Therefore, Montana has **met** its performance target for this indicator.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

No LEAs were found to have disproportionate representation of racial and ethnic groups in specific disabilities categories. The OPI continued to meet the state's target. It is felt that the improvement strategies are appropriate and effective. Therefore, no changes are recommended at this time.

The OPI provided extensive training on topics related to identification of students as students with disabilities under the IDEA. School improvement compliance monitors provided a workshop for new special education teachers in fall of 2006 on special education requirements, including the documentation of general education interventions prior to referral to special education. Training on other special education requirements and procedures which have an impact on identification of

students under IDEA was also provided at the spring CEC conference, MCASE meeting and at the MEA/MFT fall conference. Additionally, training activities were implemented with support of SPDG and IDEA Part B funds. Following are improvement activities conducted under each of the improvement strategies as identified in the SPP.

1. **The OPI will provide training and technical assistance to LEAs on early intervening strategies.**

   Refer to the response under #4.

2. **The OPI will continue collaboration with Reading First on early intervening strategies.**

   This was the second year of the Reading First initiative under the SPDG grant. A second cohort consisting of 13 schools was added. Special education personnel from these schools were involved in a series of trainings across the school year. Training focused on the use of scientifically-based research strategies for use with children with disabilities.

3. **Provide technical assistance to schools in collaboration with the Division of Indian Education on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.**

   The Indian Education Division of the OPI maintains a Web site which provides curriculum materials, model lesson plans and other resources for schools to assist them in providing culturally sensitive instruction to all students. A representative of the Indian Education Division is an active participant in the state CSPD Council and assists in the design and development of technical assistance and training activities that are culturally responsive to American Indian students.

4. **Implement a pilot project with selected LEAs on the implementation of early intervening strategies and the use of response to intervention (RtI) as one of the factors in determining eligibility under IDEA.**

   The RtI was in its second year of implementation under the SPDG. Four sites throughout the state received best-practices training and coaching on implementing the RtI model. Data collection and analyses focused on project outcomes are collected by an OPI contractor and will be disseminated in 2007-2008.

   The OPI worked with a vendor to design an RtI portion on the OPI Web site. The design allows for RtI resources such as video modules, power point presentations, links to technical assistance centers and additional resources.

   Two of the CSPD regions used IDEA grant funds to provide RtI training on implementation to schools within their region. The OPI is focusing on expanding the availability of RtI training at the local level.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

Following the receipt of new and clarifying information from OSEP regarding this performance indicator, revisions have been made to the SPP as follows:

1. <u>Revision to definition of Disproportionate Representation:</u> The definition of Disproportionate Representation has been revised to read as follows:

   Disproportionate Representation of racial and ethnic groups in specific disabilities categories means:

An LEA is determined to have disproportionate representation (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

2. Revisions to the Narrative: Extensive revisions to the narrative portion of the SPP for indicator #10 have been made in accord with the changes required by the OSEP and guidance provided at the OSEP Leadership Conference. The revisions made to the SPP text are bolded in the revised SPP. The revisions reflect the requirements that the determination of disproportionate representation be made solely based on data and once data shows disproportionate representation, the OPI conducts a review of LEA policies, practices and procedures to ensure identification is not the result of inappropriate identification. If, following a review of an LEA's policies, practices and procedures, the OPI determines that identification is the result of inappropriate identification, corrective actions with specified timelines are given to the LEA and the LEA is required to provide public notice of its revision(s) to policies, practices and or procedures.

   Revisions were made to the text to ensure compliance with the IDEA and OSEP's requirements.

3. All of the targets in the SPP for this indicator were revised to align with the revised definition of disproportionate representation. The targets were revised from "*Given a minimum N of 10 the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0 percent with a 95 percent confidence interval"* to

   "Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0 percent within a 99 percent confidence interval."

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).

Actual Target Data for FFY 2006 (2006-2007 School Year)

Table 11.1 below presents the FFY 2006 target data on the number of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii). The data are taken from compliance monitoring data for the 2006-2007 school year. School Improvement/Compliance specialists reviewed the files of 260 students for whom parent consent was granted and who were initially evaluated for special education eligibility.

Table 11.1 Percent of Children, with Parent Consent, Evaluated Within a 60-day Timeline for FFY 2006

School Year	Number of children for whom parental consent to evaluate was received (a)	Number Determined Not Eligible whose evaluations were completed within 60 days (b)	Number Determined Eligible whose evaluations were completed within 60 days (c)	Percent Evaluated within 60 days % = (b+c) / a * 100	Number of evaluations Not Completed within 60 days (d)	Percent Not Completed with 60 days % = (d/a) * 100
2006-2007	**260**	73	149	**85.4%**	38	**14.6%**

For FFY 2006, **85.4** percent of the students with parent consent to evaluate were evaluated within the 60-day timeline, while **14.6** percent of the evaluations were not completed within 60 days. The ranges of days beyond the timeline and any reasons for delays are presented later in this section.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 11.2 below is used to assess the state's progress in meeting its performance target for FFY 2006 (2006-2007 school year).

Table 11.2 Montana Performance Target Status for FFY 2006

School Year	Number of Children for whom Parent Consent to Evaluate was Received	Number of Children whose Evaluations were Completed within 60 days	Percent of Children with Parent Consent Evaluated within 60 days	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	**260**	222	**85.4%**	**100.0%**	**Did Not Meet Target**

The state's established target for this indicator is **100** percent. Target data show that the performance measure for this indicator is **85.4** percent. Therefore, Montana **did not meet** its performance target.

Range of Days and Reasons for Delay

For FFY 2006, target data indicate that 38 evaluations were not completed within the 60-day timeline. Table 11.3 below presents the range of days beyond the timeline when the evaluations were completed and the reasons for the delays.

Table 11. 3 Range of Days Beyond the 60-Day Time and Reason for Delay for FFY 2006

Number of Days Beyond the 60-Day Timeline	Reason For Delay
3	No Reason Given
4	No Reason Given
5	No Reason Given
5	No Reason Given
7	No Reason Given
7	No Reason Given
7	Evaulations not conducted over Winter Break
8	Itinerant staff with holidays between dates
9	No Reason Given
9	No Reason Given
10	Evaluation not conducted over Winter Break
11	Evaluation not conducted over Winter Break
11	No Reason Given
11	No Reason Given
12	No Reason Given
13	No Reason Given
15	No Reason Given
15	No Reason Given
17	No Reason Given
17	No Reason Given
24	No Reason Given
24	No Reason Given
24	No Reason Given
27	No Reason Given
30	No Reason Given
31	Waiting to meet with Speech Pathologist
31	No Reason Given
32	Foster parent issue
37	Child turned 3 during the winter break and teacher thought 60 days timeline started at the 3rd birthday
38	Evaluations took longer to complete than originally planned
41	No Reason Given
42	No Reason Given
44	No Reason Given
47	No Reason Given
54	No Reason Given
66	Oversight
97	Evaluation not conducted over Summer
164	No Reason Given

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

For the 2005-2006 school year (FFY 2005), there were no findings of noncompliance related to this indicator. Therefore, timely correction of noncompliance identified in 2005-2006 is not an issue.

Analysis of 06-07 data showed that incidences of not meeting the 60-day timeline was generally a sporadic event which occurred across 82 of the 86 LEAs monitored. In other words, in 82 of the 86 LEAs monitored (95%), there were no findings of systemic noncompliance with the 60-day timeline, which required corrective action. However, four of the 86 (3.9%) LEAs monitored in 06-07 accounted for the majority of instances and each of these LEAs received a corrective action because of systemic failure to meet the 60-day timeline. Further investigation with the LEA that accounted for the most records not meeting the 60-day timeline showed that it was a result of the LEA not having an internal system for tracking evaluation timelines.

In 06-07, the OPI did not receive any complaints, or requests for due process related to failure to conduct timely initial evaluations.

The OPI is very concerned with the low performance on this indicator and plans to increase its technical assistance and training for LEA personnel on timeline requirements, as well as strategies they can use to track timelines. When the SERIMS is fully implemented, all LEAs will have the availability of the student-based system to track timelines. It is anticipated that this electronic system will be invaluable to school personnel in meeting compliance with this requirement.

Following is a report on improvement activities completed during 2006-2007.

1. **Provide technical assistance and training to LEAs on timeline requirements.**

   School improvement/compliance monitors provided training on procedural compliance procedures and timelines at a 2006 fall new teacher workshop. As a part of the training, the 60-day time line was addressed. Additional training on this compliance issue was provided at the following conferences: CEC, MCASE and MEA/MFT. Monitors also addressed this requirement when they conducted the compliance training for schools who had requested such training or which were on the schedule to be compliance monitored.

2. **Work with contractor to ensure this data element is collected as a part of SERIMS.**

   Division of Special Education staff worked with the contractor on design of the 'editors' which are to be included in the special education records student information management system. The work is still not completed and staff is continuing to work with the vendor on the design to ensure it will collect all of the required data for this performance indicator. It is anticipated that the special education student information and management system will be fully implemented in 2008-2009 in accord with the projected schedule.

3. **The OPI will work with PLUK to ensure parents are knowledgeable of the 60-day timeline.**

   The OPI provided IDEA Part B funds to support parent training and information and technical assistance activities for parents. Training and information on state and federal requirements regarding evaluations and other procedural compliance topics was provided to PLUK technical assistance providers by the OPI. The director of the OPI Early Assistance Program (EAP) also provided on-time technical assistance to parents and PLUK staff on questions related to evaluations and required timelines.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

1. Revisions to the SPP Performance targets: In accord with OSEP's letter of June 15, 2007, and the accompanying table, Montana was advised to "revise the language in its targets to reflect [the federal requirement at 34 CFR 300.301(c)] and the new indicator." The target in the original SPP stated the following: " *100% of children will have eligibility determinations completed within 60 days of receiving parental consent to evaluate unless there is an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).* Each of the performance targets in the SPP has been revised to read as follows: **100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Table 12.1 below presents the data on children served in Part C and referred to Part B for eligibility determination in the 2006-2007 school year. The data was reported by Part C providers and the LEAs who received the referrals.

Table 12.1 Percent of Children with IEPs Developed and Implemented by Third Birthday For FFY 2006

Indicator 12 Measurement		Number and Percent of Children
(a)	Total Children Served in Part C and Referred to Part B for Eligibility Determination	107
(b)	Children found NOT Eligible and Whose Eligibilities were Determined Prior to Their Third Birthday	5
(c)	**Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday**	**51**
(d)	Parent Refusal to Provide Consent Caused Delays in Evaluation or Initial Services	19
% = [c/(a-b-d)]*100	**Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays**	**61.4%**

Target data for FFY 2006 (2006-2007 school year) indicate that **61.4** percent of the children referred by Part C, prior to age three and found eligible for Part B, have an IEP developed and implemented by their third birthday. In addition, parent refusal for **19** of the 107 children referred by Part C caused delays in the evaluation or initial services. Further, five of the 107 children referred were found not eligible prior to their third birthday. Of the 107 children referred by Part C, **32** did not have their eligibility determined or an IEP developed and implemented by their third birthday. The range of days and reasons for the delay are presented below.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 12.2 below is used to assess the state's progress in meeting its performance target for FFY 2006. The state's established target for this indicator is **100** percent of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.

Table 12.2 Montana Performance Target Status for FFY 2006

School Year	Number of Children Referred By Part C to Part B for Eligibility Determination	Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	107	**51**	**61.4%**	**100.0%**	**Did Not Meet Target**

Target data for FFY 2006 indicate the percent of children referred by Part C, found eligible for Part B and who have an IEP developed and implemented by their third birthday, is **61.4** percent, while the established performance target is **100** percent. Therefore, Montana **did not meet** its performance target.

Range of Days and Reasons for the Delay

For FFY 2006, target data indicate that 32 out of the 96 children referred by Part C did not have eligibility determined or an IEP developed and implemented by their third birthday for reasons other than parent refusal to provide consent. Table 12.3 below presents the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Table 12.3 Range of Days beyond Third Birthday for Evaluation and Reason for Delay for FFY 2006

Days Beyond Child's Third Birthday	Reason For Delay
1	Scheduling conflict
1	Schedule conflict
1	Schedule conflict
4	School not in session
5	Schedule conflict
6	Scheduling conflict
8	CST ran over time due to so much medical information. IEP rescheduled.
9	Chosen date from team
11	Special education teacher and speech therapist did not know about child until parent came in
12	Scheduling conflict
14	School was not in session 8/27. Preschool's first day was Tuesday Sept. 12, 2006.
15	Staff unable to complete in time frame
17	Teacher did not refer for testing until this date
18	Scheduling Meeting
22	Chosen date from team
23	No reason given
27	Staff unable to complete in time frame
32	Additional assessment needed
33	Referral not received until 1/15/07
35	Additional assessment needed
39	School not in session
43	Additional assessment needed
49	Waited until Sept. to do evaluations as student turned 3 during the summer
53	Late referral
54	School not in session
55	School not in session
67	School not in session during bday. Referral team determined assessing and writing an IEP in May wouldn't adequately represent development when school started in August.
80	School was out for the year, IEP developed in fall
108	ESY not warranted, waited until school resumed to do IEP
142	Child not officially referred until 10/12/07
180	Student concern form completed in January with note from Part C provider indicating that a complete E and D evaluation will be completed in March of 2007. Part C provider and District agreed to wait with the referral meeting until after testing completed.
210	Various foster placements/interference with court dates

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

The 2006-2007 school year is the first year the OPI implemented a student-based data collection system for this indicator. The data collection system was collaboratively designed with the Part C agency. The Part C agency received child specific referral data, including the dates that a child was referred to an LEA for determination of eligibility under Part B and the name of the LEA to whom the referral was made, from each Part C Provider. The Part C agency reviewed the data for accuracy and then submitted the data to the OPI for implementation of further data collection and reporting. The OPI contacted each of the LEAs to which a Part C referral was made for the purpose of collecting and reporting the following data: date of eligibility meeting, eligibility determination outcome and date of the initial IEP. If an LEA did not complete the evaluation and have an IEP in place on the child's third birthday, the LEA was required to provide an explanation for the delay.

Of the reasons given for delays, the most frequently cited reason was that school was not in session. In conducting further analysis it was learned that if it is determined that a child will not need extended school year services (ESY) during the summer, many parents do not want to have an IEP meeting until fall because they feel the child will have made progress over the summer and they want to develop the IEP in the fall following summer vacation. In a number of other cases, IEP meetings were scheduled after the child's third birthday because of need to accommodate the parent's schedule. Other critical factors which affect having an IEP in place by the child's third birthday are related to the date for which written parent consent is given and the regulation which allows for an LEA to have 60 days for completion of the evaluation. In many cases, parent consent for the evaluation is not given in sufficient time to allow for completion of an evaluation and the scheduling of an IEP meeting prior to the child's third birthday. Analysis of the data shows there is reason for concern and further investigation necessary to determine more specifically the factors leading to a delay in the implementation of an IEP by the child's third birthday.

The OPI will be working closely with the Part C agency and its providers to implement strategies that will result in services provided to children with disabilities by the child's third birthday. The OPI will also be working with its parent training and information center, PLUK, to help parents better understand the importance of early intervention services and the need for receipt of parent consent for evaluation early enough that an IEP can be in place by the child's third birthday. Technical assistance and training activities will include issues such as transition planning meetings and interagency strategies to help ensure children who have received services through Part C, and are determined eligible for Part B, have an IEP in place by age three.

The OPI did not receive any complaints or requests for due process in the 2006-2007 school year related to failure to implement services for a child with disabilities by age three. Furthermore, school improvement/compliance specialists reviewed selected records of preschool-age children as a part of their monitoring procedures to determine if the LEA failed to implement procedures to ensure IEPs were implemented by the child's third birthday. No corrective actions were issued in 2006-2007 to an LEA for failure to implement an IEP by the child's third birthday.

1. **Continue to monitor for procedural compliance, as well as to review data from due process, mediations, and complaints.**

   School Improvement/Compliance monitors completed procedural review of 83 LEAs (not including state-operated or state-supported programs). As a part of the monitoring activities, monitors reviewed a sample of student files for children who were referred by Part C agencies to Part B for eligibility determination and development of an IEP if they are IDEA-eligible in those LEAs selected for monitoring/verification visits during the 06-07 school year. Of the files reviewed, no corrective actions resulted from failure to develop and implement an IEP by a child's third birthday. Additionally, there were no requests for due process, mediations held or complaints related to the development and implementation of an IEP for a child by age three.

2. **Continue to work with Part C to collect necessary data elements to meet these new data collection requirements for this indicator.**

   The OPI worked with the lead agency to develop an interim data collection and reporting system to include all of the requirements for this indicator. The data system was implemented in 2006-2007 and will be used until all of the data collection/reporting can be fully implemented with the special education records and student information (SERIMS) portion of the AIM system.

3. **The OPI will work with its contractor to ensure the SERIMS includes necessary data elements to address this performance indicator.**

   Staff members from the Division of Special Education met with the vendor numerous times throughout 2006-2007 to evaluate the 'editors' created by the vendor and to ensure the system will address all reporting requirements. Final testing of the SERIMS will ensure that it includes the data elements necessary to evaluate this performance indicator.

4. **Continue to provide TA and training on effective child find practices and transition from Part C to Part B.**

   School improvement/compliance monitors provided training on effective child find practices, including procedures to be followed relative to the transition of children from Part C to Part B as a part of their procedural compliance workshops and new director of special education training.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

1. **Revisions to data collection methodology and provision of valid and reliable data**

   The OSEP, in its letter of June 15, 2007, and the accompanying response table, reported that the baseline data submitted by the OPI for 2004-2005 was not valid and reliable. It also stated that the OPI "did not use the measurement for the indicator when determining baseline and progress data and did not provide a percent of children referred by Part C, prior to age 3, who are found eligible for Part B, and who have an IEP developed by their third birthday."

   In response to OSEP's determination that Montana did not provide valid and reliable data, the OPI met with the Director of the Part C Infant/Toddler program for the purpose of designing a new and interim data collection and reporting system for this performance indicator. The interim data collection and reporting system will be used until the SERIMS reporting system becomes fully operational. This newly designed interim data collection system was implemented for the 2006-2007 reporting period. The system requires both the Part C providers and the school district personnel to provide basic child count information, dates of referral from Part C to Part B, dates of evaluation for determining eligibility under Part B, and the dates that the IEP was developed and implemented. Both the Part C program and the OPI review the reported data to ensure validity and reliability.

   Because the required measurements for this performance indicator contained new requirements for states and Montana did not have a student-based data collection system in place for both the 2004-2005 and 2005-2006 school years, nor did it have the capability to install a new data reporting system for those school years, it is not possible for the OPI to provide the additional data for these years as requested by the OSEP. The data that was reported in the SPP and the APR for 2004-2005 and 2005-2006 was Part C data as reported to the OSEP, as well as data collected through the OPI compliance monitoring. At the time of reporting, it was the most valid and reliable data available. As reported in the SPP and the FFY 2005 APR, the OPI is in the process of developing an electronic special education records student-based data collection system. When the system is fully implemented in 2008-2009, performance data for this indicator will be collected as a part of that system. Effective with the 2006-2007 reporting period, the OPI

has developed an interim data collection/reporting system which provides verified, valid and reliable data which meets all of the measurement requirements for this indicator. A description of the revised data collection/reporting procedure is provided under the section "Discussion of Improvement Activities Completed .." for this indicator.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

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

Measurement: Percent = [(# of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Table 13.1 below presents the FFY 2006 target data on the number of students aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. The data are taken from compliance monitoring data for the 2006-2007 school year.

Table 13.1 IEPs with Coordinated, Measurable, and Annual Goals FFY 2006

School Year	Number of IEPs Reviewed[1] (a)	Number of IEPs with Transition Goals[2] (b)	Percent of IEPs with Transition Goals % = (b/a)*100
2006-2007	66	42	**63.6%**

[1]Sample of records for students, age 16 and older reviewed as part of the compliance monitoring procedures.

[2]Records for students, age 16 or older, found to have coordinated, measurable, annual goals and transition services as part of the compliance monitoring procedures.

Target data in the table above indicate that of 66 student records, for students with disabilities ages 16 and above, reviewed as part of the compliance monitoring procedures, 42 of those records or **63.6** percent of youth aged 16 and above had coordinated, measurable, annual goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Trend data are presented below in Table 13.2. The trend data is used to compare the number of records for students aged 16 and above with coordinated, measurable, annual IEP goals and transition services over time.

Table 13.2 IEP Transition Goals Trend Data

School Year	Number of IEPs Reviewed[1] (a)	Number of IEPs with Transition Goals[2] (b)	Percent of IEPs with Transition Goals % = (b/a)*100
2005-2006	70	34	**48.6%**
2006-2007	66	42	**63.6%**

[1]Sample of records for students, age 16 and older reviewed as part of the compliance monitoring procedures.

[2]Records for students, age 16 or older, found to have coordinated, measurable, annual goals and transition services as part of the compliance monitoring procedures.

Baseline data for FFY 2005 (2005-2006 School Year) as reported in the State Performance Plan indicate **51** percent of youth aged 16 and above with coordinated, measurable, and annual IEP goals and transition services (see Table 13.2 above). The FFY 2006 (2006-2007 School Year) data show an **increase** of **15.1** percent of youth ages 16 and above with coordinated, measurable, and annual IEP goals and transition services. The increase represents a rate of change of **31** percent between the monitor findings in the 2005-2006 school year and the monitor findings in the 2006-2007 school year. Although LEAs have not achieved 100 percent compliance, analysis of the trend data shows there has been improvement in this indicator.

Assessing State Progress in Meeting the FFY 2006 Performance Target

The data presented in Table 13.3 below is used to assess the state's progress in meeting its performance target for FFY 2006. The state's established target for this indicator is **100** percent of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Table 13.3 Montana Performance Target Status for FFY 2006

School Year	Number of IEPs Reviewed	Number of IEPs with Transition Goals	Percent of IEPs with Transition Goals	SPP Performance Target for FFY 2006	State Performance Status
2006-2007	66	42	63.6%	100.0%	Did Not Meet Target

For FFY 2006, the state's performance target is **100** percent of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. Target data indicates that **63.6** percent of the IEPs for students, ages 16 and older, reviewed have coordinated, measurable, annual IEP goals and transition services. Therefore, Montana **did not meet** its performance target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana did not meet its performance target for this indicator.

In the 2005-2006 school year, 75 LEAs were monitored for procedural compliance with IDEA in accord with the established monitoring cycle, with 120 corrective actions (including confidential memos) issued. Of the total corrective actions issued, **11.6** percent (or 14) were issued for failure to address all of the requirements under 34 CFR 300.320(b) Transition Services. Of the corrective actions (findings of noncompliance) issued in the 2005-2006 school year related to this indicator, all (100%) of the corrective actions were completed within a one-year timeline.

In comparison, in the 2006-2007 school year, 86 LEAs were monitored for procedural compliance with IDEA and 142 corrective actions (including confidential memos) were issued. Of the total corrective actions issued, **11.3** percent (or 16) were related to coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

In almost all cases of records reviewed for students aged 16 years and older, transition services were addressed. However, school improvement/compliance monitors determined that the quality of the documentation did not lead to the standard required to meet this performance indicator. To improve results, the OPI implemented a number of actions which should lead to improved results in the coming year.

Improvement activities undertaken included a revision of forms which provides increased direction for transition requirements, revision and expansion of transition technical assistance and professional development materials, training of transition specialists in the SEA, statewide transition training, and technical assistance provided through other agency conferences. The new student data system under development in Montana, which will house a required use IEP form, will also include functionality that will require transition components be complete before the IEP can be entered. Technical assistance and professional development activities are ongoing and a detailed schedule of transition training for the upcoming year is in development.

1. **Continue to provide technical assistance and professional development to LEAs and school personnel on transition requirements and IEP development**

   The OPI has continued refining its forms to provide increased direction for transition requirements. The record review form used in file reviews has also been revised to provide consistent guidance to compliance monitors. A train-the-trainers model has been used to provide 59 people with transition expertise to provide professional development and technical assistance. In addition, OPI staff have conducted training at the CSPD Region V transition fair, as well as in districts issued corrective actions.

2. **Continue to work with other state agencies such as Vocational Rehabilitation, etc., to engage their involvement in transition planning, as appropriate**

   The OPI maintains a close relationship with Vocational Rehabilitation through its representative on the VR advisory panel, as well as through regular communication. Collaborative efforts have been completed to link specific VR counselors to each high school in the state and to communicate that assignment to school and other agency personnel.

3. **Work with the IHEs to help ensure students in preservice education receive information and training related to transition requirements under IDEA and the development of appropriate goals**

The OPI has continued its support and involvement with the Montana Higher Education Consortium to train IHE staff in Transition and to systematically integrate transition components into preservice classes and field experiences.

4. Collect transition data through the SERIMS system

The Special Education Division has worked extensively with our electronic student information system developer as we convert to a new student record system. The product is currently scheduled to roll-out in August of 2008. Data elements to reflect compliance with Indicator #13 requirements have been incorporated into the program specifications.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

No revisions have been made to the SPP.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of the findings of noncompliance are corrected within one year from identification.

Actual Target Data for FFY 2006 (2006-2007 School Year)

Corrective Actions (Findings) One-Year Timeline for Correction

The following tables provide summary data taken from the completed NCSEAM Indicator 15 worksheet that is attached to this document (see Appendix). The Indicator 15 worksheet provides a breakout of the number of findings of noncompliance and the timeline for correction grouped by monitoring priority areas and other topical, non-priority areas.

Table 15.1 below presents summary data regarding the number of LEAs with findings of noncompliance in FFY 2005 and the number of findings of noncompliance identified in FFY 2005.

Table 15.1 Findings of Noncompliance with One Year Timeline for Correction

School Year	General Supervision System Component	Number of LEAs with Findings of Noncompliance	Number of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)
2005-2006	Procedural Compliance Monitoring - On-site	75	120
	Noncompliance identified through other mechanisms	2	2
	Total	**77**	**122**

In 2005-2006, 75 LEAs were monitored for procedural compliance with IDEA in accord with the established monitoring cycle, resulting in 120 corrective actions. In addition, two due process hearings resulted in reports requiring corrective action for two LEAs. The overall result is a total of 122 corrective actions given in 2005-2006 (FFY 2005). No corrective actions were issued as a result of a review of policies, procedures and practices completed for LEAs determined to have disproportionate representation (performance indicators 9 and 10). In 2005-2006 no LEAs were cited as having a significant discrepancy in long-term suspensions and expulsions (performance Indicator 4A), significant disproportionality, or untimely evaluations (performance indicator 11). Fourteen corrective actions were given for failure to address all of the requirements under 34 CFR 300.320(b) Transition Services (performance indicator 13) on the IEP.

Table 15.2 below presents the number of findings identified in FFY 2005 and the percent of those findings of noncompliance that were corrected within a one-year timeline.

Table 15.2 Percent of Findings of Noncompliance Corrected within One Year

Indicator 15 Measurement		Number of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06) (a)	Number of Findings from (a) for which correction was verified no later than one year from identification (b)	Percent of Findings of Noncompliance Corrected within One Year Timeline % = (b/a)
A	Number and Percent of noncompliance related to monitoring priority areas	49	48	98.0%
B	Number and Percent of noncompliance related to areas not included in the above monitoring priority areas	71	68	95.8%
C	Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.)	2	2	100.0%
D=(A+B+C)	**Total Number of Findings of Noncompliance**	**122**	**118**	
	Overall Percent (%=Db / Da)			**96.7%**

The table above (Table 15.2) presents the percent of findings of noncompliance corrected within a one-year timeline. A breakout of the areas of findings of noncompliance, grouped by monitoring priority areas and other topical areas, can be found in the Indicator 15 worksheet in the Appendix section of this document. An analysis of the 2005 2006 corrective action findings shows that **100** percent of the corrective actions resulting from dispute resolution were corrected within the one year timeline. Of the findings of noncompliance related to monitoring priority areas, 48 of the 49 findings of noncompliance or **98** percent were corrected within the one year timeline. The findings of noncompliance related to other areas indicate that 68 of the 71 findings of noncompliance or **95.8** percent were corrected within the one-year timeline. Overall, 118 of the 122 findings of noncompliance or **96.7** percent were corrected within the one-year timeline for FFY 2005. This resulted in 73 of the 75 entities monitored receiving a closeout letter from the OPI within the one-year timeline.

Of the two LEAs which did not meet the one-year timeline, one LEA submitted the required documentation to demonstrate compliance with the corrective actions 23 days beyond the one-year timeline. The corrective action required the LEA to submit documentation of review of existing evaluation data. However, the LEA was so small that they did not have an evaluation or re-evaluation which occurred within the one-year period. The other LEA submitted the required documentation to demonstrate correction within the one-year timeline; however, the OPI did not send a closeout letter to the LEA until five months after the one-year timeline. The delay in closing out the corrective action was not a result of the LEA not completing the required action within the timeline given, but rather the result of staffing changes within the OPI that resulted in a delay in sending a formal announcement of closeout to the LEA.

Assessing State Progress in Meeting the FFY 2006 Performance Target

The data in Table 15.3 below is used to assess Montana's progress in meeting its performance target for FFY 2006. The performance target for this indicator is 100 percent of findings of noncompliance will be corrected within one year from identification.

Table 15.3 Montana Performance Target Status for FFY 2006

Number of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	Number of Findings from (a) for which correction was verified no later than one year from identification	Percent of Findings of Noncompliance Corrected within One Year Timeline	Spp Performance Target	State Performance Status
122	118	**96.7%**	**100.0%**	**Did Not Meet Target**

For FFY 2006, the percent of findings of noncompliance corrected within one year of identification is **96.7** percent and the performance target is **100** percent. Therefore, Montana **did not meet** its performance target.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

The OPI did not meet its target of 100 percent correction within the one-year timeline. However, it is fully anticipated that with a full complement of monitoring specialists, 100 percent correction, within the one-year timeline, will be achieved in the next reporting period. Montana is fortunate to have outstanding school personnel who are very responsive in completing required corrective actions and meeting timelines. The technical assistance and training provided by monitoring program specialists have been an instrumental component in assisting the LEAs in addressing the corrective actions.

1. Revise focused intervention activities to better align with SPP indicators.

The OPI completed its revision of its monitoring procedures to ensure alignment with the SPP performance indicators. The monitoring system consists of two primary components: compliance monitoring and focused intervention. Compliance monitoring continues to be conducted on the established monitoring cycle and includes review of selected student files to ensure compliance with IDEA 2004 regulations. Focused intervention procedures are implemented, when following review of LEA data, there is a determination of significant discrepancy in long-term suspension/expulsion rates and/or there is disproportionate representation or significant disproportionality. In addition, focused intervention procedures are implemented if student outcomes and/or other factors indicate that intervention is necessary.

2. Continue to use the monitoring tracking system to ensure timelines are addressed.

The OPI continues to use the compliance monitoring tracker to identify LEAs monitored, dates of the monitoring, monitoring results, timelines for completion of corrective actions, and the date that the OPI sends a letter to the LEA reporting that it has completed all of the required corrective actions.

3. **Review status of LEAs' corrective actions on a monthly basis and report that status to the monitoring staff.**

   The School Improvement/Compliance Monitoring Unit director continues to hold responsibility for reviewing corrective actions on a monthly basis to ensure corrective actions are completed within designated timelines and within one year of issuance, consistent with this indicator.

4. **Provide follow-up to LEAs to ensure they are moving toward completion of their corrective actions in the timeline given.**

   School improvement/compliance monitoring staff maintained contact with the LEAs from initial compliance monitoring activities through the completion of corrective actions. Technical assistance and/or training was provided as determined necessary, as well as upon request of the LEA. Technical assistance and/or training was provided in a variety of ways: teleconferencing, on-site visits, e-mail, etc.

5. **Implement sanctions, as appropriate, to ensure LEAs complete required corrective actions.**

   The OPI did not have to implement sanctions in 2006-2007 to achieve corrections. School administrators and personnel were, and continue to be, very responsive in taking required corrective action steps.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

Revision to Focused Intervention: The section on Focused Intervention has been revised to specifically include Focused Intervention activities when, following review of LEA data, it is determined that the LEA has disproportionate representation, significant disproportionality, or a significant discrepancy in long-term suspensions and expulsions. Focused Intervention activities include, but are not limited to, a review of LEA's policies, practices and procedures to ensure compliance with the IDEA, review of selected student records, and staff interviews. Revised language in the SPP appears in bold.

Revision of 10.16.3141 Office of Public Instruction Responsibility for Monitoring: This state administrative rule was revised. The old rule has been replaced with the new rule language.

Revision to the FFY 2005 APR: The text under performance Indicator #15 in the FFY 2005 APR report has been revised to include the correct number of corrective actions issued in the 2005-2006 school year. It was found that because multiple state and federal regulations were cited for a single corrective action(s), the total number of corrective actions was originally identified as 139. Further analysis determined that there was a total of 120 findings related to procedural compliance monitoring during 2005-2006 and not 139 as originally reported. This corrected number is consistent with what is reported in the compliance monitoring tracking system.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.

Actual Target Data for FFY 2006 (2006-2007 School Year)

The OPI received one written complaint which was resolved through the Early Assistance Program and did not require an investigation.

Table 16.1 below presents target data on signed, written complaints for FFY 2006 (2006-2007 School Year). The data is taken from Section A of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act* that is attached to this document (See Appendix).

Table 16.1 Signed, Written Complaints for FFY 2006

Table 7, Section A	Signed, Written Complaints	Number
(1.1)	Complaints with reports issued	0
(b)	Reports within timeline	0
(c)	Reports within extended timelines	0
%=(b+c) / (1.1)	**Percent of Complaint Reports Issued Within Timeline**	**0.0%**

For FFY 2006 (2005-2006 School Year), there were no signed written complaints received by the OPI. Therefore, Montana has **met** its performance target of 100 percent of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

The OPI continues to employ the Early Assistance Program to resolve controversies as quickly as possible with satisfaction from both schools and parents. Moreover, the OPI continues its use of part-

time employees to provide technical assistance and act as IEP facilitators. The OPI also maintains communication with Parents, Let's Unite for Kids (PLUK) staff and the Protection and Advocacy staff. These improvement activities were effective in the past and continue to be.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]***:**

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

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

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

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of due process hearings will be fully adjudicated within the 45-day timeline or properly extended timeline.

Actual Target Data for FFY 2006 (2006-2007 School Year)

The OPI received four hearing requests, none of which went to a hearing. One request was resolved through a resolution session, three were resolved without a hearing.

Table 17.1 below presents the target data for due process hearings fully adjudicated within the 45-day timeline or properly extended timeline for FFY 2006 (2006-2007 School Year). The data is taken from Section C of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act* that is attached to this document (see Appendix).

Table 17.1 Percent of Hearing Request Decisions Within Timeline for FFY 2006

Table 7, Section C	Hearing Requests	Number
(3.2)	Hearings (fully adjudicated)	0
(a)	Decisions within timeline	0
(b)	Decisions within extended timeline	0
% = (a+b) / (3.2)	**Percent of Hearing Request Decisions Within Timeline**	**0.0%**

For FFY 2006 (2005-2006 School Year), there were no Due Process Hearings that were fully adjudicated. Therefore, Montana has **met** its performance target of 100 percent of due process hearings will be fully adjudicated within the 45-day timeline or properly extended timeline.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

Montana continues to maintain an extremely low rate of due process hearing requests. School districts and parents are quick to seek less formal procedures to resolve disputes as amicably as

possible. The OPI provides timely and effective technical assistance to schools, families and advocates.

Hearing officers were provided training and invited to continue participation in a due process hearing officers' workgroup sponsored by the Mountain Plains Regional Resource Center (MPRRC).

Staff from the advocacy providers and the Legal Division at the OPI have worked toward early resolution when due process concerns are raised.

When a due process hearing is scheduled, Legal Division staff ensure that timelines are met.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

Since the improvement strategies continue to show success in resolving due process concerns, no revisions are required.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

FFY	Measurable and Rigorous Target
(Insert FFY)	OSEP guidance indicate that baseline or targets are not to be established if the number of resolution sessions is less than 10.

Actual Target Data for FFY 2006 (2006-2007 School Year)

One resolution session was held which resulted in a written agreement.

Table 18.1 below presents data for hearings requests that were resolved through resolution session settlement agreements for FFY 2006 (2006-2007 School Year). The data is taken from Section C of *Table 7- Report of Dispute Resolution Under Part B, of the Individuals with Disabilities Education Act* that is attached to this document (see Appendix).

Table 18.1 Percent of Hearing Requests with Settlement Agreements for FFY 2006

Table 7, Section C	Resolution Sessions	Number
(3.1)	Resolution sessions	1
(a)	Settlement Agreements	1
% = (a) / (3.1)	**Percent of Hearing Requests with Settlement Agreements**	**100.0%**

For FFY 2006, the OPI had one hearing request that went to resolution session and, subsequently, resolved through a settlement agreement. Guidance from OSEP indicates that states are not required to establish baseline or targets until the reporting period in which the number of resolution sessions reaches 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 school year)

The OPI continues to have a low number of hearing requests. The OPI has made technical assistance available to schools by request.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 school year) *[If applicable]*

No revisions were made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

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

Measurement:
Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
(Insert FFY)	OSEP guidance indicate that baseline or targets are not to be established if the number of mediation is less than 10.

Actual Target Data for FFY 2006 (2006-2007 School Year)

The OPI conducted three mediations which resulted in two written agreements.

Table 19.1 below presents the data on mediations held that resulted in mediation agreements for FFY 2006 (2006-2007 School Year). The data is taken from Section B of *Table 7- Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act* that is attached to this document (see Appendix).

Table 19.1 Percent of Mediations Resulting in Agreements for FFY 2006

Table 7, Section B	Mediation Requests	Number
(2.1)	Mediations	3
(a)(i)	Mediation, related to Due Process, agreements	2
(b)(i)	Mediation, not related to Due Process, agreements	0
% = [(a)(i) + (b)(i)] / (2.1)	**Percent of Mediations Resulting in Agreements**	**66.7%**

For FFY 2006, the OPI had a total of three mediation requests, all of which were related to due process. Two of the three mediation requests resulted in agreements. Guidance from OSEP indicate that states are not required to establish baseline or targets until the reporting period in which the number of mediations reach 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

The OPI continues to have a small number of mediation requests. A large percentage of disputes in Montana are resolved prior to the need for formal processes. Both schools and parents are willing to meet to resolve concerns as quickly as possible to avoid costly and time consuming legal entanglements. The OPI provides information to interested parties regarding the value and benefits of mediation.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

There were no revisions made to the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

State reported data, including 618 data and annual performance reports, are:

a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

FFY	Measurable and Rigorous Target
2006 (2006-2007)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time

Actual Target Data for FFY 2006 (2006-2007 School Year)

Montana used the Indicator 20 Self-calculating Data Scoring Rubric to evaluate our performance in providing timely and accurate data. Table 20.1 below is a summary table of the results taken from the scoring rubric. The Data Scoring Rubric is included with this document as part of the Appendix.

Table 20.1 Montana Indicator Score of Timely, Valid and Reliable Data for FFY 2006

APR Submission Score	618 Submission Score	Total Score	Indicator Score
63	54	117	**98.3%**

For FFY 2006, the OPI submitted 618 data on or before the due dates for child count, exiting, and personnel (i.e., February 1, 2007, for child count, including race and ethnicity and educational placement; November 1, 2007, for exiting and personnel). In addition, two of the four discipline files were submitted on November 1, 2007, but two were not submitted until November 6, 2007. The LEA discipline data was submitted to the OPI on time, but due to a turnover in data personnel at the time of the reporting deadline, required additional time needed for validation and preparation of the data than first anticipated. We are confident that all 618 data submissions will be on time in FFY 2007. Further, we anticipate the timely submission of the FFY 2006 Annual Performance Report, complete

with valid and accurate data, on or before February 1, 2008. Using the Indicator 20 self-calculating Data Scoring Rubric, Montana's Indicator Score for the submission of timely and accurate data is **98.3** percent.

All special education data collections are Web-based applications that are secure and require assigned user names and passwords to access. The electronic Web-based applications increase the accuracy of the data collected by using built-in validation checks that make reporting inaccurate data more difficult to do. The electronic data validation checks control the values that can be placed in the fields in order to minimize data entry errors (e.g., birthdates are checked against reported setting of service codes and disability categories). In addition, manual checks are conducted to detect anomalies and any inconsistencies with the data prior to reporting. The manual validation checks include the use of year-to-year comparisons to detect increases or decreases in data of 10 percent or more (with a minimum N of 10). The OPI contacts LEAs with large changes or unusual findings to determine if errors in data collection or reporting occurred. All validation activities are documented, including any contact with LEAs or data changes for future reference. Further, procedures are in place within the data collection application to track LEA submission of the data to ensure that the data is complete and that all LEAs have submitted data by the collection due date.

The OPI provides a variety of ways for data providers to access guidance in reporting data. These include a comprehensive instruction manual for each application, on-line trainings either live or through the use of video-on-demand step-by-step training modules that walk the user through the application from beginning to end. In addition, a data dictionary containing written definitions of key terms is made available to all data providers. Further, OPI staff is available to provide assistance to LEAs throughout the reporting period.

In addition, Montana has provided data and narrative to demonstrate its correction of noncompliance issues of valid data for Indicator 4a and Indicator 12 identified in the FFY 2005 Annual Performance Report as required in the Office of Special Education Program's memo dated June 15, 2007, and accompanying response table. Please refer to the section for the specific Indicator within this document for further information related to the correction of noncompliance.

Assessing State Progress in Meeting the FFY 2006 Performance Target
The data presented in Table 20.2 below is used to assess the state's progress in meeting its performance target for FFY 2006 (2006-2007 school year). The performance target for this indicator is twofold: a) all reports will meet OSEP timelines **100** percent of the time, and b) reports submitted will be accurate **100** percent of the time. The Indicator 20 Self-calculating Data Scoring Rubric takes into account both timely submission and accurate data, providing a total score.

Table 20.2 Montana Performance Target Status for FFY 2006

Total Score	Indicator Score	SPP Performance Target	State Performance Status
117	98.3%	100.0%	**Did Not Meet Target**

For FFY 2006 (2006-2007 school year), the total score for submission of timely and accurate data is **98.3** percent and the established target is **100** percent. Therefore, Montana **did not meet** its performance target for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2006 (2006-2007 School Year)

1. **All special education data collections continue to be available for electronic submittal over the internet.**

   The OPI continued to collect all special education data through its electronic data collection systems. Some changes were made to the systems to ensure that the data necessary to report on SPP indicators could be collected.

2. **The OPI will implement a Web-based SIS, DW and SERIMS.**

   The OPI has implemented a student information system and continues its work with the vendor to design and implement the special education records and information management system (SERIMS) which is a part of the Achievement in Montana (AIM) collection and reporting system.

3. **Technical assistance and training will be provided to LEAs to ensure they understand how to submit their data.**

   On-time technical assistance is available to all of the LEAs to help ensure they are providing valid and reliable data. In addition, technical assistance guides, video streaming and other support materials are available on the OPI Web site for ready access.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/ Resources for FFY 2006 (2006-2007 School Year) *[If applicable]*

No revisions were made to the SPP.

APPENDIX

OVERVIEW OF MONTANA'S STATEWIDE PERFORMANCE FOR FFY 2006

Part B - State Performance Plan Indicators	State FY 2007 APR Performance	State FY 2008 APR Performance
1 - Graduation Rates	Met	Met
2 - Dropout Rates	Met	Met
3A - AYP Objectives		Met
3B - Participation Rates		Met
3C - Proficiency Rates		Met
4A - Suspension and Expulsion Rates	Met	Met
5A - Served in Reg Class > 80% of the day	Met	Met
5B - Served in Reg Class < 60% of the day	Met	Met
5C - Served in separate schools	Met	Met
6 - Preschool Settings	Met	
7 - Preschool Outcomes		
8 - Parents Report School Facilitated Involvement		Met
9 - Disproportionality - Race/Ethnicity		Met
10 - Disproportionality - Disability		Met
11 - Evaluations within 60 Days (100%)		Not Met (85.4%)
12 - Part C to Part B Transition (100%)	Met	Not Met (61.4%)
13 - Coordinated, measurable, annual Transition Goals (100%)		Not Met (63.6%)
14 - Post-school Outcomes		
15 - General Supervision (100%)	Not Met (97.1%)	Not Met (96.7%)
16 - Resolved Written Complaints within 60 Days (100%)	Met	Met
17 - Hearing Requests Adjudicated within 45 days (100%)	Met	Met
18 - Resolution Session Settlement Agreements		
19 - Mediation Agreements		
20 - Timely, Valid, and Reliable Data (100%)	Met	Not Met (98.3%)

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PROGRAMS

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: __MONTANA____

SECTION A. ENROLLMENT DATA FOR THE MATH ASSESSMENT[1]

DATE OF ENROLLMENT COUNT: ___March 1, 2007

GRADE LEVEL	STUDENTS WITH IEPs (1)	ALL STUDENTS (2)
3	1310	10436
4	1320	10361
5	1333	10627
6	1366	10772
7	1423	11139
8	1468	11304
HIGH SCHOOL (SPECIFY GRADE: ____10_____)	1318	11651

[1] At a date as close as possible to the testing date.

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OFFICE OF SPECIAL EDUCATION
AND REHABILITATIVE SERVICES
OFFICE OF SPECIAL EDUCATION
PROGRAMS

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: ____Montana_____

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK REGULAR ASSESSMENT ON GRADE LEVEL ACHIEVEMENT STANDARDS			
	TOTAL (3)	SUBSET (OF 3) WHO TOOK THE ASSESSMENT WITH ACCOMMODATIONS (3A)	LEP STUDENTS IN US < 10 MONTHS WHOSE ENGLISH PROFICIENCY TEST REPLACED REGULAR READING ASSESSMENT (3B)[1]	SUBSET (OF 3) WHOSE ASSESSMENT RESULTS WERE INVALID[2] (3C)
3	1208	730		18
4	1212	824		45
5	1248	865		26
6	1195	782		44
7	1334	911		67
8	1368	886		68
HIGH SCHOOL (SPECIFY GRADE: ___10____)	1147	588		55

[1] This column is gray because it does not apply to the math assessment. Do not enter data in this column.

[2] Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g., students do not take all portions of the assessment, students do not fill out the answer sheet correctly) **or changes in testing materials that resulted in a score that is not deemed by the State to be comparable to scores received by students who took the assessment without these changes.**

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TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana_

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK ALTERNATE ASSESSMENT				
	TOTAL (4)	SUBSET (OF 4) WHOSE ALTERNATE WAS SCORED AGAINST GRADE LEVEL STANDARDS (4A)	SUBSET (OF 4) WHOSE ALTERNATE WAS SCORED AGAINST ALTERNATE ACHIEVEMENT STANDARDS (4B)	SUBSET (OF 4B) COUNTED AT THE LOWEST ACHIEVEMENT LEVEL BECAUSE OF THE NCLB 1% CAP[1](4C)	SUBSET (OF 4) WHOSE ASSESSMENT RESULTS WERE INVALID[2](4D)
3	71	0	71	0	6
4	92	0	92	0	13
5	73	0	73	0	4
6	108	0	108	0	10
7	70	0	70	0	6
8	77	0	77	0	15
HIGH SCHOOL (SPECIFY GRADE: _____10__)	102	0	102	0	10

[1] NCLB 1% cap is the limit on the number of **scores on an alternate assessment on alternate achievement standards that can be counted as proficient** AYP calculations. If in 2006-07 your state had an approved exception to the 1% cap, as indicated in Section A, use your 2006-07 adjusted cap rather than 1% when determining the number of students that must be counted in the lowest achievement level.

[2] Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g., students do not take all portions of the assessment, students do not fill out the answer sheet correctly) **or changes in testing materials that resulted in a score that is not deemed by the State to be comparable to scores received by students who took the assessment without these changes.**

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana___

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WHO DID NOT TAKE AN ASSESSMENT IN ACCORDANCE WITH NCLB			
	STUDENTS WHO TOOK AN OUT OF LEVEL TEST (5)	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT		
		PARENTAL EXEMPTIONS (6)	ABSENT (7)	EXEMPT FOR OTHER REASONS[1](8)
3				31
4				16
5				12
6				63
7				19
8				23
HIGH SCHOOL (SPECIFY GRADE: ____10_____)				69

[1] In a separate listing, report the number of students exempted for other reasons by grade and specific reason.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana_____

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT

REGULAR ASSESSMENT ON GRADE LEVEL (9A)											
GRADE LEVEL	TEST NAME	**Novice** Achievement Level	**Nearing Proficiency** Achievement Level	**Proficient** Achievement Level	**Advanced** Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9A ROW TOTAL[1]
3	CRT	469	247	367	107						1190
4	CRT	521	243	313	90						1167
5	CRT	534	330	271	87						1222
6	CRT	571	320	197	63						1151
7	CRT	645	361	210	51						1267
8	CRT	767	349	144	40						1300
HIGH SCHOOL (SPECIFY GRADE: ___10___)	CRT	554	407	110	21						1092

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: __Proficient_____

[1] The total number of students reported by achievement level in 9A is to equal the number reported in column 3 minus the number reported in column 3C.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _Montana_

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT ON GRADE LEVEL STANDARDS (9B)											
GRADE LEVEL	TEST NAME	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9B ROW TOTAL[1]
3											
4											
5											
6											
7											
8											
HIGH SCHOOL (SPECIFY GRADE: _____)											

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: _____

[1] The total number of students reported by achievement level in 9B is to equal the number reported in column 4A minus that portion of 4D that refers to invalid results from assessments scored against grade level achievement standards.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana____

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT SCORED AGAINST ALTERNATE STANDARDS (9C)											
GRADE LEVEL	TEST NAME	**Novice** Achievement Level[1]	**Nearing Proficiency** Achievement Level	**Proficient** Achievement Level	**Advanced** Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9C ROW TOTAL[2]
3	CRT-Alt	14	10	34	7						65
4	CRT-Alt	8	8	47	16						79
5	CRT-Alt	13	11	34	11						69
6	CRT-Alt	13	21	37	27						98
7	CRT-Alt	1	12	28	23						64
8	CRT-Alt	13	10	13	26						62
HIGH SCHOOL (SPECIFY GRADE: ___10___)	CRT-Alt	7	22	27	36						92

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: __Proficient_____

[1] Include all students whose assessment counted in the lowest achievement level because of the NCLB 1% cap.

[2] The total number of students reported by achievement level in 9C is to equal the number reported in column 4B minus that portion of 4D that refers to invalid results from assessments scored against alternate achievement standards.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: ____Montana_____

SECTION C. SUMMARY OF THE PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

GRADE LEVEL	TOTAL REPORTED FOR COLUMN 9A (FROM PAGE 6)[1]	TOTAL REPORTED FOR COLUMN 9B (FROM PAGE 7)[1]	TOTAL REPORTED FOR COLUMN 9C (FROM PAGE 8)[1]	NO VALID SCORE[1,2] (10)	TOTAL[1,3] (11)
3	1190	0	65	55	1310
4	1167	0	79	74	1320
5	1222	0	69	42	1333
6	1151	0	98	117	1366
7	1267	0	64	92	1423
8	1300	0	62	106	1468
HIGH SCHOOL (SPECIFY GRADE: ___10___)	1092	0	92	134	1318

[1]**STATES SHOULD NOT REPORT DATA ON THIS PAGE. THESE DATA WILL BE CALCULATED FROM THE REPORTED DATA AFTER THE COUNTS ARE SUBMITTED. PLEASE REVIEW FOR ERRORS.**

[2] Column 10 is calculated by summing the numbers reported in column 3C plus column 4D plus column 5 plus column 6 plus column 7 plus column 8.

[3] Column 11 should equal the number of students with IEPs reported in column 1 of Section A. If the number of students is not the same, provide an explanation. Column 11 should always equal the sum of the number of students reported in columns 3 plus column 4 plus column 5 plus column 6 plus column 7 plus column 8.

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REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: ___Montana__

SECTION D. ENROLLMENT DATA FOR THE READING ASSESSMENT[1]

DATE OF ENROLLMENT COUNT: ___March 1, 2007_____

GRADE LEVEL	STUDENTS WITH IEPs (1)	ALL STUDENTS (2)
3	1310	10436
4	1320	10361
5	1333	10627
6	1366	10772
7	1423	11139
8	1468	11304
HIGH SCHOOL (SPECIFY GRADE: ____10_____)	1318	11651

[1]At a date as close as possible to the testing date.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: ___Montana__

SECTION E. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK REGULAR ASSESSMENT ON GRADE LEVEL ACHIEVEMENT STANDARDS			
	TOTAL (3)	SUBSET (OF 3) WHO TOOK THE ASSESSMENT WITH ACCOMMODATIONS (3A)	LEP STUDENTS IN US < 10 MONTHS WHOSE ENGLISH PROFICIENCY TEST REPLACED REGULAR READING ASSESSMENT (3B)	SUBSET (OF 3) WHOSE ASSESSMENT RESULTS WERE INVALID[2] (3C)
3	1209	702	0	59
4	1212	793	0	79
5	1249	838	0	48
6	1194	774	0	60
7	1330	900	0	68
8	1361	878	0	60
HIGH SCHOOL (SPECIFY GRADE: ___10___)	1129	629	0	59

[1] Report those LEP students who, at the time of the reading assessment, were in the United States for less than 10 months and took the English proficiency test in place of the regular reading assessment.

[2] Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g., students do not take all portions of the assessment, students do not fill out the answer sheet correctly) **or changes in testing materials that resulted in a score that is not deemed by the State to be comparable to scores received by students who took the assessment without these changes.**

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _Montana_____

SECTION E. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK ALTERNATE ASSESSMENT				
	TOTAL (4)	SUBSET (OF 4) WHOSE ALTERNATE WAS SCORED AGAINST GRADE LEVEL STANDARDS (4A)	SUBSET (OF 4) WHOSE ALTERNATE WAS SCORED AGAINST ALTERNATE ACHIEVEMENT STANDARDS (4B)	SUBSET (OF 4B) COUNTED AT THE LOWEST ACHIEVEMENT LEVEL BECAUSE OF THE NCLB 1% CAP[1](4C)	SUBSET (OF 4) WHOSE ASSESSMENT RESULTS WERE INVALID[2](4D)
3	74	0	74	0	6
4	93	0	93	0	3
5	72	0	72	0	3
6	108	0	108	0	6
7	69	0	69	0	5
8	78	0	78	0	10
HIGH SCHOOL (SPECIFY GRADE: ___10_____)	102	0	102	0	11

[1] NCLB 1% cap is the limit on the number of **scores on an alternate assessment on alternate achievement standards that can be counted as proficient** AYP calculations.

[2] Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g., students do not take all portions of the assessment, students do not fill out the answer sheet correctly) **or changes in testing materials that resulted in a score that is not deemed by the State to be comparable to scores received by students who took the assessment without these changes.**

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: __Montana_____

SECTION E. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WHO DID NOT TAKE AN ASSESSMENT IN ACCORDANCE WITH NCLB			
	STUDENTS WHO TOOK AN OUT OF LEVEL TEST (5)	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT		
		PARENTAL EXEMPTIONS (6)	ABSENT (7)	EXEMPT FOR OTHER REASONS[1](8)
3				27
4				15
5				12
6				64
7				24
8				29
HIGH SCHOOL (SPECIFY GRADE: ____10____)				87

[1] In a separate listing, report the number of students exempted for other reasons by grade and specific reason.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: ____Montana____

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT

REGULAR ASSESSMENT ON GRADE LEVEL (9A)											
GRADE LEVEL	TEST NAME	**Novice** Achievement Level	**Nearing Proficiency** Achievement Level	**Proficient** Achievement Level	**Advanced** Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9A ROW TOTAL[1]
3	CRT	172	349	443	186						1150
4	CRT	245	362	412	114						1133
5	CRT	330	361	400	110						1201
6	CRT	327	314	403	90						1134
7	CRT	309	426	454	73						1262
8	CRT	578	286	365	72						1301
HIGH SCHOOL (SPECIFY GRADE: __10___)	CRT	453	282	285	50						1070

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: ___Proficient__

[1] The total number of students reported by achievement level in 9A is to equal the number reported in column 3 minus the number reported in column 3C.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT ON GRADE LEVEL STANDARDS (9B)											
GRADE LEVEL	TEST NAME	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9B ROW TOTAL[1]
3											
4											
5											
6											
7											
8											
HIGH SCHOOL (SPECIFY GRADE: _____)											

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: _____

[1] The total number of students reported by achievement level in 9B is to equal the number reported in column 4A minus that portion of 4D that refers to invalid results from assessments scored against grade level achievement standards.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana__

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT SCORED AGAINST ALTERNATE STANDARDS (9C)											
GRADE LEVEL	TEST NAME	**Novice** Achievement Level[1]	**Nearing Proficiency** Achievement Level	**Proficient** Achievement Level	**Advanced** Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	_____ Achievement Level	9C ROW TOTAL[2]
3	CRT-Alt	1	22	28	17						68
4	CRT-Alt	6	15	36	33						90
5	CRT-Alt	4	5	33	27						69
6	CRT-Alt	5	9	42	46						102
7	CRT-Alt	0	5	20	39						64
8	CRT-Alt	6	10	23	29						68
HIGH SCHOOL (SPECIFY GRADE: __10___)	CRT-Alt	2	1	30	58						91

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: ____Proficient_____

[1] Include all students whose assessment counted in the lowest achievement level because of the NCLB 1

[2] The total number of students reported by achievement level in 9C is to equal the number reported in column 4B minus that portion of 4D that refers to invalid results from assessments scored against alternate achievement standards.

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2006-07

OMB NO.: 1820-0659

FORM EXPIRES: XX/XX/20XX

STATE: _____Montana___

SECTION F. SUMMARY OF THE PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	TOTAL REPORTED FOR COLUMN 9A (FROM PAGE 13)[1]	TOTAL REPORTED FOR COLUMN 9B (ON PAGE 14)[1]	TOTAL REPORTED FOR COLUMN 9C (ON PAGE 15)[1]	NO VALID SCORE[2] (10)	TOTAL[3] (11)
3	1150	0	68	92	1310
4	1133	0	90	97	1320
5	1201	0	69	63	1333
6	1134	0	102	130	1366
7	1262	0	64	97	1423
8	1301	0	68	99	1468
HIGH SCHOOL (SPECIFY GRADE: ___10___)	1070	0	91	157	1318

[1]**STATES SHOULD NOT REPORT DATA ON THIS PAGE. THESE DATA WILL BE CALCULATED FROM THE REPORTED DATA AFTER THE COUNTS ARE SUBMITTED. PLEASE REVIEW FOR ERRORS.**

[2] Column 10 is calculated by summing the numbers reported in column 3C plus column 4D plus column 5 plus column 6 plus column 7 plus column 8.

[3] Column 11 should equal the number of students with IEPs reported in column 1 of Section A. If the number of students is not the same, provide an explanation. Column 11 should always equal the sum of the number of students reported in columns 3 plus column 4 plus column 5 plus column 6 plus column 7 plus column 8.

Which assessment	Reasons for Exception
CRT and CRT-Alt	For the 2006 2007 school year, Montana did not have the capability of collecting reasons for exceptions for students with disabilities who did not take either the CRT or the CRT-Alt. Therefore, the number of students with disabilities who did not take the test include students who may have been absent as well as those students who had other reasons for not participating. Montana is in the process of implementing a student-level record management system and the Division of Special Education is working closely with the Contractor and other OPI personnel to ensure that, in the future, we will be able to collect and report this data as required.

STATE: MT - MONTANA

COMMENTS

Montana does not use an alternate assessment on grade level standards for either Math or Reading

INDICATOR B-15 WORKSHEET (8/2/07-self-calculating - 11/15/2007)

Indicator	General Supervision System Components	# of Programs Monitored	(a) # of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	(b) # of Findings from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	41	40
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Dispute Resolution	0	2	2
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	**Other:** Specify	0	0	0
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	2	2
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Dispute Resolution	0	0	0
	Other: Specify			

Indicator	General Supervision System Components	# of Programs Monitored	(a) # of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	(b) # of Findings from (a) for which correction was verified no later than one year from identification
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	0	0	0
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
5. Percent of children with IEPs aged 6 through 21 - educational placements.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	0	0
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	6	6
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	0	0	0

Indicator	General Supervision System Components	# of Programs Monitored	(a) # of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	(b) # of Findings from (a) for which correction was verified no later than one year from identification
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	0	0
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	75	0	0
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
The worksheet automatically sums Column a and b			51	50

Percent of noncompliance corrected within one year of identification =	98.04%

Non-Priority Areas	On-Site Monitoring	# of Programs Monitored	Findings	# Corrected in One Yr.
Extended School Year	On-site monitoring	75	1	1
Review of Existing Data	On-site monitoring	75	22	21
Eligibility Documentation	On-site monitoring	75	5	5
Supp. Aids/Services	On-site monitoring	75	2	2
Transfer of Rights	On-site monitoring	75	2	2
Accessibility of IEP	On-site monitoring	75	2	2
Records on More Than One	On-site monitoring	75	2	2
Referral Form	On-site monitoring	75	5	5
Progress Reports	On-site monitoring	75	3	3
Comprehensive Evaluation	On-site monitoring	75	21	19
Special Education Records	On-site monitoring	75	6	6
Total Number of Findings	On-site monitoring	75	71	68
Percent Corrected in 1 YR	On-site monitoring	75		95.77%

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TABLE 7

REPORT OF DISPUTE RESOLUTION UNDER PART B, OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT
2006-07

OMB NO.: 1820-NEW

FORM EXPIRES: XX/XX/XXXX

STATE: MONTANA

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	1
(1.1) Complaints with reports issued	0
(a) Reports with findings	0
(b) Reports within timeline	0
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	1
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	3
(2.1) Mediations	3
(a) Mediations related to due process	3
(i) Mediation agreements	2
(b) Mediations not related to due process	0
(i) Mediation agreements	0
(2.2) Mediations not held (including pending)	0

SECTION C: Hearing requests	
(3) Hearing requests total	4
(3.1) Resolution sessions	1
(a) Settlement agreements	1
(3.2) Hearings (fully adjudicated)	0
(a) Decisions within timeline	0
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	3

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	0
(4.1) Resolution sessions	0
(a) Settlement agreements	0

(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

Self-Calculation Data Scoring Rubric (dated 12/13/2007)
to Evaluate Timely and Accurate Data for Indicator 20

SPP/APR Data - Indicator 20				
APR Indicator	**Valid and Reliable**	**Correct Calculation**	**Followed Instructions**	**Total**
1	1		1	2
2	1		1	2
3A	1	1	1	3
3B	1	1	1	3
3C	1	1	1	3
4A	1	1	1	3
5	1	1	1	3
7	1	1	1	3
8	1	1	1	3
9	1	1	1	3
10	1	1	1	3
11	1	1	1	3
12	1	1	1	3
13	1	1	1	3
14	1	1	1	3
15	1	1	1	3
16	1	1	1	3
17	1	1	1	3
18	1	1	1	3
19	1	1	1	3
			Subtotal	58
APR Score Calculation		**Timely Submission Points** - If the FFY2006 APR was submitted on-time, place the number 5 in the cell on the right.		5
		Grand Total - (Sum of subtotal and Timely Submission Points) =		63

618 Data - Indicator 20					
Table	**Timely**	**Complete Data**	**Passed Edit Check**	**Responded to Data Note Requests**	**Total**
Table 1 - Child Count Due Date: 2/1/07	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/07	1	1	1	1	4
Table 3 - Ed. Environments Due Date: 2/1/07	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/07	1	1	1	1	4
Table 5 - Discipline Due Date: 11/1/07	0	1	1	1	3
Table 6 - State Assessment Due Date: 2/1/07	1	1	1	1	4
Table 7 - Dispute Resolution Due Date: 11/1/07	1	1	1	1	4
				Subtotal	27
618 Score Calculation			**Grand Total** (Subtotal X 2) =		54

Indicator #20 Calculation	
A. APR Grand Total	63
B. 618 Grand Total	54
C. APR Grand Total (A) + 618 Grand Total (B) =	117
Total N/A in APR	0
Total N/A in 618	0
Base	**119**
D. Subtotal (C divided by Base*) =	.983
E. Indicator Score (Subtotal D x 100) =	98.3

*Note any cell marked as N/A will decrease the denominator by 1 for APR and 2 for 618

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Montana
FFY 2005-2010
State Performance Plan

Division of Special Education

Revised January 2008

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* This denotes that this is a new performance indicator for which baseline data will need to be collected.

Acronyms

ADC	Annual Data Collection
AMO	Annual Measurable Objectives
APR	Annual Performance Report
ARM	Administrative Rule of Montana
AYP	Adequate Yearly Progress
CCD	Common Core of Data
CRT	Criterion-Referenced Test
CSPD	Comprehensive System of Personnel Development
CST	Child Study Team
EAP	Early Assistance Program
ESEA	Elementary and Secondary Education Act
FAPE	Free Appropriate Public Education
FFY	Federal Fiscal Year
GED	General Education Development Test
GSEG	General Supervision Enhancement Grant
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Plan
IHE	Institutions of Higher Education
IHO	Independent Hearing Officer
LEA	Local Education Agency
LRE	Least Restrictive Environment
MAIDPG	Montana American Indian Dropout Prevention Grant
MBI	Montana Behavioral Initiative
MCA	Montana Code Annotated
MPRRC	Mountain Plains Regional Resource Center
NCCRESt	National Center for Culturally Responsive Educational Systems
NCES	National Center for Education Statistics
NCLB	No Child Left Behind
NCSEAM	National Center Special Education Accountability Monitoring
NECTAC	National Early Childhood Technical Assistance Center
NGA	National Governors' Association
OPI	Office of Public Instruction
OSEP	Office of Special Education Programs
PLUK	Parents, Let's Unite for Kids
PTI	Parent Training Information
RFP	Request for Proposals
SERIMS	Special Education Records and Information Management System
SIS	Student Information System
SPP	State Performance Plan
SWD	Students with Disabilities
TA	Technical Assistance
USC	United States Code

Montana
State Special Education Advisory Panel

On November 17 and 18, 2005, the Special Education Advisory Panel met to provide public input to the Montana Office of Public Instruction on its State Performance Plan. The meeting of the Panel was facilitated by John Copenhaver of the Mountain Plains Regional Resource Center and Robert Runkel, State Director of Special Education. Each of the performance indicators was reviewed. This review included a review and discussion of baseline data, improvement activities, timelines and resources and the development of rigorous performance targets. The Panel took action on each of the performance indicators and its corresponding targets. Each of the targets contained in the State Performance Plan have been unanimously approved by the Panel.

We the undersigned members of the State Special Education Advisory Panel agree and endorse the Montana State Performance Plan for 2005-2010.

WyAnne L Northrop Chairperson	WyAnn Northrop
Coral Beck	Coral Beck
Janet S. Jansen	Janet S. Jansen
	Dave Mahon
Barbara A Rolf	Barbara Rolf
Ron Fuller	Ron Fuller
Amy Renee McCord	Amy Renee McCord
Robert J Peake	Robert Peake
	Diana Colgrove
Cody Sinnott	Cody Sinnott
Dick Slonaker	Dick Slonaker

Date 11/18/2005

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

Introduction

The Part B State Performance Plan of the Individuals with Disabilities Education Act (IDEA) describes how Montana will work to continually improve the implementation of special education and related services to children with disabilities. Each state must have in place a performance plan that evaluates the state's efforts to implement the requirements and purposes of Part B and describe how the state will improve such implementation. This plan is called the Part B State Performance Plan (SPP). The SPP is submitted for approval to the United States Secretary of Education consistent with requirements in 20 U.S.C. 1416 (b).

The SPP is the foundation of the state's special education accountability system. Performance indicators established by the United States Secretary of Education quantify and prioritize outcome indicators for special education. Each of the 20 indicators has established performance targets for each of the next six years. In accordance with 20 U.S.C. 1416(b)(C)(ii) the state shall report annually to the public on the performance of each local educational agency located in the state on the targets in the state's performance plan. The state shall report annually to the United States Secretary of Education on the performance of the state under the state's performance plan.

Overview of the State Performance Plan Development

The Office of Public Instruction (OPI) began its work on the development of the State Performance Plan in September 2005 by collecting the required data for each of the performance indicators and establishing a timeline for data analysis, plan development and the involvement of its stakeholders.

In preparing its Performance Plan, the Office of Public Instruction conducted a self-assessment which incorporated an analysis of the state's performance on each of the 20 performance indicators. In those cases in which an indicator was identified as a new indicator by the Office of Special Education Programs (OSEP), the OPI held discussions, reviewed information provided from technical assistance centers, and participated in teleconference calls with the Mountain Plains Regional Resource Center (MPRRC) and the OSEP to plan strategies and procedures for future data collection and analysis. Baseline data and targets for the new indicators (indicated by a *) will be reported as a part of the state's Annual Performance Report (APR) in February 2007.

Data from school year 2004-2005 (state fiscal year 2005) was used as baseline data for each of the performance indicators with the exception of dropout and graduation. Data from the 2003-2004 school year was used for the dropout and graduation data because verification for the 2004-2005 annual data collection was not completed at the time of this plan's submission.

The Montana Office of Public Instruction's, Division of Special Education staff analyzed data collected from child count and the monitoring and complaints tracking systems and worked cross divisionally with other OPI personnel to prepare a draft of the State Performance Plan (SPP) for review and input from the State Special Education Advisory Panel and members of the state council for Montana's Comprehensive System of Personnel Development (CSPD). The State Special Education Advisory Panel and state CSPD council are composed of a broad representation of stakeholders: parents of children with disabilities, individuals with disabilities, individuals representing regular and special education teachers and related services personnel, institutions of higher education, school administrators, agencies and businesses serving individuals with disabilities and juvenile corrections. In November 2005, John Copenhaver, Director of the Mountain Plains Regional Resource Center (MPRRC), facilitated a meeting with the State Special Education Advisory Panel for the purposes of discussing the plan draft and to determine appropriate and

rigorous targets for each of the performance indicators. The state council for the Comprehensive System of Personnel Development (CSPD) also met in November to review the plan draft and to provide input on improvement strategies. Revisions to the SPP draft were made following receipt of input from the panel and state CSPD Council. This document reflects recommendations and revisions suggested by its stakeholders. In its November 18, 2005, meeting, the State Special Education Advisory Panel endorsed the State Performance Plan and each of its targets for the 20 performance indicators. Subsequent to the November 18, 2005, Advisory Panel meeting, the OPI consulted with OSEP on the interpretation of performance indicator #3. Performance targets for #3A were revised following the discussion with OSEP and with the support of the members of the Special Education Advisory Panel.

Measurable Performance Indicators are grouped under each of the three monitoring priority areas as follows:

I Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)
II Disproportionality
III Effective General Supervision Part B

On January 17-18, 2008, the Montana Special Education Advisory Panel met and discussed progress data and improvement activities for Perfomance Indicator #7, Preschool Outcomes, and baseline data, targets and improvement activities for Performance Indicator #14, Post-School Outcomes. The recommendations of the Panel for these indicators, as well as other recommendations they made for revisions to the State Performance Plan, have been incorporated into this January 2008 Revised State Performance Plan document. Revisions to the Plan appear in bold print.

Through stakeholder involvement, Montana has set rigorous and statistically sound standards for its targets under each performance indicator. To ensure statistically sound data, a minimum number (N) and/or confidence interval was applied where appropriate. The necessity of applying a statistical analysis and a minimum N to certain targets was due to exceptionally small sample sizes. A minimum number large enough to provide both valid and reliable target determinations was set for certain target indicators. The use of the confidence intervals is intended to improve the validity and reliability of target determinations by reducing the risk of falsely identifying the state as having failed to meet its target, based on measurement/sampling error. False negative target determinations can wrongly focus limited resources and undercut public support for accountability.

Montana is considered a frontier state with an exceptionally low-density population. Total public school enrollment is under 150,000 students with a special education Child Count of fewer than 20,000 students. Fifty six percent of our schools have fewer than 100 students enrolled. Eighty-four percent of Montana's districts are eligible under the Small, Rural School Achievement Program (SRSA). As a result of small sample sizes, confidence intervals with a minimum N large enough to provide both valid and reliable target determinations were set for the purpose of ensuring statistically sound determinations.

A copy of this State Performance Plan is available to the general public on the Office of Public Instruction's Web site at www.opi.mt.gov/speced. In addition, an electronic announcement was sent to LEA administrators, directors of special education and the parent information and training center, Parents, Let's Unite for Kids (PLUK), which provided basic information on the State Performance Plan, as well as a link to the document on the OPI's Web site. Hard copies of the plan were sent to directors of special education and a news release was sent to newspapers statewide, providing basic information on the plan, as well as where the general public could view the plan.

The OPI will submit an Annual Performance Report (APR) to OSEP in accord with designated timelines. The Annual Performance Report will include information on the progress the OPI is making toward its performance targets, as well as information on LEAs' performance relative to the state's performance indicators. A copy of the APR will be made available to the public on the OPI Web site.

Monitoring Priority: FAPE in the LRE

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

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

Overview of Issue/Description of System or Process

Montana's goal is for all children with disabilities to receive free appropriate public education (FAPE) in the least restrictive environment that promotes high-quality education and prepares them for employment and independent living, as evidenced by measurable, continuous progress in academic skills and continuous successful participation in school resulting in increased graduation and decreased dropout rates, inclusion in statewide assessments, and the ability to make successful school-to-adult transitions.

Montana does not implement a state test to determine a student's eligibility for graduation. Rather, Montana has established specific credit requirements in content area curriculums aligned with state curriculum standards. Furthermore, all students with disabilities who graduate from high school must be awarded a diploma. The Board of Public Education's Standards for Accreditation, Administrative Rule of Montana (ARM)10.55.805 (4) states:

> A student who has successfully completed the goals identified on an individualized education program for high school completion shall be awarded a diploma.

In accord with Montana's Consolidated State Application Accountability Workbook**,** an 80 percent graduation rate has been established as the target for all students. Recognizing the gap in graduation and student dropout rates for students with disabilities and in an effort to achieve this standard for students with disabilities, Montana provides extensive training for school personnel through its Comprehensive System of Personnel Development (CSPD). In addition, the OPI contracts with individuals who serve as transition coaches and provide direct technical assistance to LEAs on strategies for the development of coordinated and measurable goals and transition services to enable students with disabilities to have meaningful educational programs and to meet their post-secondary goals. The OPI works with other state agencies to help ensure the coordination of services for students with disabilities. Involvement with activities such as the National Governors' Association (NGA) Policy Academy is a tool for developing a coordinated informed state system which creates mechanisms to ensure that all high school students connect to appropriate adult services. Through collaboration with projects such as the Montana Youth Leadership Program and the Equity for Young Women with Disabilities project, students with disabilities are provided opportunities to learn leadership and self-advocacy skills which assist them as they plan their post-secondary goals.

Because the graduation rate for American Indian students is significantly lower than the graduation rate of all students, the OPI applied for and was awarded a dropout prevention grant. The Montana American Indian Dropout Prevention Grant (MAIDPG), funded through the U.S. Department of Education, assists

American Indian students in graduating from high school by implementing a research-based design at the state level and in six demonstration schools. The following schools are participating: Box Elder, Browning, Heart Butte, Lame Deer, Poplar and Rocky Boy. The goal of the MAIDPG is to graduate American Indian students at the same rate as their non-Indian peers and to reduce the dropout rate to parity with all other Montana students. It is still too early to determine the impact of this grant on reducing dropout rates in the participating schools.

Under Montana's Five-Year Comprehensive Educational Planning process, all LEAs are required to include dropout and graduation data for the general education student population and for the students with disabilities populations as part of the self-assessment process. In addition, high schools in Montana use graduation rate data as a secondary indicator for determining Adequate Yearly Progress (AYP) under the No Child Left Behind (NCLB) Act requirements. The OPI's special education Focused Intervention process also uses dropout and graduation data as key indicators of LEA performance under the IDEA. The LEAs are selected for intervention based in part on graduation and dropout data. All of these requirements have led LEAs to examine more closely the issues surrounding dropout prevention at the district level.

The OPI provides training and assistance to LEAs to support their efforts to increase graduation rates and decrease student dropout rates. The IDEA Part B set-aside funds, Personnel Preparation Grant funds, and other funding sources, such as Title I and the GEAR UP Grant, support activities to assist schools with their efforts in these areas. The Montana Behavioral Initiative (MBI) has been instrumental in assisting schools in improving student climate. The MBI is a comprehensive staff development venture created to improve the capacities of schools and communities to meet the diverse and increasingly complex social, emotional and behavioral needs of students. The initiative assists educators and community services personnel to develop the attitudes, skills and systems necessary to help each student leave public education with the social competence needed to succeed in society and the work place. The MBI provides training to school personnel on how to identify priority concerns, particularly those involving school violence, and to teach, encourage and recognize those behaviors which constitute acceptable alternatives.

Transition coaches funded with Part B set-aside funds provide direct technical assistance to school personnel on the development of coordinated transition plans for students with disabilities as a means of preparing them for an effective transition into post-school activities. The *We Teach All* project, which provides training on differentiated instruction, provides ongoing training and support to LEAs, LEA teams, and individual staff members on strategies to improve student outcomes. The intent of these projects is to provide a safe welcoming environment for the student that includes supports, appropriate instructional methodologies for all students, and coordinated transition plans for students with disabilities that engage them and increase the likelihood that they will graduate. Programs at the elementary and middle school/junior high school levels that target student achievement (Reading First/Early Reading, etc.) will provide a positive impact and lead to a decrease in dropout rates and an increase in graduation rates over time.

As a part of its general supervision activities, the OPI conducts student record reviews to ensure LEAs, as a part of their IEP procedures, develop coordinated transition plans for age-appropriate students. In addition, the OPI provides funding to the parent information and training center, Parents, Let's Unite for Kids (PLUK), to support parent information and training on issues such as transition planning, parental rights, behavioral supports and IEP development.

Measurement:

Data Sources: Annual Data Collection (ADC)
Special Education Exiting Data/618

Following is a detailed explanation of how graduation measures were calculated.

Currently, Montana conducts two separate graduate data collections. One of the collections is specifically for students with disabilities and the other is a non-disaggregated count of all students (General Education). The following describes both data collection processes, definitions applied to determine graduates, and formulas for calculating completion and graduation rates.

Data Collection Process for General Education Graduates

On October 1 each year, schools report graduate data for all high schools by gender and race/ethnicity categories for the previous school year. This count of graduates includes students with disabilities and can not be disaggregated. For the purpose of this data collection process, graduates are defined as follows:

Graduates are a count of individuals who:

1. completed the high school graduation requirements of a school district, including early graduates, during the previous school year, ***or***
2. completed the high school graduation requirements of a school district at the end of summer prior to the current school year.

General Education Development Test (GED) recipients **are not** counted as graduates.

Data Collection Process for Special Education Graduates

On June 30 each year, schools report graduate data for students with disabilities, ages 14-21, as part of a larger data collection process. The Special Education Exiting data collection is for students with disabilities *exiting special education during the previous 12-month period*. For purposes of this data collection process, graduates are defined as follows:

Graduates are the count of students with disabilities who:

have exited the educational program through receipt of a high school diploma identical to that for which students without disabilities are eligible. These students met the same standards for graduation as those for students without disabilities or met the standards for graduation as determined by their IEP team.

General Education Development Test (GED) recipients **are not** counted as graduates.

Completion Rate Calculation used for General Education

Montana has adopted the National Center for Education Statistics (NCES) cohort method as a practical way to calculate a completion rate for general education students. The estimated cohort method utilizes both dropout and graduate data and can be calculated for all accredited schools using data from four consecutive years. This method is the adopted method that Montana uses for assessing graduation rates in the AYP determinations for the No Child Left Behind Act (NCLB).

Completion Rate = $g_t/(g_t + d^{12}t + d^{11}_{(t-1)} + d^{10}_{(t-2)} + d^{9}_{(t-3)}) \times 100$

Where:

g = number of graduates receiving a standard high school diploma

t = year of graduation

d = dropouts
12, 11, 10, 9 = grade level

Example: The 2002-2003 Completion Rate for Montana High Schools = 10,657 Graduates for Class of 2003 divided by (10,657 Graduates for the Class of 2003 and 1,920 students dropped out over four years for a total of 12,577) multiplied by 100 = 79.6%.

Completion Rate Calculation used for Special Education

The *leaver graduation rate*[1] is an estimation of the status graduation rate that utilizes a cohort method to measure the proportion of students who, at some point in time, completed high school. This is similar to the graduation rate being proposed by NCES using the Common Core Data and what is being used to calculate the completion rates for general education.

The *leaver graduation rate* is calculated by dividing the number of graduates, ages 14-21+, in year A by the sum of the total school leavers (diploma + certificate + dropouts + reached maximum age). The formula looks like this:

Leaver Graduation Rate =

$$G_{YA:14\text{-}21+}/(G_{YA:14\text{-}21+} + C_{YA:18+} + C_{YA\text{-}1:17} + C_{YA\text{-}2:16} + C_{YA\text{-}3:15} + C_{YA\text{-}4:14} + DO_{YA:18+} + DO_{YA\text{-}1:17} + DO_{YA\text{-}2:16} + DO_{YA\text{-}3:15} + DO_{YA\text{-}4:14} + MA_{YA:18+} + MA_{YA\text{-}1:17} + MA_{YA\text{-}2:16} + MA_{YA\text{-}3:15} + MA_{YA\text{-}4:14}) \text{ X } 100$$

Where:

G = Graduated with regular diploma
C = Certificate recipients
DO = Dropouts
MA = Students who reached the maximum age without receiving a diploma or certificate
Y_A = Year A
$Y_{A\text{-}1}$ = Year A-1
$Y_{A\text{-}2}$ = Year A-2
$Y_{A\text{-}3}$ = Year A-3
$Y_{A\text{-}4}$ = Year A-4

Example: The 2002-2003 Completion Rate for students with disabilities = 759 students with disabilities graduating for Class of 2003 divided by (759 Graduates for the Class of 2003 + 307 students with disabilities exiting school over four years for a total of 1,066) multiplied by 100 = 71.2%.

[1] Westat. 1999. *Calculating Graduation and Dropout Rates: A Technical Assistance Guide.* December 1999. Contract #HS97020001.

Baseline Data for FFY 2004 (2004-2005 School Year)

Table 1.1 below presents baseline data for FFY 2004 (2004-2005 school year). The data provides a comparison between the graduation rates of students with disabilities, ages 14-21, and graduation rates for general education, grades K-12.

Table 1. 1 Montana Graduation Rates for School Year 2004-2005

School Year	Graduate Count for General Education[1]	Completion Rates for General Education	Graduate Count for Special Education[2]	Completion Rates for Special Education
2004-2005	10335	**85.9%**	944	**74.0%**

[1]General education graduate counts are reported on October 1st annually through the OPI Annual Data Collection. This count includes students with disabilities and can not be disaggregated.

[2]Special education graduate counts are reported on June 30th annually as part of the end of year special education data collection.

TREND DATA

Table 1. 2 Montana Graduation Rate Comparison by School Year

School Year	Graduate Count for General Education[1]	Completion Rates for General Education	Graduate Cnt for Special Education[2]	Completion Rates for Special Education
2001-2002	10554	**84.1%**	765	**73.5%**
2002-2003	10657	**84.7%**	769	**71.5%**
2003-2004	10500	**84.2%**	811	**69.9%**
2004-2005	10335	**85.9%**	944	**74.0%**

[1]General education graduate counts are reported on October 1st annually through the OPI Annual Data Collection. This count includes students with disabilities and can not be disaggregated.

[2]Special education graduate counts are reported on June 30th annually as part of the end of year special education data collection.

Discussion of Baseline Data

At this time, Montana does not have an electronic state student information system (SIS) which collects student demographic data in such a manner to ensure the data collection process is valid and reliable. However, the OPI has announced an RFP for a student information system, data warehouse and special education records and information management system (SERIMS). It is anticipated that this system will be fully operational in the 2008-2009 school year. When in place, the system will allow the OPI to collect student-level data, thereby increasing the reliability, consistency, and validity of longitudinal analysis. When the system is fully operational, the OPI will review performance data with the Special Education Advisory Panel to determine if there is need to re-establish a baseline for graduation and dropout rates and revise targets for the graduation and dropout performance indicators, if appropriate.

Based on the best data that is currently available, initial comparisons of the graduation rates of students with disabilities to the graduation rate of the general education count indicate that there is a 11.9 percent gap between the graduation rates of the general student population and the population of students with disabilities. The graduation rate for students with disabilities is 74.0 percent (see Table 1.1 above), while the graduation rate for the general student population is 85.9 percent. Analysis of trend data (see Table 1.2 above) also indicates that the graduation rates for students with disabilities are consistently lower than the rates for the general education count. Further, there is an indication that the graduation rates for both the general education count and students with disabilities have increased for FFY 2004. The greatest increase in graduation rates has occurred for students with disabilities. From 2001-2002 through 2003-2004 there was an average annual decline in graduation rate for students with disabilities of approximately 1.7 percent while the 2004-2005 data indicates an increase of 4.2 percent from the previous year. Because student-level data is not available at this time, it's not possible to conduct an in-depth analysis to determine what factors may have led to the significant change in the data. It was noted that the total number of special education students who graduated in 2004-2005 was an increase of 16.4 percent from the previous year. It is unknown whether the current increase is a reflection of a real trend or a result of a single-year anomaly**.**

Measurable and rigorous targets were developed based on the analysis of the trend data. The best available trend data indicates a steady decline of approximately 1.7 percent per year in the graduation rate of students with disabilities with a significant spike at the end of the fourth year. Although the FFY 2004 data suggest an increase in the graduation rate of students with disabilities, the trend-line data suggests that 2004-2005 data is more likely to be an anomaly and Montana will face a significant challenge in turning the trend around and showing continuous improvement. Therefore, stakeholders have indicated that it is reasonable to expect that, for the near term, a downward trend should be expected and caution be used when using 2004-2005 data as baseline because this is very likely a one-year spike and, therefore, an anomaly. This is not unlikely in a state with a small student population. As intervention strategies are applied, the expectation is that in the third year the decline should be halted and in subsequent years the rate of graduation should begin to show a gradual increase such that by the 2010 school year, the rate of graduation should exceed the graduation rate for the 2004-2005 school year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, the graduation rate for students with disabilities will decrease to 69.9% within a 95% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, the graduation rate for students with disabilities will be maintained at 69.9% within a 95% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, the graduation rate for students with disabilities will increase to 70.% with a 95% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, the graduation rate for students with disabilities will increase to 71.5% within a 95% confidence interval.
2009 (2009-2010)	Given a minimum N of 10, the graduation rate for students with disabilities will increase to 73% within a 95% confidence interval.
2010 (2010-2011)	Given a minimum N of 10, the graduation rate for students with disabilities will increase to 74.5% within a 95% confidence interval.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Implement a student information system (SIS) and special education records and information management system (SERIMS)	2008-2009	OPI Staff /Contractors
Provide a conference focusing on Gifted and Talented Native Americans	Spring 2006-Completed	AGATE
Maintain/implement activities described in the American Indian Dropout Prevention grant	**Completed 06-07**	OPI Staff School/Family Tribal Community Collaborations Montana Wyoming Indian Education Association Interagency Coordinating Council for Prevention Programs
Continue to support the Montana Behavioral Initiative Project (MBI)	Ongoing	CSPD Regions OPI School Foods OPI Staff Board of Crime Control University of Montana./DERS Department of Emergency Services

Provide **professional development opportunities to enhance LEAs' knowledge and implementation of effective strategies to improve graduation rates.** Work with the parent training/information center, PLUK, to identify ways to encourage more parent involvement in the education of their children	Ongoing Ongoing	National Dropout Prevention Center OPI Staff MPRRC National Technical Assistance Centers **SPDG** **CSPD** PLUK Region V CSPD OPI Staff
Continue to **provide professional development, technical assistance and support to LEAs in the development of transition services as a part of students' IEP.**	Ongoing	OPI Staff Contracted personnel **MPRRC** **CSPD** **NSTTAC**

Monitoring Priority: FAPE in the LRE

<u>Indicator 2</u>: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the state dropping out of high school.

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

Overview

The OPI's special education Focused Intervention process uses dropout data as one of its key indicators of LEA performance under the IDEA. The LEAs are selected for intervention based in part on dropout data. Consequently, LEAs have begun to examine more closely the issues surrounding dropout prevention at the district level. The OPI has continued to provide technical assistance and ongoing assistance to districts through its CSPD and through other resources such as Title I and GEAR UP. Programs such as the Montana Behavioral Initiative (MBI), the Transition Outcomes Project, and *We Teach All* provide ongoing training and support to LEAs, district teams, and individual staff members on strategies to improve student outcomes. The intent of the programs is to provide a safe welcoming environment for the student that includes supports, appropriate instructional methodologies for all students, and coordinated transition plans for students with disabilities that engage students and increase the likelihood that they will graduate. Programs at the elementary and middle school/junior high school levels that target student achievement (Reading First/Early Reading, etc.) should continue to lower dropout rates and increase graduation rates for all students as those participating in these programs progress through high school.

In 1999, the Montana Legislature passed into law MCA 20-1-501, "Indian Education for All." One of the intended outcomes of this legislation is to improve the education experience of Indian students in Montana. The OPI is working with LEAs across the state to not only improve the achievement of Indian students but also to decrease their dropout rates.

As a part of the OPI's compliance monitoring procedures, it conducts student record reviews to ensure students have, as appropriate, coordinated transition activities incorporated into their IEPs. The IEP reviews also include a review of records for students who have been suspended or expelled. Such reviews help to ensure that districts are implementing positive behavior supports, as well as appropriate procedures to assist students to remain in school.

Projects identified in the overview under performance indicator #1, such as the Montana Behavior Initiative, *We Teach All*, Transition Coaches, Early Reading/Reading First and Early Intervening Services, are all intended to provide the instructional supports to assist students in successfully completing high school and reducing the dropout rate.

Measurement:

Data Sources: Annual Data Collection

Special Education Exiting Data/618

Following is a description of the data collection and calculation of students with IEPs who have dropped out of school in comparison to data for students without disabilities.

Overview of Issue/Description of System or Process

Currently, Montana conducts two separate dropout data collections. One collection is for students with disabilities and the other data collection is for all students (general education) and includes students with disabilities. The following describes both data collection processes, definitions applied to determine dropouts, and formulas for calculating dropout rates.

Dropout Data Collection Process and Definitions for General Education

Montana school districts report an aggregated count of dropouts on October 1 each year. This count is part of the National Center for Education Statistics (NCES) Common Core of Data (CCD) reporting. The count includes students with disabilities. The count cannot be disaggregated. Therefore, the general education dropout rate is considered a dropout rate for all youth within the district that have dropped out of school. It is an event rate, a snapshot of the student body at the start of each school year to count dropouts for the previous school year. A student present in the school system on October 1 is not a dropout even if he or she was absent from school much of the previous school year.

For purposes of reporting dropouts for this data collection, the NCES data collection data definitions are used. This data definition defines a general education dropout as a student who:

- Was enrolled in school on the date of the previous year October enrollment count or at sometime during the previous school year and was not enrolled on the date of the current school year October count; or
- Was not enrolled at the beginning of the previous school year, but was expected to enroll and did not re-enroll during the year ("no show") and was not enrolled on the date of the current school year October count; and
- Has not graduated from high school or completed a state- or district-approved high school educational program; and
- Has not transferred to another school, been temporarily absent due to a school-recognized illness or suspension, or died.

Two exiting categories included in the dropout definition for the NCES CCD data collection are: moved, not known to be continuing and reached maximum age. For purposes of the IDEA data collection, these two categories are not counted as dropped out.

General Education Formula

Dropout Rates are calculated by dividing the number of dropouts as defined above, grades 7-12, by the number of students, grades 7-12, reported on the October enrollment data collection.

Number of dropouts, grades 7-12 / Number of students enrolled, grades 7-12

Dropout Data Collection Process and Definitions for Special Education

Montana's collection of special education dropout data is a **separate** data collection from the NCES CCD data collection for school population dropouts. The special education dropout collection is part of a larger collection of exiting data as required by the U.S. Department of Education, Office of Special Education Programs. The reporting period for special education dropout data is July 1 through June 30 of the reporting year. This is a status count in which the student's status at the end of the reporting year is used to

determine whether that student is a dropout. For purposes of reporting special education dropouts for this collection, the following definition is used:

For the Exiting data collection, a dropout is a student with disabilities who:

- Was enrolled at some point in the reporting year and was not enrolled at the end of the reporting year; and
- Did not exit through any other basis described (*no longer receiving special education, graduated with diploma, reached maximum age, died, moved, known to be continuing).*

This count includes runaways, GED recipients, expulsions status unknown, moved not known to be continuing, and other exiters. It is important to note that in Montana, students must be out of school (not enrolled) for at least 90 days before they take the GED test and, therefore, are reported as dropouts. It is likely that a large percentage of GED students are students with disabilities. If GED students were considered enrolled in school, as is the case in some other states, the percentage of students with disabilities reported as dropouts in Montana would probably be less.

Special Education Formula

Dropout Rates are calculated by dividing the number of special education dropouts as defined above, ages 14-21, by the number of students with disabilities, ages 14-21, reported on the December 1 child count.

Number of special education dropouts, ages 14-21 / Number of students with disabilities reported on Child Count, ages 14-21

Baseline Data for FFY 2004 (2004-2005 School Year)

Table 2.1 below presents baseline data for FFY 2004 (2004-2005 School Year). The data provide a comparison between the dropout rates of student with disabilities, ages 14-21 and general education, grades K-12.

Table 2. 1 Montana Dropout Rates for School Year 2004-2005

School Year	General Education Dropout Count, Grades 7-12[1]	General Education Enrollment, Grades 7-12[2]	General Education Dropout Rate[3]	Special Education Dropout Count, Ages 14-21[4]	Special Education Child Count, Ages 14-21[5]	Special Education Dropout Rate[6]
2004-2005	1665	72249	**2.3%**	455	6484	**7.0%**

[1]General Education Dropout Count, grades 7-12, includes student with disabilities and can not be disaggregated. The count is taken on October 1st annually as part of OPI's Annual Data Collection.

[2]General Education Enrollment includes all students enrolled, grades 7-12. This includes students with disabilities and can not be disaggregated. Enrollment is reported on October 1st each year.

[3]General Education dropout rate formula: Total number of general education dropouts divided by the number of students enrolled in grades 7-12.

[4]Special Education Dropout Count, ages 14-21, are reported on June 30th annually as part of OPI's Special Education Exiting Data Collection.

[5]Special Education Child Count includes students with disabilities, ages 14-21, as reported on the December 1st child count.

[6]Special Education dropout rate formula: Total number of special education dropouts divided by the number of students reported on the December 1st child count, ages 14-21.

Table 2. 2 Summary of School District Dropout Rate Review

School Year	School Districts Responsible[1]	School Districts Meet Target or Making Progress[2]	Percent of School Districts Meeting Target or Making Progress
2001-2002	72	67	93.1%
2002-2003	71	66	93.0%
2003-2004	75	74	98.7%
2004-2005	82	73	89.0%

[1]School districts serving students with disabilities who reported special education dropouts, ages 14-21.

[2]Count of school districts reporting special education dropouts, ages 14-21, who have met the target of no statistically significant difference in dropout rates as compared to general education dropout rates at the .05 significance level or are making progress in decreasing their special education dropout rates.

TREND DATA

Table 2. 3 Montana Dropout Rate Comparison by School Year

School Year	General Education Dropout Count, Grades 7-12[1]	General Education Enrollment, Grades 7-12[2]	General Education Dropout Rate[3]	Special Education Dropout Count, Ages 14-21[4]	Special Education Child Count, Ages 14-21[5]	Special Education Dropout Rate[6]
2001-2002	2022	73797	**2.7%**	321	6159	**5.2%**
2002-2003	1872	73536	**2.5%**	325	6294	**5.2%**
2003-2004	1737	72736	**2.4%**	332	6341	**5.2%**
2004-2005	1665	72249	**2.3%**	455	6484	**7.0%**

[1]General Education Dropout Count, grades 7-12, includes student with disabilities and can not be disaggregated. The count is taken on October 1st annually as part of OPI's Annual Data Collection.

[2]General Education Enrollment includes all students enrolled, grades 7-12. This includes students with disabilities and can not be disaggregated. Enrollment is reported on October 1st each year.

[3]General Education dropout rate formula: Total number of general education dropouts divided by the number of students enrolled in grades 7-12.

[4]Special Education Dropout Count, ages 14-21, are reported on June 30th annually as part of OPI's Special Education Exiting Data Collection.

[5]Special Education Child Count includes students with disabilities, ages 14-21, as reported on the December 1st child count.

[6]Special Education dropout rate formula: Total number of special education dropouts divided by the number of students reported on the December 1st child count, ages 14-21.

Discussion of Baseline Data

Data Limitations:

At this time, Montana does not have a state student information system (SIS) which collects student demographic data in such a manner to ensure the data collection process is valid and reliable. The OPI has announced an RFP for a student information system, data warehouse and special education records information management system. It is anticipated that this system will be fully operational in the 2008-2009 school year. When in place, the system will allow the OPI to collect student-level data, thereby increasing the reliability, consistency, and validity of longitudinal analysis. When the system is fully operational, the OPI will review performance data with the Special Education Advisory Panel to determine the need to re-establish a baseline for graduation and dropout rates and revise targets for the graduation and dropout performance indicators as appropriate.

When analyzing the data, caution must be used when trying to make any comparisons between the general education data and the special education data, as dropout rates are derived from two different data sets using different collection procedures and collected at two different times of the year. Further, because the number of students with disabilities enrolled at the state level is relatively low, small annual changes in the data can cause wide variations in the dropout rates. This variation may suggest a discrepancy where, in fact, the numbers are too small to be statistically significant.

Data indicates that the dropout rate of students with disabilities (7.0%**)** is higher than the dropout rate for the general student population (2.3%). Trend-line data suggests the special education dropout rate was relatively stable for a three-year period then had a significant spike in 2004-2005. It is strongly felt that the spike shown in 2004-2005 is an anomaly. Extensive analysis was conducted to determine what could be the cause. It was noted that there was a 14 percent increase in the overall exiting count between 2003-2004 and 2004-2005. In a state such as Montana, with a relatively small population of students with disabilities, there is a high probability of significant variations in the data from year to year.

While the Office of Public Instruction has targeted substantial special education and general education resources for reducing the dropout rate, it is not anticipated that these interventions will produce results in the near term. Conditions affecting dropout rates often begin in elementary school and include effectiveness of early reading instruction, school climate, and other factors. As a result, targets have been set expecting a special education dropout rate that remains stable, gradually turning around within three years when we expect to see a slight decrease in the dropout rate.

Because of the nature of conditions affecting dropout rates, it is anticipated that the real impact of our interventions for reducing dropouts is not likely to be seen until our current early elementary students enter our high schools. For this reason, Montana stakeholders have concluded that our targets are rigorous, even though we are not expecting substantial improvement in the near term.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 5.8 % within a 95% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, maintain the dropout rate of students with disabilities at 5.8 % within a 95% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 5.6 % within a 95% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 5.1 % within a 95% confidence interval
2009 (2009-2010)	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 5.0 % within a 95% confidence interval.
2010 (2010-2011)	Given a minimum N of 10, decrease the dropout rate of students with disabilities to 4.9 % within a 95% confidence interval.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
Fully implement a student information system and special education Records and Information Management System to ensure collection of valid and reliable data.	2008-2009 Ongoing	OPI Staff/Contractors
Maintain/implement activities described in the American Indian Dropout Prevention Grant	**Completed 06-07**	OPI Staff School/Family Tribal Community Collaborations Montana Wyoming Indian Education Association Interagency Coordinating Council for Prevention Programs
Continue to support the Montana Behavioral Initiative project	Ongoing	CSPD Regions OPI School Foods OPI Staff Board of Crime Control University of Montana/DERS Department of Emergency Services

Provide **professional development opportunities to enhance LEAs' knowledge and implementation of effective strategies to decrease student dropout.**	Ongoing	National Dropout Prevention Center National technical Assistance OPI Staff **MPRRC** **CSPD** **SPDG**
Work with the parent training/information center, PLUK, to have parents become more involved in their child's education	Ongoing	PLUK OPI Staff Region V CSPD
Continue to support Indian Education For All activities	Ongoing	OPI Staff/ Indian Education For All Staff
OPI will provide technical assistance to LEAs on child find practices to ensure that students who **are having instructional or behavioral difficulty are fully included in effective child find activities.**	2005-2006 Ongoing	OPI Staff

Monitoring Priority: FAPE in the LRE

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

A. Percent of districts meeting the state's AYP objectives for progress for disability subgroup.

B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade-level standards; alternate assessment against alternate achievement standards.

C. Proficiency rate for children with IEPs against grade-level standards and alternate achievement standards.

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

Overview

Montana has a comprehensive statewide assessment system. Specific information regarding this system can be found at the following Web site: www.opi.mt.gov/assessment/.

In accord with its compliance agreement with the U.S. Department of Education, the OPI, through contract with Measured Progress, developed a Criterion-Referenced Test (CRT) and CRT-Alternate for the subject areas of reading and math. The CRT-Alternate measures a student with disabilities' performance against alternate achievement standards. The tests were first administered in spring of 2004 to all students in grades 4, 8, and 10 and again in the spring of 2005 to students in grades 4, 8, and 10.

In accord with requirements under IDEA and state administrative rule, all students with disabilities are expected to participate in the statewide assessment. Waivers for nonparticipation are not permitted. Test administration guidance documents were developed and extensive training provided to ensure special education teachers had the understanding and knowledge to administer the CRT-Alternate. In addition, information was provided to parents and LEA staff on the requirements for participation in the statewide assessment, documenting participation on IEPs, accommodations available and the standards for determining whether a student with disabilities would participate in the CRT or the CRT-Alternate. Only those students with disabilities who met the criteria as a student with a significant cognitive disability were allowed to participate in the CRT-Alt.

The OPI continues its work toward closing the achievement gap by providing extensive training to regular and special education teachers on access to the general curriculum. This training, initially supported by the SIG grant and currently supported through state set-aside funds, is known as *We Teach All* and focuses on teacher preparation for differentiated instruction. *We Teach All* is the primary initiative through which schools are being supported to align their curricula to the state standards and use instructional strategies to address the needs of diverse learners in the general education classroom.

Montana is providing intensive training to teachers on reading instruction. The OPI Division of Special Education works closely with Reading First personnel to help ensure that both regular and special education teachers participate in such training, thus enabling them to work effectively as teams in improving reading instruction in their schools. The LEAs, through their Five-Year Comprehensive Education Plan, incorporate strategies for improving instruction and student outcomes in the reading and math content areas. They report annually on their progress and make revisions as necessary, based on an analysis of achievement

data, to ensure continuous academic growth of all students. The Division of Special Education continues to work closely with ESEA staff to review AYP of students with disabilities on statewide assessment, as well as to collaborate on planning and implementing training on research-based effective instruction strategies. We will continue to focus our efforts for improving performance of students with disabilities by continued teacher training in areas of differentiated instruction and core content areas. Training will be provided through our CSPD, as well as through collaboration with other federal and state programs personnel.

Montana has submitted a General Supervision Enhancement Grant proposal to the U.S. Department of Education for determining the feasibility of an alternate assessment based on modified achievement standards. Although Montana's system of statewide assessments was developed with careful consideration of students with disabilities, there remains a group of students with disabilities for whom the current options, the CRT with or without accommodations and the CRT–Alternate, do not provide valid results. These students need modified academic content and a different pace of instruction. They are not achieving grade level expectations, but are working toward them. Therefore, the OPI proposed in its GSEG application to engage in a one-year pilot to investigate the feasibility of developing alternate assessments based on modified achievement standards. This project would follow the U.S. Department of Education recommended test development procedures and allow Montana to engage Measured Progress, the State's assessment contractor, to develop an assessment that fits seamlessly within the current system. The pilot test, the "CRT–Modified," will be aligned with and scaled to the CRT. Outcomes of the pilot test will be used to determine if the CRT-Modified assessment program should be expanded. If so, guidance will be developed for IEP teams to determine which assessments are appropriate for students with disabilities and schools and districts will be advised as to the implications for AYP reporting purposes.

As a part of the Compliance Monitoring procedure, program specialists review student records for procedural compliance. An analysis of findings from FY '04 and FY '05 shows that no corrective actions were given because of the IEP team's failure to address student participation in state and districtwide assessments.

Measurement:

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

B. Participation rate =

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

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

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

C. Proficiency rate =

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

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

Overview of Issue/Description of System or Process

The Division of Measurement and Accountability collects and reports all assessment data and provides information to LEAs on student achievement. The AYP determinations are made based on an analysis of student assessment data and other quality indicators. Data is disaggregated to ensure appropriate subgroup reporting.

The OPI reports to the public state-level assessment results as a part of its state report card. Results are also available on the OPI Web site at http://www.opi.mt.gov. The LEAs also report their assessment results to the public as a part of their own LEA report card.

Baseline Data for FFY 2004 (2004-2005 school year)

A. AYP

Based on 2004-2005 data, 100 percent of all districts had IDEA subgroups meeting the state's AYP objectives.

Table B.1 Count and percent of students with disabilities by type of accommodations for regular assessment for school years 2004 and 2005

School Year	Grade	Subject	Alt Non Grade Lvl	Tot Enrolled IDEA Cnt	No Accoms Cnt	No Accoms Pct	Std Accoms Cnt	Std Accoms Pct	Nonstd Accoms Cnt	Nonstd Accoms Pct	Tot Tested IDEA Cnt
				a	b#	b%	c#	c%			
2004	04	Math	Reg Assmt	#N/A	289	23%	882	69%	101	8%	1272
		Reading	Reg Assmt	#N/A	289	23%	882	69%	101	8%	1272
	08	Math	Reg Assmt	#N/A	457	33%	830	60%	87	6%	1374
		Reading	Reg Assmt	#N/A	457	33%	830	60%	87	6%	1374
	10	Math	Reg Assmt	#N/A	433	39%	580	52%	99	9%	1112
		Reading	Reg Assmt	#N/A	433	39%	580	52%	99	9%	1112
2005	04	Math	Reg Assmt	1326	390	33%	754	64%	33	3%	1177
		Reading	Reg Assmt	1326	358	30%	747	64%	72	6%	1177
	08	Math	Reg Assmt	1514	614	45%	698	51%	47	4%	1359
		Reading	Reg Assmt	1514	555	41%	727	54%	77	6%	1359
	10	Math	Reg Assmt	1234	534	48%	511	46%	66	6%	1111
		Reading	Reg Assmt	1234	473	43%	555	50%	83	8%	1111
2004	All	Math	Reg Assmt	#N/A	1179	#N/A	2292	#N/A	287	#N/A	3758
	All	Reading	Reg Assmt	#N/A	1179	#N/A	2292	#N/A	287	#N/A	3758
2005	All	Math	Reg Assmt	4074	1538	38%	1963	48%	146	4%	3647
	All	Reading	Reg Assmt	4074	1386	34%	2029	50%	232	6%	3647

Data Notes: The data presented above are for school years 2004 and 2005 testing results. Enrollment numbers for students with disabilities in 2004 are not available because disaggregated enrollment for the disability group were not gathered until 2005. Counts of students tested are shown for both years, but percentages are calculated only for 2005. Count and percentage information for subsections a, b, and c, and d are shown in Table B.1 on this page; subsection e and statewide totals are shown in Table B.2. Note that Montana has no students taking the alternate against grade-level standards (subsection d).

Table B.2 Count and percent of students with disabilities by type of accommodations for non-grade-level alternate assessment for school years 2004 and 2005

School Year	Grade	Subject	Alt Non Grade Lvl	Alt Assessment Tot Tested IDEA Cnt	Alt Assessment Tot Tested IDEA Pct
				e#	e%
2004	04	Math	Alt Assmt	85	#N/A
		Reading	Alt Assmt	85	#N/A
	08	Math	Alt Assmt	83	#N/A
		Reading	Alt Assmt	83	#N/A
	10	Math	Alt Assmt	101	#N/A
		Reading	Alt Assmt	101	#N/A
2005	04	Math	Alt Assmt	117	9%
		Reading	Alt Assmt	117	9%
	08	Math	Alt Assmt	129	9%
		Reading	Alt Assmt	129	9%
	10	Math	Alt Assmt	109	9%
		Reading	Alt Assmt	109	9%
2004	All	Math	Reg Assmt	269	#N/A
	All	Reading	Reg Assmt	269	#N/A
2005	All	Math	Reg Assmt	355	9%
	All	Reading	Reg Assmt	355	9%

School Year	Grade	Subject	Overall Partcipation Percent (b+c+d+e)/a
2004	04	Math	#N/A
		Reading	#N/A
	08	Math	#N/A
		Reading	#N/A
	10	Math	#N/A
		Reading	#N/A
2005	04	Math	98%
		Reading	98%
	08	Math	98%
		Reading	98%
	10	Math	99%
		Reading	99%
2004	All	Math	#N/A
	All	Reading	#N/A
2005	All	Math	98%
	All	Reading	98%

The following table reports the number of students with disabilities who scored at or above proficient on the regular CRT or the CRT-Alt (Alt).

Table C.1 Count and percent of students with disabilities scoring at or above proficient on the regular assessment and type of accommodations for school years 2004 and 2005

School Year	Grade	Subject	Grade Lvl	Tot Enrolled IDEA Cnt	No Accoms Aap Cnt	No Accoms Aap Pct	Std Accoms Aap Cnt	Std Accoms Aap Pct	Nonstd Accoms Aap Cnt	Nonstd Accoms Aap Pct	At or Above Prof Tot Cnt	At or Above Prof Tot Pct
				a	b#	b%	c#	c%				
2004	04	Math	Reg Assmt	#N/A	93	7%	144	11%	0	0%	237	#N/A
		Reading	Reg Assmt	#N/A	138	11%	216	17%	0	0%	354	#N/A
	08	Math	Reg Assmt	#N/A	109	8%	152	11%	0	0%	261	#N/A
		Reading	Reg Assmt	#N/A	108	8%	99	7%	0	0%	207	#N/A
	10	Math	Reg Assmt	#N/A	71	6%	77	7%	0	0%	148	#N/A
		Reading	Reg Assmt	#N/A	73	7%	76	7%	0	0%	149	#N/A
2005	04	Math	Reg Assmt	1326	167	14%	173	15%	0	0%	340	26%
		Reading	Reg Assmt	1326	221	19%	228	19%	0	0%	449	34%
	08	Math	Reg Assmt	1514	197	15%	131	10%	0	0%	328	22%
		Reading	Reg Assmt	1514	140	10%	104	8%	0	0%	244	16%
	10	Math	Reg Assmt	1234	89	8%	47	4%	0	0%	136	11%
		Reading	Reg Assmt	1234	121	11%	89	8%	0	0%	210	17%
2004	All	Math	Reg Assmt	#N/A	273	#N/A	373	#N/A	0	#N/A	646	#N/A
	All	Reading	Reg Assmt	#N/A	319	#N/A	391	#N/A	0	#N/A	710	#N/A
2005	All	Math	Reg Assmt	4074	453	11%	351	9%	0	0%	804	20%
	All	Reading	Reg Assmt	4074	482	12%	421	10%	0	0%	903	22%

Table C.2 Count and percent of students with disabilities scoring at or above proficient on the non-grade-level alternate assessment and type of accommodations for school years 2004 and 2005

School Year	Grade	Subject	Alt Non Grade Lvl	Tot Enrolled IDEA Cnt	At or Above Prof Cnt	At or Above Prof Pct	Tot Tested IDEA Cnt	Tot Tested Pct
				a	e#	e%		
2004	04	Math	Alt Assmt	#N/A	54	#N/A	85	#N/A
		Reading	Alt Assmt	#N/A	60	#N/A	85	#N/A
	08	Math	Alt Assmt	#N/A	48	#N/A	83	#N/A
		Reading	Alt Assmt	#N/A	57	#N/A	83	#N/A
	10	Math	Alt Assmt	#N/A	65	#N/A	101	#N/A
		Reading	Alt Assmt	#N/A	73	#N/A	101	#N/A
2005	04	Math	Alt Assmt	1326	75	6%	117	9%
		Reading	Alt Assmt	1326	85	6%	117	9%
	08	Math	Alt Assmt	1514	71	5%	129	9%
		Reading	Alt Assmt	1514	89	6%	129	9%
	10	Math	Alt Assmt	1234	76	6%	109	9%
		Reading	Alt Assmt	1234	83	7%	109	9%
2004	All	Math	Alt Assmt	#N/A	167	#N/A	269	#N/A
	All	Reading	Alt Assmt	#N/A	190	#N/A	269	#N/A
2005	All	Math	Alt Assmt	4074	222	5.4%	355	9%
	All	Reading	Alt Assmt	4074	257	6.3%	355	9%

Table C.3 Counts and percents of students with disabilities at or above proficient for regular and alternate assessment combined for school years 2004 and 2005

School Year	Grade	Subject	At or Above Tot Tested IDEA Cnt	Overall Percent (b+c+d+e)/a
2004	04	Math	322	#N/A
		Reading	439	#N/A
	08	Math	344	#N/A
		Reading	290	#N/A
	10	Math	249	#N/A
		Reading	250	#N/A
2005	04	Math	457	34%
		Reading	566	43%
	08	Math	457	30%
		Reading	373	25%
	10	Math	245	20%
		Reading	319	26%
2004	All	Math	915	#N/A
	All	Reading	979	#N/A
2005	All	Math	1159	28%
	All	Reading	1258	31%

For example, **1159** at or above proficient in Table C.3 = **355** (Table C.2) + **804** (Table C.1)

Data Notes: The data presented above are for school years 2004 and 2005 testing results. Enrollment numbers for students with disabilities in 2004 are not available because disaggregated enrollment for the disability group were not gathered until 2005. Counts of students tested are shown for both years, but percentages are calculated only for 2005. Count and percentage information for subsections a, b, c, and d are shown in Table C.1; subsection e and statewide totals are shown in Table C.2. Note that Montana has no students taking the alternate against grade-level standards (subsection d).

Discussion of Measurable and Rigorous Targets

Target A. The measurement standard for Target A reads: "Percent = # of districts meeting the state's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the state times 100." The OSEP instructions for this measurement standard specify: "In (Target) A include only districts that have a disability subgroup that meets the state's minimum "n" size.

The state's method of calculating AYP includes the use of a minimum "N" of 40. Because Montana has an extraordinarily high proportion of small school districts, only 16 districts out of 436 districts evaluated for AYP, had an N of 40 or greater for the disability subgroup. Therefore, when using OSEP instructions for indicator A, only 3.7 percent of Montana school districts are included in the calculation.

The percent of districts meeting the state's AYP objectives is heavily impacted by the methodology used to calculate AYP, including the use of a minimum N and other methodologies. The other methodologies include a system of using multiple measures for determining AYP known as the All Schools Accountability Process (ASAP). The ASAP process involves the use of multiple weighted factors in the calculation, including factors such as the quality of Five-Year Comprehensive Plans when determining AYP.

At the time of the adoption of this target, Montana had not received final approval for the ASAP methodology for calculating AYP for 2005 (2004-2005 school year assessment data). Therefore, if an approved calculation procedure requires a revised method for AYP calculation for 2005, thereby establishing new baseline data, it will be necessary to recalibrate this target.

When using the state's ASAP for calculating AYP, all 16 schools, with an N of 40 or greater, achieved AYP for 2005. This methodology results in an extraordinarily high proportion (100%) of Montana schools achieving AYP objectives for the disability subgroup. At best, the ASAP process applied to the OSEP measurement standard provides an incomplete picture of the performance of students with disabilities.

Trend line data is not available when setting targets due to the significant changes that occurred in the methodology used for AYP calculation between 2004 and 2005 and because disaggregated enrollment numbers for the disability group were not gathered until 2005. Therefore, only AYP determinations for 2005 were used when setting targets. Targets have been set anticipating slippage because of the following factors:

- Montana uses a stair step method in setting the Annual Measurable Objective (AMO). The AMO is the percentage of students achieving proficiency which is used in calculating AYP. A significant stair step increase will occur with the 2006 AYP determination in the percentage of students that must achieve proficiency for the district to reach the AMO. This method of calculating AYP establishes a rigorous standard for improvement in the percent of students scoring proficient which is necessary for the district to achieve AYP. As a result, Target A is not static and a decrease in the percentage of schools achieving AYP is likely to occur even though the performance of students may show an incremental increase.
- Grades 3, 5, 6, and 7 will be tested for the first time during the 2005-2006 school year. This will substantially increase the number of districts that will have an N greater than 40. The larger the number of districts required to meet the target the greater the likelihood that one or more of those districts may not achieve AYP.

- Sixteen districts out of 436 districts represent an extremely small sample group that is not representative of all districts in the state. It is reasonable to expect that less than 100 percent of the districts would achieve AYP for any year. The 16 districts are likely to be a statistical anomaly.

Target C. Improving academic outcomes for students with disabilities is a high priority for Montana. This rigorous target was set recognizing that a growing proportion of Montana's students with disabilities are experiencing more significant disabilities (i.e. autism) while a smaller proportion are experiencing more mild disabilities (i.e., learning disabilities). Additionally, this target is affected, to an unknown degree, by the relative amount of movement into and out of special education. Technical report number 27 from the National Center on Educational Outcomes (NCEO) has articulated the significant impact of this movement of students. Its implications would suggest that the more frequent the movement (including the movement as a result of the successes of special education resulting in students removed from special education and returning full-time to general education) the greater the adverse impact on the academic achievement indicator, as it is currently being calculated.

Because of these concerns, it is likely that once Montana is able to track students through SERIMS, Montana will adopt a growth model similar to the model proposed in the recent announcement by Secretary Spellings offering flexibility under NCLB for use of growth models.

Revised Baseline Data for FFY 2005 (2005-2006 School Year)

For the 2005-2006 school year, Montana received approval for its revised accountability process including the calculation methodology for determining district and schools meeting AYP and the addition of grades 3, 5, 6, and 7 to its statewide assessment. These revisions included establishing new cut points for determinations of Novice, Nearing Proficient, Proficient, and Advanced. Additionally, the revisions included establishing new thresholds for the Annual Measurable Objective (AMO) used in determining AYP for schools in the calculated process and the small schools process. Due to the revisions of Montana's Accountability process, it is necessary to establish a new baseline and targets for this indicator. Revised baseline data and targets are below.

Indicator 3A – AYP

Table 3.1 below presents data on the percent of districts that have a disability subgroup that meets the minimum N of 40 and meets Montana's AYP objectives for progress for the disability subgroup for the 2005-2006 school year. **Table 3.1 was revised to indicate final AYP determinations for the 2005-2006 school year. The baseline data reported in the February 1, 2007, APR was preliminary and final AYP determinations were not available until March 2007 following the submission of the FFY 2005 APR.**

Table 3. 1 Districts Meeting AYP for Disability Subgroup for the 2005-2006 School Year - Revised

AYP Objectives	Overall (across Content Areas)	
	#	%
Districts with a disability subgroup meeting Montana's minimum N size	**57**	
Districts meeting Montana's AYP objectives for progress for students with IEPs	23	**40.4%**

Indicator 3B - Participation Rates for Students with Disabilities

For the 2005-2006 school year, tests were administered to students not only in grades 4, 8, and 10 in the content areas of reading and math, but also in grades 3, 5, 6, and 7 in the same content areas. Table 3.2 below presents the participation rates of students with IEPs in Montana's Criterion-Reference Test (CRT) and the CRT-Alternate (CRT-Alt) for all grades assessed in the content areas of reading and math. Data reported under section 618 (Annual Report of Children Service) is the data source for these calculations.

Table 3. 2 Participation Rates of Students with IEPs in Montana Statewide Assessments for All Grades Assessed for the 2005-2006 School Year

Participation	Math		Reading		Overall (across Content Areas)[3]	
	#	%	#	%	#	%
(a) Number in grades assessed	**9753**		**9753**		**19506**	
(b) Regular assessment (CRT) with no accommodations	3284	33.7%	3193	32.7%		
(c) Regular assessment (CRT) with accommodations[1]	5738	58.8%	5838	59.9%		
(d) Alternate assessment against grade level achievement standards[2]	0	0.0%	0	0.0%		
(e) Alternate assessment (CRT-Alt) against alternate achievement standards	625	6.4%	626	6.4%		
Overall rate of participation in statewide assessment for students with IEPs	**9647**	**98.9%**	**9657**	**99.0%**	**19304**	**99.0%**

Source: Montana Statewide Assessment data and ADC Enrollment data.

[1]Regular assessment with accommodations include all students who paticipated with accommodations (both standard and nonstandard).

[2]Montana does not use an alternate assessment scored against grade level achievement standards at this time.

[3]Overall Participation Rates is equal to the number of student tests scored proficient or aboe in Math and Reading divided by the total number of tests taken in Math and Reading.

Indicator 3C - Proficiency Rates for Students with Disabilities

The table below presents the proficiency rates of students with IEPs participating in Montana's Criterion-Reference Test (CRT) and the CRT-Alternate (CRT-Alt) for all grades assessed in the content areas of reading and math. Data reported under section 618 (Annual Report of Children Service) is the data source for these calculations.

Table 3. 3 Proficiency of Students with IEPs on Montana Statewide Assessments for All Grades Assessed for the 2005-2006 School Year

Proficiency	Math		Reading		Overall (across Content Areas)[3]	
	#	%	#	%	#	%
(a) Number in grades assessed	**9753**		**9753**		**19506**	
(b) Proficient or above in regular assessment (CRT) with no accommodations	1091	11.2%	1670	17.1%		
(c) Proficient or above in regular assessment (CRT) with accommodations[1]	975	10.0%	1640	16.8%		
(d) Proficient or above in alternate assessment against grade level standards[2]	0	0.0%	0	0.0%		
(e) Proficient or above in alternate assessment (CRT-Alt)against alternate achievement standards	390	4.0%	478	4.9%		
Overall rate of proficiency or above for students with IEPs	**2456**	**25.2%**	**3788**	**38.8%**	**6244**	**32.0%**

Source: Montana Statewide Assessment data and ADC Enrollment data.

[1]Regular assessment with accommodations include all students who paticipated with accommodations (both standard and nonstandard).

[2]Montana does not use an alternate assessment scored against grade level achievement standards at this time.

[3]Overall Performance Rates is equal to the number of student tests scored proficient or aboe in Math and Reading divided by the total number of tests taken in Math and Reading.

Beginning with FFY 2006 (2006-2007 school year), the targets for Indicator 3A and Indicator 3C below have been revised using FFY 2005 (2005-2006 school year) data as the baseline. Because of the recalibration of cut scores and the need to establish new thresholds for calculating the AMO, trend line data cannot be relied on to establish targets for ensuing years. In the absence of trend line data, the assumption for Indicator 3A is that for the first two years, the percent of districts that have a disability subgroup that meets a minimum N of 40 meeting the state's AYP objectives will remain the same as the baseline. **Therefore, the targets for Indicator 3A have also been revised based on the new baseline data.** For the next three years, we anticipate that intervention strategies addressing this performance indicator will begin producing results and we will begin to see improved performance. The assumption for Indicator 3C is that for the first three years, the percentage of students tested to be proficient or above will remain the same as the baseline data. For the next three years, we anticipate that intervention strategies addressing this performance indicator will produce results and we anticipate improved performance.

	Measurable and Rigorous Target
2005 (2005-2006)	A. Within a 95% confidence interval, 80% of districts will meet the state's AYP objectives for progress for the disability subgroup when using AYP calculation methodologies in effect on 11/18/05. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. 29.5 % of all students with disabilities tested will be at the proficient or above level within a 95% confidence interval when using AYP calculation procedures, including grade levels tested and AMO objectives and performance thresholds in effect on 11/18/05.
2006 (2006-2007)	A. Within a 95% confidence interval, **40.4**% of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. Within a 95% confidence interval**,** 32% of all students with disabilities tested will be proficient or above.
2007 (2007-2008)	A. Within a 95% confidence interval, **40.4**% of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. Within a 95% confidence interval, 32% of all students with disabilities tested will be proficient or above.
2008 (2008-2009)	A. Within a 95% confidence interval, **41**% of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. Within a 95% confidence interval, 33% of all students with disabilities tested will be proficient or above.
2009 (2009-2010)	A. Within a 95% confidence interval **41**% of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. Within a 95% confidence interval**,** 33% of all students with disabilities tested will be proficient or above.

2010 **(2010-2011)**	A. Within a 95% confidence interval, **41.5**% of districts will meet the state's AYP objectives for progress for the disability subgroup. B. Within a 95% confidence interval, **95**% of SWD will participate in the state-level assessment. C. Within a 95% confidence interval, 33.5% of all students with disabilities tested will be proficient or above.

Data notes: The discussion of measurable and rigorous targets uses a baseline year of "2005" AYP calculations. The 2005 AYP calculation was determined from data, including CRT and CRT-alternate assessment data, obtained during the 2004-2005 school year. The targets established for 2005 and each subsequent year will come from AYP determinations for "2006" and each subsequent year.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Provide professional development opportunities to LEAs on research-based strategies to improve student achievement.	Ongoing	OPI Staff CSPD Regions OPI Staff ESEA Staff Personnel Prep. Grant (SPDG) MPRRC
Continue to implement MBI to promote a positive environment which supports student learning	Ongoing	CSPD Regions OPI School Foods OPI Staff Board of Crime Control University of Montana/DERS Dept. of Emergency Services
Pending OSEP funding, implement a pilot study on the feasibility of establishing an alternate assessment to be known as the "CRT-Modified	2007-2008 (if funded)	GSEG Grant/Measured Progress
If the pilot study demonstrates the feasibility of establishing an alternate assessment based on modified achievement standards and pending the availability of additional financial support from the U.S. Department of Education, implement across grades 3, 4, 5, 6, 7, 8, and grade 10 the CRT-Modified	**2011-2012**	GSEG Grant/Measured Progress
Continue to collaborate with the **OPI Indian Education Division and other agencies on projects and activities which focus on improving American Indian student achievement.**	Ongoing	OPI Staff Indian Education Staff MSU-Billings State Universities/Colleges

Monitoring Priority: FAPE in the LRE

<u>Indicator 4</u>: Rates of suspension and expulsion:

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

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

Overview

Montana's school administrators have worked diligently on keeping students in school and positively engaged in their academic growth. Over 209 school sites in over 53 LEAs have participated in the Montana Behavioral Initiative as a means of creating a positive and supportive school climate, as well as looking at alternative strategies for school discipline other than suspending or expelling a student from school.

The Montana Behavioral Initiative (MBI) project and the availability of the Early Assistance Program (EAP) have had a positive and significant impact on decreasing the rate of out-of-school suspensions/expulsions. Additionally, the OPI published a technical assistance guide titled "Disciplinary Removals in Special Education." This guide is available to LEAs and parents on-line through the OPI Web page or, if requested, by hard copy.

When conducting compliance reviews, monitors review a sampling of records for those students who have been suspended or expelled. The purpose of the file review is to ensure districts are following proper procedures and that students with disabilities are provided FAPE. In addition to compliance reviews, the OPI, through its Focused Intervention activities, holds LEAs accountable for low rates of long-term suspensions and expulsions.

Measurement:

Data Source: 618 Data
Student Discipline Data Collection

A. Percent = # of districts identified by the state as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by # of districts in the state times 100.

B. Percent = # of districts identified by the state as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity divided by # of districts in the state times 100.

Include state's definition of "significant discrepancy."

Overview of Issue/Description of System or Process

Montana's School Discipline Data Collection System is an integrated system which collects discipline data for all students. This data collection system is currently in its fourth year. It collects data on all incidents that result in an out-of-school suspension or expulsion, regardless of the length of time. The reporting period is July 1 through June 30 of the school year. The 2003-2004 school year was the first year that LEAs were able to submit suspension/expulsion data on-line. Over 44 percent of all LEAs reported their suspension/expulsion data electronically in 2004-2005.

Long-term suspension or expulsion is defined as a suspension or expulsion that results in removal of a student, out of school, for greater than 10 school days or a student with multiple short-term (10 school days or less) out-of-school suspensions or expulsions that sum to greater than 10 school days during the school year.

Subpart A

The following describes the formulas used for calculating long-term suspension and expulsion rates and the assessment of significant discrepancies in the rates of suspensions and expulsions.

Regular education formula

Long-term suspension and expulsion rates for regular education students are calculated by dividing the number of regular education students with long-term suspension or expulsions by the number of enrolled students, grades K-12, for the specific school year.

> Number of regular education students with long-term suspension or expulsion / Number of students enrolled

Special education formula

Long-term suspension and expulsion rates for students with disabilities are calculated by dividing the number of special education students with long-term suspension or expulsions by the number of students with disabilities reported on the December 1st child count for the specific school year.

> Number of special education students with long-term suspension or expulsion / Number of students with disabilities, ages 6-21

Identifying Districts for Significant Discrepancy

Indicator A

The assessment of an LEA's performance based on long-term suspension/expulsion rates is accomplished by comparing the LEA's suspension/expulsion rates for students with disabilities to the LEA's suspension/expulsion rates for nondisabled students. The OPI conducts a test of the difference between proportions to determine if there is a *statistically significant difference*. The *level of statistical significance* has been set at a **.01** level and with a minimum sample size of 10. In other words, in districts with sample sizes of greater than 10, we ensure that we are **99** percent confident that the results are due to a real difference in the population and not by chance factors[2]**. If an LEA demonstrates a statistically significant difference in its long-term suspension and expulsion rates for students with disabilities when compared to its long-term suspension and expulsion rates for nondisabled students, the LEA is identified as having a *significant discrepancy*.**

[2] Levin, Jack (2003). *Elementary Statistics in Social Research*. p. 219. Boston, MA: Pearson Education Group, Inc.

To ensure statistically sound data when assessing statistical differences between the rates of long-term suspension and expulsions for students with disabilities and nondisabled students, the OPI applies a minimum N and a 99 percent confidence level to reduce the effect of small sample sizes on the determination of significant discrepancy. The use of a minimum N and confidence level is intended to improve the validity and reliability of the determination of significant discrepancy by reducing the risk of falsely identifying an LEA as having a significant discrepancy when, in fact, there is no real difference in the population.

If, based on an LEA's data, the LEA is found to have a *significant discrepancy* in long-term suspension/expulsion rates for students with disabilities, the OPI informs the LEA of its determination and conducts a review of the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that the policies, procedures and practices comply with IDEA.

The LEA-level review includes review of selected student files, review of district policies and their implementation and interviews with selected school personnel and parents, as determined appropriate. If, as a result of the review, it is determined that the LEA must revise its policies, practices and/or procedures, a corrective action (s) and timeline(s) for completion of the corrective(s) action is given to the LEA.

Significant Discrepancy **Definition**

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

Indicator B

The LEAs submit their data as a part of the larger discipline collection system. The OPI conducts an analysis of LEAs' 2005-2006 data for suspensions/expulsions for greater than 10 days in a school year of children with disabilities by race/ethnicity and then determines if a statistically significant *difference* exists within each LEA.

The long-term suspension/expulsion counts for both special education and regular education for LEAs in Montana are extremely small and this is particularly so for racial/ethnic and disability subgroups, especially in small rural schools. Therefore, there is often too small of a sample size to obtain precise and reliable results. Recognizing the problem with validity of small sample sizes, the OPI will use multiple methods in its determination of significant discrepancy in long-term suspension/expulsion rates for students with disabilities by racial/ethnic categories.

As part of its multiple methods to determine significant discrepancy in the long-term suspension and expulsion of students with disabilities by race/ethnicity, the OPI implements a screening process to identify LEAs with statistically significant differences in long-term suspension and expulsion rates by race/ethnicity. For districts with 10 or more of long-term suspensions in a school year, the OPI uses the results of a test of the difference between proportions to indicate a statistically significant difference at the .05 significance level. Based on the screening results the OPI will make a determination if further investigation is warranted to determine a significant discrepancy. If further investigation is warranted, the OPI will engage the identified LEAs in focused intervention activities to determine if a significant discrepancy exists.

Baseline Data for FFY 2004 (2004-2005)

Indicator A

Table 4.1 Long-Term Suspension and Expulsion Rate Comparison

School Year	Number of Special Education Students with Long-term Suspension or Expulsion[1]	Special Education Child Count, Ages 6-21[2]	Special Education Long-term Suspension and Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion[3]	General Education Enrollment, Grades K-12[4]	Regular Education Long-term Suspension and Expulsion Rates
2004-2005	92	17453	0.5%	377	145795	0.3%

[1] Count of students with disabilities who qualify for services under IDEA, with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

[2]Special education counts are students with disabilities who qualify for services under IDEA, ages 6-21, reported on the December 1st child count

[3] Count of nondisabled students with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

[4]Students enrolled as of October 1st of the count year in grades K-12. This count includes students with disabilities who qualify under IDEA and can not be disaggregated.

Table 4.2 School District Review of Long-Term Suspension and Expulsion Rates

StateFY	Number of LEAs[1]	Number of LEAs reporting long-term suspensions and/or expulsions[2]	Number of LEAs identified with a statistically significant difference[3]	% of LEAs identified with a statistically signficiant difference
2004	437	100	16	16.0%

[1]The number of public school districts in Montana for school year 2003-2004.

[2]Number of public schools that reported long-term suspensions or expulsions in school year 2004-2005. The LEAs may be duplicated between special education and regular education (an LEA may have suspended/expelled both special ed and regular ed students).
[3]Statistically significant difference does not mean a signficant discrepancy. No LEA in the state reported a count of 10 or more long-term suspensions or expulsions during the year for students with disabilities. As a result, the reported numbers are too small to obtain precise and reliable results, and the differences found are more than likely due to chance.

Discussion of Baseline Data:

Indicator A

- The statewide rate of long-term suspensions/expulsion for the general student population is .3 percent.

- The statewide rate of long-term suspension/expulsions for students with disabilities is .5 percent.

Only **46** or **10.6** percent of the total number of LEAs reported any long-term suspension or expulsions of students with disabilities. Of these, the largest number of suspensions/expulsions of students with disabilities in any LEA was seven. None of the LEAs which reported long-term suspensions/expulsions met the minimum N of 10. Following a review of **LEA-level data, it was determined that no LEAs had a *significant discrepancy*** in the long-term suspension/expulsion rates of students with disabilities.

Review of complaints, due process and monitoring findings showed there were no corrective actions issued relative to long-term suspensions or expulsions.

Indicator B

The table below presents a comparison of long-term suspension and expulsion rates by race/ethnicity categories between students with disabilities and nondisabled students for the 2005-2006 school year.

Table 4. 3 Long-Term Suspension and Expulsion Rates by Race/Ethnicity for the 2005-2006 School Year

Race/Ethnicity	Number of Special Education Students with Long-term Suspension or Expulsion[1]	Special Education Long-term Suspension or Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion[2]	Regular Education Long-term Suspension and Expulsion Rates
American Indian/Alaskan Native	49	1.9%	159	1.0%
Asian or Pacific Islander	0	0.0%	1	0.1%
Black or African American	1	0.5%	3	0.2%
Hispanic or Latino	3	0.6%	8	0.2%
White, Non-Hispanic	42	0.3%	201	0.2%

[1]Count of students with disabilities who qualify for services under IDEA, with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

[2]Count of nondisabled students with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

Table 4.4 below presents the results of OPI's review of LEAs to determine if there are significant discrepancies in the rates of long-term suspensions and expulsions of students with disabilities by race and ethnicity. This data becomes the baseline data for Indicator 4B.

Table 4. 4 LEA Review of Long-Term Suspension and Expulsion Rates by Race/Ethnicity for the 2005-2006 School Year

Race/Ethnicity	Number of LEAs[1]	Number of LEAs reporting long-term suspensions and/or expulsions[2]	Number of LEAs reporting long-term suspension and/or expulsions for students with disabilities[3]	Percent of LEAs reporting long-term suspension and/or expulsions for students with disabilities[4]	Percent of LEAs identified with significant discrepancy[5]
American Indian/Alaskan Native	436	41	24	5.5%	0%
Asian or Pacific Islander	436	1	0	0.0%	0%
Black or African American	436	4	1	0.2%	0%
Hispanic or Latino	436	7	2	0.5%	0%
White, Non-Hispanic	436	73	28	6.4%	0%

[1]Number of public schools in Montana for the school year 2005-2006

[2]Number of public schools that reported long-term suspension and/or expulsions in school year 2005-2006. The LEAs may be duplicated in that an LEA may have suspended or expelled both special education and regular education students and reported under more than one race/ethnic category.

[3]Of the number of all LEAs reporting long-term suspension and/or expulsions, the number of LEAs reporting long-term suspension and/or expulsions for students with disabilities. This may result in a duplicate count due to an LEA reporting under more than one race/ethnic category.

[4]Of the number of all LEAs in the state, the percent reporting long-term suspension and/or expulsions for students with disabilities.

[5]Of the number of LEAs reporting long-term suspension and/or expulsions for students with disabilities, the count of long-term suspension and expulsions is extremely small and no LEA met the requirement of a minimum N of 10 long-term suspension and/or expulsions reported in order to conduct a statistical test of difference.

Discussion of Baseline Data: Indicator B.

The table above shows the number of LEAs reporting long-term suspensions and/or expulsions of students with disabilities is extremely small. Although American Indians proportionally have a higher rate of suspensions and/or expulsions compared to other students, no LEAs had long-term suspensions and/or expulsions that met the minimum N of ten. Therefore, no additional review was required and it was determined that no LEAs were identified as having a significant discrepancy in long-term suspensions and/or expulsion by race and ethnicity.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99**% confidence interval. B. To be determined.
2006 (2006-2007)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99** % confidence interval. B. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities, by race and ethnicity at 0%, within a 95% confidence interval.

2007 (2007-2008)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99**% confidence interval. B. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities, by race and ethnicity, at 0%, within a **99**% confidence interval.
2008 (2008-2009)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99**% confidence interval. B. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities, by race and ethnicity at 0%, within a **95**% confidence interval.
2009 (2009-2010)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99**% confidence interval. B. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities, by race and ethnicity at 0%, within a 95% confidence interval.
2010 (2010-2011)	A. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities at 0%, within a **99**% confidence interval. B. Given a minimum N of 10, maintain the percent of the LEAs identified as having significant discrepancy in long-term suspension and expulsion rates for students with disabilities, by race and ethnicity at 0%, within a 95% confidence interval.

Improvement Activities/Timelines/Resources

Future Activities	Projected Timelines	Resources
Continue to make "on-time" TA available to school personnel through the EAP and OPI Staff	Ongoing	OPI Staff EAP/Legal Staff
Continue to monitor compliance with IDEA regulations regarding suspensions and expulsions through compliance monitoring procedures	Ongoing	Special Education Monitors

Continue to make MBI training available to school personnel	Ongoing	CSPD Regions OPI School Foods OPI Staff Board of Crime Control University of Montana/DERS Dept. of Emergency Services
Continue to provide TA and training to LEAs to assist them with strategies that will lead to fewer suspensions/expulsions	Ongoing	MPRRC National TA Centers OPI Staff
Provide guidance to LEAs on discipline procedures and make this available on the OPI Web site	2006-2007	Legal Services Division
Work with the Division of Indian Education to identify promising practices to decrease long-term suspensions and/or expulsions for American Indian students	Ongoing	OPI Staff CSPD

Monitoring Priority: FAPE in the LRE

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

A. Removed from regular class less than 21% of the day;

B. Removed from regular class greater than 60% of the day; or

C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Overview of Issue/Description of System or Process

The Office of Public Instruction (OPI) addresses the education of children with disabilities with nondisabled peers to the extent appropriate through these methods: (1) Appropriate personnel from the OPI, local educational agencies, institutions of higher education and contracted professionals (including parents and families) provide training and technical assistance at the local level to support instructional practices in the general education setting that address the needs of students with disabilities and their nondisabled peers; (2) Both the OPI and Parents, Let's Unite for Kids (PLUK) personnel inform and support parents and families about instructional practices that provide for the education of students with disabilities with their nondisabled peers; (3) The OPI Legal Services Division responds to inquiries about provision of FAPE in the least restrictive environment, among other concerns; and (4) The OPI compliance monitoring procedure ensures that all individual student records sampled include a comprehensive review of consideration of least restrictive environment appropriate to the individual students.

Staff development activities, especially the regional Comprehensive System of Personnel Development councils and Montana Behavioral Initiative (MBI), continuously provide training in best practices related to special education, including those related to provision of opportunities for children with disabilities to be educated with their nondisabled peers. Placement is individually determined for each student, based on the student's instructional needs by the student's IEP team. The newly funded personnel preparation grant from OSEP includes as one of its goals, Universal Design. This training activity will assist school personnel in providing students with disabilities more access to the general curriculum.

The state special education funding system is placement neutral. Therefore, there is no incentive to place students with disabilities in more restrictive settings.

The OPI implements a compliance monitoring system which includes review of a sampling of student records. This review helps to ensure that IEP teams appropriately document their decisions and placements are based on the individual need of the student.

Over the past five years, the OPI has continued to show a statewide increase in its population of students with disabilities, while at the same time showing a statewide declining enrollment. In reviewing statewide data, it is important to note that there has been a decline in the proportion of learning disabled students and a significant increase in the numbers of students identified as having other health impairment and the number of students identified as having autism. Such changes in child count have an effect on settings of services based on the increasing proportion of students likely to be experiencing more significant disabilities requiring more complex services and/or a method of service delivery that might be more restrictive.

Measurement:

Data Source: Child Count/618 Data

A. Percent = # of children with IEPs removed from regular class less than 21% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.

B. Percent = # of children with IEPs removed from regular class greater than 60% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.

C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.

Overview of Issue/Description of System or Process

The educational placement count of students with disabilities ages 6-21 is part of the larger child count data collection that is conducted on December 1 of each year. Data definitions for educational placement used are the same as those used in reporting under Section 618 (Annual Report of Children Served).

For students with disabilities, ages 6-21, percentages were calculated on the following educational environment categories:

1. Regular Class: Removed from regular class less than 21% of the day.
2. Full-time Special Education: Removed from regular class greater than 60% of the day.
3. Separate Schools: A roll-up of public/private separate schools, residential placements, and home or hospital settings.

To calculate the percent served in a particular educational environment, the following formula was used:

> # of students with disabilities in a particular educational environment divided by the # of students with disabilities, ages 6 through 21, in the state times 100.

The table below provides the percent of students with disabilities, ages 6-21, in specific educational environments as well as definitions used to classify the educational environment.

Baseline Data for FFY 2004 (2004-2005)

Table 5. 1 Montana's Educational Placement of Students with Disabilities, ages 6-21

Students with disabilities, ages 6-21, School Year 2004-2005			
Setting of Service	**Setting Count[1]**	**Student Total**	**% of Total**
Regular Class[2]	9087	17637	51.5%
Full-time Special Education[3]	2003	17637	11.4%
Combined Separate Facilities[4]	324	17637	1.8%

[1]Count of students with disabilities, ages 6-21, reported on the December 1 annual count in a specific educational setting.
[2]Students with disabilities removed from regular class less than 21% of the school day.
[3]Students with disabilities removed from regular class greater than 60% of the school day.
[4]Students with disabilities served in public or private separate schools, public or private residential placements, or homebound or hospital placements.

Table 5. 2 Review of LEAs and educational placements for students with disabilities, ages 6-21

StateFY	# of LEAs Reviewed[1]	# of LEAs Meeting the Target[2]	# of LEAs Making Progress Toward the Target[3]	% of LEAs Meeting or Making Progress Toward the Target
2002	395	138	97	59.5%
2003	400	143	102	61.3%
2004	401	129	146	68.6%

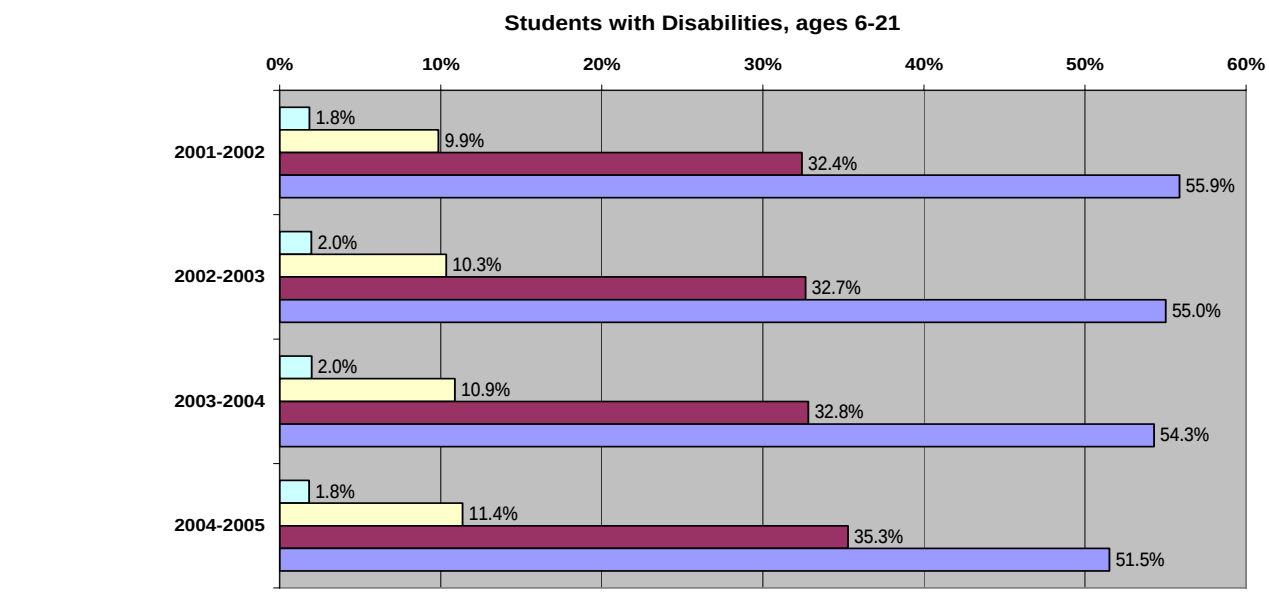
[1] Number of LEAs serving students with disabilities as obtained from the December 1st annual child count.

[2]Number of LEAs where 80% or more of students with disabilities are removed from the regular classroom less than 21% of the school day.

[3]Number of LEAs where less than 80% of their students with disabilites are removed from the regular classroom less than 21% of the school day, but are making progress towards that target.

TREND DATA

Figure 5. 1 Percent of Students with Disabilities, ages 6-21, in Educational Environments



	2004-2005	2003-2004	2002-2003	2001-2002
Combined Separate Facilities	1.8%	2.0%	2.0%	1.8%
Full-time Special Education	11.4%	10.9%	10.3%	9.9%
Part-time Special Education	35.3%	32.8%	32.7%	32.4%
Regular Class	51.5%	54.3%	55.0%	55.9%

Discussion of Baseline Data

A. 51.5% of students with disabilities are removed from regular class less than 21% of the day;

B. 11.4 % of students with disabilities are removed from regular class greater than 60% of the day;

C. 1.8% of students with disabilities are served in public or private separate schools, residential placements, or homebound or hospital placements.

Out of 17,637 students with disabilities, ages 6-21, being served in special education, 51.5 percent are removed from regular education for less than 21 percent of the school day, while 11.4 percent are removed from the regular classroom for greater than 60 percent of the school day. A small percentage of students with disabilities (1.8%) receive their education in public or private separate facilities.

As part of its special education focused intervention activities, the Montana OPI uses educational environment data as one of its key indicators for focused intervention activities. The OPI has established, as a part of its weighted measurement settings indicator for LEAs, 80 percent of students with disabilities in the district, ages 6-21, will be removed from the regular classroom setting less than 21 percent of the school day. The LEAs are selected for intervention in part on this settings indicator measurement. Analysis of LEA 2004-2005 placement data shows that 68.6 percent of the LEAs reporting students with disabilities, ages 6-21, on its December 1 child count either met, exceeded or were making progress toward the indicator measurement of "80% of students with disabilities will be removed from the regular classroom less than 21% of the time." In other words, the majority of students with disabilities in these LEAs receive their instruction in the regular classroom with nondisabled peers for 80 percent of the day. The data are displayed in Table 9 above.

A review of trend data (Figure 5.1) shows that the percent of students with disabilities being removed from the regular classroom for less than 21 percent of the school day has shown a decrease for the past four years. Over the same time period, there has been a steady increase in the number of students with disabilities reported as removed from the general education setting for more than 60 percent of the day. Data for the combined separate facilities has fluctuated but the fluctuations have been very small. There are numerous factors which affect where students will receive their educational instruction. All decisions regarding educational placement are made by the IEP team, which includes the parent, and based on what is determined to be the most appropriate setting for the student to receive their special education instruction. Over the past five years, while Montana has experienced a declining enrollment, the child count for students with disabilities has grown. Data shows that there has been a significant increase in the disability category of autism and LEAs are reporting an increasing number of students with more challenging needs being enrolled in their schools. Given these factors, it's not unexpected that more students will receive their instruction in settings outside the regular classroom.

The OPI includes a review of student records as a part of its compliance monitoring process. In reviewing data from the 2004-2005 school year, there were no corrective actions given based on inappropriate educational placements.

Trend-line data shows a 1.5 percent average annual decrease for the past four years in the percentage of students removed from regular class less than 21 percent of the day, and a .5 percent average annual increase for the past four years in the percentage of students educated outside the regular classroom for more than 60 percent of the day. This trend suggests that Montana will face a significant challenge in turning around the trend. Therefore, stakeholders have indicated that it is reasonable to expect that, for the near term, this trend should be expected to continue. As intervention strategies are applied, the expectation is that by the third year the decline in students in regular education setting for less than 21 percent of the day should reverse and begin to show a gradual increase such that by the 2010-2011 school year, the rate of students removed from the regular education setting for less than 21 percent of the day should exceed the rate for the 2003-2004 school year. Likewise, the rate of students educated outside the regular classroom for more than 60 percent of the day is expected to increase slightly until the third year when the trend will

reverse and begin to show a gradual decrease so that by the 2010-2011 school year, the rate of students educated outside the regular classroom for more than 60 percent of the day will decrease below the rate for the 2003-2004 school year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	**A.** Given a minimum N of 10, 50% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 12% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.8% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.
2006 (2006-2007)	**A.** Given a minimum N of 10, 48.5% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 12.5% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.8% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.
2007 (2007-2008)	**A.** Given a minimum N of 10, 48.5% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 12.5% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.7% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.
2008 (2008-2009)	**A.** Given a minimum N of 10, 49% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 12% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval **C.** Given a minimum N of 10, 1.5% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval
2009	**A.** Given a minimum N of 10, 50.5% of students with disabilities removed from regular class

(2009-2010)	less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 11.5% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.6% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.
2010 **(2010-2011)**	**A.** Given a minimum N of 10, 52% of students with disabilities removed from regular class less than 21% of the day within a 95% confidence interval. **B.** Given a minimum N of 10, 11% of students with disabilities removed from regular class greater than 60% of the day within a 95% confidence interval. **C.** Given a minimum N of 10, 1.5% of students with disabilities served in public or private separate schools, residential placements, or to homebound or hospital placements within a 95% confidence interval.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Continue to provide technical assistance and support to LEAs to assist them in providing FAPE in the LRE	Ongoing	OPI Staff MPRRC CSPD Title Programs IHEs PLUK
Using compliance monitoring procedures, continue to review LEAs documentation to ensure placement decisions are made in accord with IDEA and state regulations	Ongoing	OPI Monitoring Staff
Continue to provide training for general education personnel on strategies to use in responding to students with disabilities needs in the regular education setting.	Ongoing	OPI Staff /Consultants CSPD Training Activities MPRRC Personnel Prep. Grant
Provide training on the use of technology as access to the general curriculum	Ongoing	CSPD
Continue to provide technical assistance to LEAs on educational practices that provide opportunities for children with disabilities to be educated with nondisabled peers	Ongoing	CSPD, MPRRC, Personnel Prep. Grant
Initiate training on Universal Design	2006-2007	Personnel Prep. Grant/OPI Staff and Consultants

Monitoring Priority: FAPE in the LRE

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

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

Overview

Parents of preschool-age children with disabilities face widely differing choices when selecting special education settings for children. This choice is often driven by location and suitability. Not all communities offer the same array of private day care, Head Start, private preschool etc. choices, especially in rural areas. The distribution of placement settings for 3, 4, and 5-year-old children with disabilities reflects these factors.

Montana's statutes and regulations ensure that all children with disabilities, including those who are 3, 4, and 5 years of age, receive a free appropriate public education (FAPE). However, no statutory authority requires public schools provide an educational opportunity for 3 and 4-year-old children, or children who have not yet reached 5 on or before September 10. Few, if any public school districts, offer general education preschool, but all offer FAPE. Montana's IDEA Part C program provides few placements outside of the home, so continuity between settings before and after the child turns 3 presents a challenge. Head Start provides the most universal, most diverse, culturally sensitive, and inclusive setting for preschool-age children; however, Head Start locations are limited.

Montana's state government currently has no initiatives aimed at establishing a universal, out of home, no- or low-cost, early childhood public education setting.

The OPI provides technical assistance and training to school personnel on addressing the needs of preschool children ages 3-5. Technical assistance activities have included working with LEAs preschool personnel and Head Start staff in developing interagency agreements to provide opportunities for young children with disabilities to be educated with their nondisabled peers. In addition, the OPI, through its state CSPD Council, has developed an Early Childhood committee to look at training strategies, as well as issues related to serving the preschool-age population.

Measurement:

Data Source: Child Count/618 Data

Percent = # of preschool children with IEPs who received all special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100. Following is a description of data collection and measurement process.

Overview of Issue/Description of System or Process

The educational placement count of the students with disabilities, ages 3-5, is also a part of the larger child count data collection conducted on December 1 each year. Data definitions for educational placement used are the same as those used in reporting under Section 618 (Annual Report of Children Served).

For students with disabilities, ages 3-5, percentages were calculated on the following educational environment categories and definitions:

1. Early Childhood Settings: All (100%) special education and related services are provided in educational programs designed primarily for students without disabilities. No services are provided in separate special education settings.
2. Part-time Early Childhood/Part-time Early Childhood Special Education Settings: Special education and related services are provided in multiple settings, such that: (1) services are provided at home or in educational programs designed primarily for children without disabilities, and (2) services are provided in programs designed primarily for children with disabilities.
3. Home: All special education and related services are provided in the principal residence of the child's family or caregivers.

To calculate the percent of students with disabilities, ages 3-5, served in a particular educational environment, the following formula was used:

# of students with disabilities, ages 3-5, in a particular educational environment / the total # of students with disabilities, ages 3-5, in the state X 100

The table below provides the percent of students with disabilities, ages 3-5, in specific educational environments.

Baseline Data for FFY 2004 (2004-2005)

Table 6. 1 Montana's Education Placement for Student with Disabilities, ages 3-5

Students with disabilities, ages 3-5, School Year 2004-2005			
Setting of Service	**Setting Count**	**Student Total**	**% of Total**
Early Childhood Setting	595	1878	31.7%
Early Childhood/Early Spec Ed	429	1878	22.8%
Home	6	1878	0.3%

Discussion of Baseline Data

Preschool-age children with disabilities in Montana receive a free appropriate public education in a variety of settings as shown in Table 6.1 above. The child's age seems to be a critical factor in selection of setting in which special education and related services are provided. Early Childhood Special Education settings are most likely settings for children with disabilities who are 3 and 4 years of age, while Early Childhood settings are more likely for 5 year olds. This difference is due to the availability of kindergarten for 5 year olds as an early childhood setting, in contrast to the absence of regular education alternatives for younger children.

The number and percentage of children with disabilities who receive special education and related services in Early Childhood settings increases with each year, as does the number and percentage of children receiving services in both Early Childhood settings and Part-time Early Childhood/Part-time Early Childhood Special Education settings. This outcome indicates a coherent strategy for meeting complex needs of children with disabilities, using a combination of settings to meet identified needs.

Trend Data

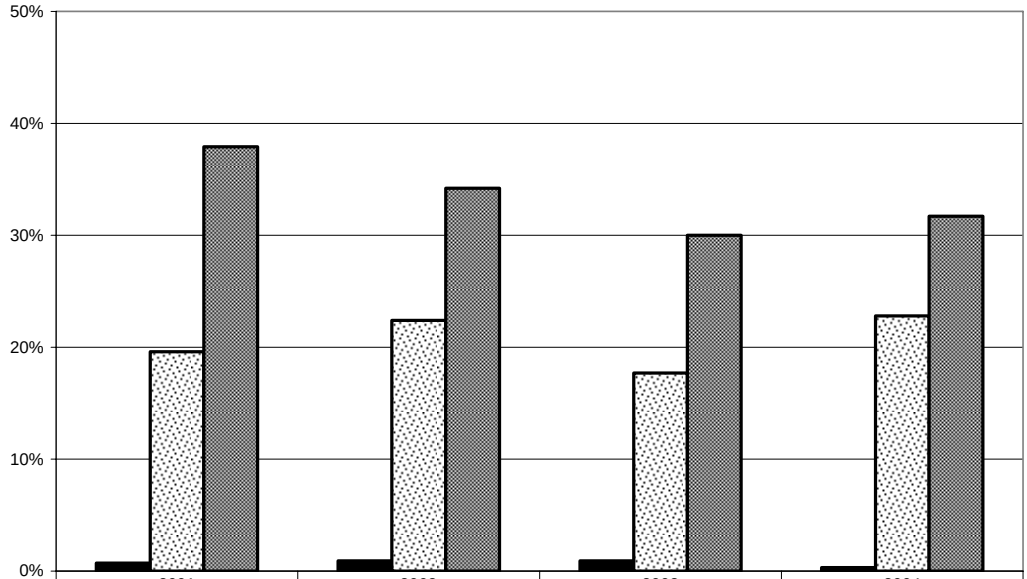
During the past four years, the percentage of children with disabilities who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings) has declined slightly. The overall percentage of all three setting categories varied between years, but ranged between 58.2 percent in 2001 to 54.5 percent in 2004.

Contributing to this decline were year-to-year variations in the percentages of children with disabilities reported in each setting:

- Home settings varied from a high of 0.9% in 2002 and 2003, to 0.3% in 2005;
- Early Childhood settings varied between 37.9% and 31.7%; and
- Part-time Early Childhood/Part-time Early Childhood Special Education setting percentages varied between 19.6% and 22.8%.

Generally, the percentage of children reported under the Early Childhood settings increased when the percentage of children reported as Part-time Early Childhood/Part-time Early Childhood Special Education setting decreased, and vice versa. Figure 6.1 illustrates these trends.

Figure 6. 1 Percentage of preschool-age children with disabilities who received special education and related services in settings with typically developing peers during the past four years.



	2001	2002	2003	2004
Home	0.7%	0.9%	0.9%	0.3%
Part Time	19.6%	22.4%	17.7%	22.8%
Early Childhood	37.9%	34.2%	30.0%	31.7%
Total % of the 3 settings	**58.2%**	**57.5%**	**48.6%**	**54.8%**

No conclusion can be made based on trend-line data because of the variability and lack of consistency in the trend-line. The data shows a modest decrease between the first in the second year, a significant decrease the third year and a modest increase the fourth year. For this reason, targets for the first two years are set to show no change from the baseline year of 200**4**-200**5**. As intervention strategies are applied, the expectation is that in the third year the percentage of students placed in settings with typically developing peers should begin to show a gradual increase that will continue through the 2010-2011 school year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, the percent of children in Early Childhood Settings, Part-time Early Childhood/Part-time Early Childhood Sp Ed Settings, and Home Settings will maintain 54.8%, within a 95% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, the percent of children in Early Childhood Settings, Part-time Early Childhood/Part-time Early Childhood Sp Ed Settings, and Home Settings will maintain 54.8% within a 95% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, the percent of children in Early Childhood Settings, Part-time Early Childhood/Part-time Early Childhood Sp Ed Settings, and Home Settings will increase to 55.0% within a 95% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, the percent of children in Early Childhood Settings, Part-time Early Childhood/Part-time Early Childhood Sp Ed Settings, and Home Settings will exceed 55.2% within a 95% confidence interval.
2009 (2009-2010)	Given a minimum N of 10, the percent of children in Early Childhood Settings, Part-time Early Childhood/Part-time Early Childhood Sp Ed Settings, and Home Settings will exceed 55.4% within a 95% confidence interval.
2010 (2010-2011)	Given a minimum N of 10, the percent of children in Early Childhood, Part-time Early Childhood/Part-time Early Childhood Sp Ed Setting, and Home Settings will exceed 55.6% within a 95% confidence interval.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Increase the capacity to deliver special education and related services in kindergarten settings to reduce the number of 5 year olds in the Early Childhood Special Education settings by providing technical assistance focusing on kindergarten-focused communication, social-emotional-behavioral, and literacy interventions	2005-2006 Ongoing	NECTAC MPRRC OPI Staff CSPD/Early Childhood Committee
Increase technical assistance support for special educators who teach, consult, or mentor in Head Start settings or other early childhood settings beyond the public school	2005-2006 Ongoing	NECTAC MPRRC OPI Staff CSPD/Early Childhood Committee
Provide technical assistance support for special educators who teach, consult, or mentor in home-based setting by increasing collaborations with the IDEA Part C agencies	2005-2006 Ongoing	NECTAC MPRRC OPI Staff CSPD/Early Childhood Committee, Part C Agencies DDD/Part C

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

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

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

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

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

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

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

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

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

C. Use of appropriate behaviors to meet their needs:

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

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

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

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

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

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

Overview of Issue/Description of System or Process:

Following is a description of the process used for the collection and reporting of data for this performance indicator for the period of FFY 2005 (2005-2006) and FFY 2006 (2006-2007). Revisions have been made to the original text to make it more readable. Additionally, tables have been removed when they provided data that was not required for the above reporting periods.

This was a new performance indicator for which Montana had not collected data prior to 2006

The OPI did not use a sampling strategy to collect preschool performance information. Instead, the OPI collected preschool performance data for all children with disabilities ages 3, 4 and 5 beginning on March 1, 2006. The process for gathering preschool performance data required the team developing an IEP to conduct an assessment or review existing assessment information in the child's record, then record the child's status with respect to each of the three performance areas on the Individualized Education Program (IEP). The OPI collected these data as a part of the annual Section 618 Child Count process.

The data collection process distinguished between initial and annual IEP meetings. At every initial/entry IEP meeting the team indicated, for each of the three performance areas, whether the child performs either at a level comparable to same-age peers or not. At every annual IEP meeting, the team indicated whether the child reached or maintained a level of performance comparable to same age peers, or improved but not to the level of same-age peers, or did not

improve. This procedure applied to all IEP meetings for all preschool-age children, regardless of disability category, placement, or services provided. The differing questions asked at an initial versus an annual IEP generated entry versus improvement/exit data.

Each IEP team conducted an assessment of the child's performance. The IEP team considered the results of classroom-based assessments and observations of the child's teacher and related service providers, and, when appropriate, other sources of current information about the child's performance. For initial assessments, when appropriate, the IEP team considered information gathered as a part of the IDEA Part C data collection activities. For annual assessments of performance, the IEP team weighed the results of instruction, intervention, and interactions that made up the child's current instructional program.

Evaluation, assessment, and observation results, obtained from valid and reliable instruments and reliably administered procedures, formed the basis of the team's ratings. The OPI does not maintain a list of required or recommended assessment instruments for IEP teams to use to obtain requisite information. Instead, the OPI referred IEP teams to the Early Childhood Outcomes Center's Instrument Crosswalks.

Defining "comparable to same-age peers"

The IEP teams analyzed students' assessment results and, using professional judgment and a consensus process, determined whether a child functions at a level comparable to same-age peers or not.

Timeline issues

The OPI modified its IEP form to address the preschool outcomes measures in February 2006 and began its data assessment and data collection activities on March 1. Data collection was consistent with the data collection and reporting requirements in place at that time. In October 2006 the OPI revised its data collection strategies and informed special education directors about response definition changes to accommodate performance categories discussed on the September 28 NECTAC-OSEP follow-up call.

The OPI provided training and technical assistance activities that introduced procedures, recommended practices, and other supports for evaluation and IEP teams prior to March 2006. The OPI developed data procedures and software that enabled districts to report preschool student performance prior to December 1, 2006. Very few special educators, related service personnel, or administrators contacted the OPI with questions or concerns about the preschool performance data collection. On October 16, 2006, the OPI provided technical assistance about revised preschool performance indicator data collection procedures to advise special education personnel via interactive televideo conferencing.

The OPI monitoring activities ensured that, at the district level, IEP teams assessed preschool-age children and recorded performance status on the IEP form. No concerns were identified in the districts monitored.

Entry Data FFY 2005

The OPI Child Count taken on December 1, 2006, enumerated 1,941 children with disabilities aged three, four, or five years. Of these children, 1,620 reported consideration of the three performance areas. The difference between the two numbers is likely due to children whose initial or annual IEP meetings occurred prior to March 1, 2006.

Table 7. 1 Numbers of preschool-age children with disabilities reporting performance data March 1-November 30, 2006

		Initial Number of IEPs	Annual Number of IEPs	Total Number of IEPs	No Data Reported	Response Rate
Three Year-Olds		301	23	324	36	90%
Four Year-Olds		319	256	575	94	86%
Five Year-Olds		281	440	721	191	79%
Total		**901**	**719**	**1620**	**321**	83%

Beginning March 1, 2006, the OPI required IEP teams to consider factors measuring improvement in three performance areas: (1) Social emotional skills (including relationships), (2) Acquisition and use of knowledge and skills, including early language/communication and early literacy skills, and (3) Use of appropriate behaviors to meet individual needs. Two sets of questions addressed each child's status with respect to each performance area. First, if the child had no previous IEP, that is, the team developed an initial IEP, then the question posed was, "Is the child's performance comparable to same-aged peers or not?" Table 7.2 shows how IEP teams for preschool-age children rated 901 preschool-age children with respect to each of the three performance areas at their *initial* IEP meeting.

Table 7. 2 Percentages of children with an INITIAL/ENTRY IEP rated as functioning comparable to same-age peers or not (N=901).

	% comparable to same-aged peers		% NOT comparable to same-aged peers	
	N	%	N	%
Positive social-emotional skills including social relationships	**525**	**58.3%**	**376**	**41.7%**
Acquisition and use of knowledge and skills, including early language/ communication and early literacy	**101**	**11.2%**	**800**	**88.8%**
Use of appropriate behaviors to meet individual needs	**576**	**63.9%**	**325**	**36.1%**

Discussion of FFY 2005 Entry Data

The 1,620 children with disabilities showed differing levels of performance across the three performance areas. Roughly, equal numbers of three and four year olds had initial IEPs during the year; slightly fewer five year olds had initial IEP meetings during the year.

Initial/Entry IEP

Most preschool-age children were rated as comparable to same-aged peers in the *Positive Social-Emotional Skills (58.3%), Including Social Relationships* and *Use of Appropriate Behaviors to Meet Individual Needs(63.9%)* areas at their initial IEP meetings. In contrast, only one in nine children, or 11.2%, were rated as comparable to same-aged peers with respect to *Acquisition and Use of Knowledge and Skills, Including Early Language/Communication and Early Literacy*.

Data/Collection Reporting Procedures

The OPI used its electronic child count reporting system to collect performance data. Entry data for FFY 2005 was collected as a part of the December 1, 2006, child count reporting. The FFY 2006 performance data for children exiting preschool-age services were collected in June 2007 as a part of the 'exiting' data collection procedures. The LEAs were given written guidance on how to report performance. In addition, on-time technical assistance was always available to LEAs throughout the reporting period. The OPI implemented verification procedures to ensure all LEAs provided the data required. In addition, as a part of school

improvement/compliance monitoring procedures, monitoring specialists reviewed selected student files to ensure IEP teams documented a child's performance level on the IEP.

Progress Data for FFY 2006 (2006-2007 School Year):

Table 7.3 below shows the numbers of preschool children with disabilities reporting performance data for FFY 2006 (2006-2007 School Year). Progress data provide information on how preschool children change from entry into a section 619 program to when they exit. Measurement calculations for this performance indicator include the number of preschool children with IEPs in which both entry and exit data were reported and the child was in the 619 program for at least six months.

Table 7. 3 Number of Preschool Children for FFY 2006

School Year	Number of Preschool Students with Entry and Exit Outcome Data (a)	Number of Preschool Students with Entry Data, but No Exit Outcome Data (b)	Number of Preschool Students with Entry Data Still in 619 Program (c)	Number of Preschool Students with No Entry or Exit Data (d)	Total Number of Students with Disabilities, ages 3-5 (a+b+c+d)
2006-2007	**461**	19	1138	327	**1945**

Entry data on the functioning level of preschool children with disabilities was collected as part of the December 1, 2006, child count data collection. The above table shows that there were 1,945 students with disabilities, ages 3-5, reported for the 2006-2007 school year. Of those students, 901 provided entry-level data in the three performance areas. In June 30, 2006, exit data was collected as part of the special education exiting data collection. Exit performance data was reported for 461 students who left the section 619 program, while 1,138 remain in the program. Of the total students with disabilities, ages 3-5, there were 327 students with no entry or exit data reported (see Table 7.3 above).

Table 7.4 below presents progress data for FFY 2006 regarding the percent of preschool children with IEPs who demonstrate improved positive social-emotional skills, acquisition and use of knowledge and skills, and the use of appropriate behaviors to meet their needs.

Table 7. 4 Percent of Children Evaluated by Outcomes for FFY 2006

Indicator 7A Measurement	Positive Social-Emotional Skills	Number	Percent
(t)	Total Number of Students with IEPs Assessed	461	
(a/t) * 100	Did Not Improve Functioning	42	9.1%
(b/t) * 100	Improved, But Not Sufficient	132	28.6%
(c/t) * 100	Improved, Nearer but Not Same	0	0.0%
(d/t) * 100	Reached Comparable Level	147	31.9%
(e/t) * 100	Maintained Comparable Level	140	30.4%

Indicator 7B Measurement	Acquisition and Use of Knowledge and Skills	Number	Percent
(a/t) * 100	Did Not Improve Functioning	120	26.0%
(b/t) * 100	Improved, But Not Sufficient	216	46.9%
(c/t) * 100	Improved, Nearer but Not Same	0	0.0%
(d/t) * 100	Reached Comparable Level	93	20.2%
(e/t) * 100	Maintained Comparable Level	32	6.9%

Indicator 7C Measurement	Use of Appropriate Behaviors to Meet Needs	Number	Percent
(a/t) * 100	Did Not Improve Functioning	41	8.9%
(b/t) * 100	Improved, But Not Sufficient	125	27.1%
(c/t) * 100	Improved, Nearer but Not Same	0	0.0%
(d/t) * 100	Reached Comparable Level	155	33.6%
(e/t) * 100	Maintained Comparable Level	140	30.4%

Improved, But Not Sufficient - Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.

Improved, Nearer but Not Same - Preschool children who improved functioning to a level nearer to same-aged peers, but did not reach it.

Reached Comparable Level - Preschool children who improved functioning to reach a level comparable to same-aged peers.

Maintained Comparable Level - Preschool children who maintained functioning at a level comparable to same-aged peers.

Discussion of Progress Data for FFY 2006:

The percent of preschool children with disabilities who demonstrate improved positive social-emotional skills was 90.9 percent; 62.3 percent of these children improved functioning to or maintained functioning at a level comparable to same-aged peers.

The percent of preschool children with disabilities who demonstrate improved acquisition and use of knowledge of skills was 74.0 percent; 27.1 percent of these children improved functioning to or maintained functioning at a level comparable to same-aged peers.

The percent of preschool children with disabilities who demonstrate improved use of behaviors was 91.1 percent; 64.0 percent of these children improved functioning to or maintained functioning at a level comparable to same-aged peers.

<u>Revisions to the Data Collection and Reporting System Effective FFY 2007 (06-07):</u>

With the assistance of the Mountain Plains Regional Resource Center (MPRRC), the OPI conducted an analysis of its data collection and reporting procedures for this performance indicator and its methodology for defining comparable to same-age peers. Based on this analysis, revised procedures for data collection and reporting for this indicator are as follows. These procedures will be implemented in FFY 2007 (07-08).

Implementation Procedures:
To track child progress with respect to positive social-emotional skills (including social relationships); acquisition and use of knowledge and skills (including early language/ communication and early literacy); and use of appropriate behaviors to meet their needs, the OPI has implemented the following process. The IEP team rates each child's performance based on collecting and reviewing the following data:

- New evaluations or assessments,
- Classroom-based assessments and observations,
- Progress reports,
- Measures of present levels of academic achievement and functional performance (PLAAFP) or other data, including appropriate assessments conducted by Part C agencies for children who transition between the two IDEA programs, and
- Other measures of student performance, including parent report.

Evaluation, assessment, and observation results, obtained from valid and reliable instruments and reliably administered procedures, form the basis of the team's ratings. After a review of all relevant data, the team completes the Early Childhood Outcomes (ECO) Center Child Outcomes Summary Form (COSF). This form is intended to summarize multiple sources of information as a method to report progress in the three developmental areas. The Child Outcomes Summary Form (COSF) will be maintained as a part of the child's education record.

The OPI requires IEP teams to use one or more of the valid and reliable instruments that are included on the Early Childhood Outcomes (ECO) Center's Instrument Crosswalks to assess the child's level of performance at entry and exit. Requiring an "Instrument Crosswalks" assessment ensures that IEP teams will use an appropriate and valid assessment to determine child progress and ensures that different IEP teams are completing the COSF in a consistent manner.

Training for Preschool staff members on Indicator 7 will be provided throughout 2007-2008. Training will include issues related to the selection of appropriate assessments, use of the COSF and data reporting. Training will guide IEP teams to select assessment procedures and use the COSF form to document level of performance, based on assessment data, for each of the three factors. Training will integrate these assessment activities with all other phases of IEP development. Two half-day interactive televideo conferences that link dozens of LEAs and community-based sites to the facilities at the OPI Conference Room will be conducted. Smaller-group televideo training activities will also be provided to preschool staff members. In addition, the OPI staff members will continue to provide 'on time' technical assistance and support to IEP teams. The purpose of this training is to ensure that the COSFs are completed accurately and reliably. Both written and web-based materials will be developed to provide ongoing support for special education teachers, speech and language pathologists, parents, and other IEP team members.

The COSF is to be completed on each child entering the program by the IEP team. A special education specialist(s), with appropriate IEP team input will conduct an assessment and complete the COSF for any child with entry data and who has been in the program for at least six months, and is exiting preschool-age services. The same procedures used to complete the COSF at entry (e.g., using multiple data sources, using an assessment that has an ECO Instrument Crosswalk, gathering input from the IEP team, assigning a rating on the COSF) will be used at exit. This will allow the OPI to compare exit to entry scores on each of the three developmental areas. To actually calculate the number and percentage of children who are in each of the official five reporting categories, the OPI will use the "COSF to OSEP Categories Calculator" to determine how each pair of entry-exit ratings from the seven-point COSF scale yields the five-point scale measuring this performance indicator.

Since this data collection is a part of each student's IEP, the content will be included as part of the electronic special education records student information and management system (SERIMS) within the Accountability in Montana (AIM) system. The OPI will reference the Early Childhood Outcomes website, which offers detailed instructions for calculating each of the variables required to address the OSEP indicator.

Defining "Comparable to same-aged peers"- Revised for FFY 2007

"Comparable to same-aged peers" is defined as a score of 6 or 7 on the COSF. This follows the recommendation of the ECO Center.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	To be determined.
2006 (2006-2007)	To be determined.
2007 (2007-2008)	To be determined.
2008 (2008-2009)	To be determined.
2009 (2009-2010)	To be determined.
2010 (2010-2011)	To be determined.

Improvement Activities/Timelines/Resources:

The OPI, through the leadership of the state CSPD Council, formed an Early Childhood Partnerships for Professional Development (ECPPD) committee. The ECPPD collaborates on training strategies to enhance the professional competencies of individuals who provide quality care and education services for all young children and their families. The committee works to develop appropriate professional development activities that will reach the needs across all programs and agencies to improve children's knowledge and skills and to prepare them for successful outcomes in school.

The OPI received notice that Montana had been selected to receive Center on Early Literacy Learning (CELL) Specialized Technical Assistance beginning in 2008. This technical assistance focuses on early literacy and learning, incorporating the best of evidence-based practices in early childhood settings. The CELL is a research-to-practice technical assistance center funded by the U.S. Department of Education, Office of Special Education Programs, Research to Practice Division. The main goal of CELL is to promote the adoption and sustained use of evidence-based early literacy learning practices by early childhood intervention practitioners, parents, and other caregivers of young children, birth to five years of age, with identified disabilities, developmental delays, and those at-risk for poor outcomes. The CELL specialized technical assistance activities will be incorporated into Montana's Comprehensive System of Personnel Development (CSPD) system, encouraging local and regional partners in early literacy. At least one, state-level event technical assistance activity will occur in FFY 2007 (2007-08), either in conjunction with the Council for Exceptional Children Conference in April or in the fall aligned with the other professional conferences. The OPI and CELL staff will meet to plan the technical assistance activities that address Montana's professional development needs

regarding early literacy learning. For more information about the CELL project, please click on the following link: http://www.earlyliteracylearning.org/.

Improvement Activities	Timelines	Resources
The OPI will work with the contractor for SERIMS to ensure the system includes all data reporting requirements	**Spring 2006-full implementation in 2008-2009**	**OPI Staff**
Develop a brief training guide and other materials for IEP teams. This guide would be supplemented by a Power Point presentation and Camtasia based, web-resident media presentation describing how to collect performance information as required for this indicator.	2007-2008	OPI Staff MPRRC ECO
Provide statewide training and guidance for IEP teams	2007-2008	OPI Staff CSPD/ECPPD ECO MPRRC
Provide telephone support and on-site training, as needed.	Ongoing	OPI Staff CSPD/ECPPD MPRRC
Provide professional development and training to personnel providing services to preschool-age children on scientific, research-based strategies related to positive social emotional skills, use of appropriate behaviors and acquisition and use of knowledge and skills, including early language/communication and literacy.	Ongoing	OPI staff MPRRC CSPD ECPPD MSHA ECO CELL

Monitoring Priority: FAPE in the LRE

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

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

This is a new performance indicator. The OPI has not previously collected this data from parents. However, Montana has a long-standing history of including parents in education decision making. Through state administrative rule, Montana included parents as members of the evaluation team and placement team long before federal regulations made parents a required member.

The OPI works closely with LEAs and Parents, Let's Unite for Kids (PLUK), the parent training information (PTI) center, to help ensure parents of students with disabilities are knowledgeable of special education laws and rules and their role as parents in special education decisions. In addition, the OPI implements an Early Assistance Program that is available to both parents and school personnel for the purpose of informal resolution when disagreements or concerns arise. Through this process the OPI staff work to facilitate parent participation in the special education process by improving communication between the LEA and parents and by providing parents education regarding their rights and responsibilities. In some LEAs, home school coordinators are employed as liaisons between the home and the school for the purposes of assisting parents in better understanding special education procedures and laws/rules and, as appropriate, to translate information for the parent into their primary language.

Montana school accreditation standards require all schools to be engaged in an ongoing comprehensive school improvement process that uses a stakeholder group, including parents, in data-driven improvement planning. The OPI Division of Special Education staff are available to answer questions parents or school personnel may have. Joint training opportunities for school personnel and parents are supported through the use of IDEA Part B and personnel preparation funds and provided through collaboration with PLUK, professional organizations and CSPD activities. Parents of students with disabilities are active members of the State Special Education Advisory Panel. As panel members, they serve in an advisory capacity and make recommendations to the OPI on parent involvement. Montana has had a long-standing belief that the involvement of parents in educational decision making leads to better outcomes for students.

Measurement:

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

Overview of Issue/Description of System or Process

The purpose of the Parent Survey is to assist the OPI in determining the extent to which schools are facilitating parent involvement.

The OPI used a paper-and-pencil, slightly-modified version of the 26-item National Center for Special Education Accountability Monitoring (NCSEAM) Part B K-12 survey. A few items were modified in order

to make the survey appropriate for parents of children age 3-5. The survey was structured so that survey results could be linked to the LEA. The OPI contracted with Mountain Plains Regional Resource Center (MPRRC) for assistance with the data collection, data analysis, and report writing for this indicator.

The OPI employed a sampling methodology to gather data for this indicator. The sampling process was conducted in accord with the OPI's five-year compliance monitoring cycle. The cycle annually ensures statewide representation of LEAs through representation of large, small, urban, and rural LEAs and broad representation of parents of children with disabilities across the spectrum of disabilities. All parents of children with disabilities within the schools identified in the monitoring cycle are included in the sample. At the end of the five-year cycle, all parents of children with disabilities will have had an opportunity to respond to the survey instrument. The sampling methodology was reviewed by the Office of Special Education Programs (OSEP) and in an e-mail received from Larry Wexler, Deputy Director of Monitoring and State Improvement Planning on it was stated, "…Thank you for your letter dated March 29, 2006, in which you provided additional information on how Montana plans to collect baseline data for performance indicator eight of your State Performance Plan. Your sampling plan for Indicator eight, as revised, is consistent with the State Performance Plan sampling directions…".

In September 2006, for those LEAs who were to be monitored in the 2006-07 school year, all parents of students ages 3-21 receiving special education services during the 2005-06 school year were asked to complete and then mail the survey to MPRRC. Parents were assured of anonymity. A total of 3,355 surveys were mailed and 540 were returned for a response rate of 16.1 percent.

Because of the low response rate, a random sample of 50 parents were called and asked five key questions from the Parent Survey. The responses of the phone interviewees were compared to the responses of those who completed and mailed the Parent Survey. A "percent of maximum" score based on the five items was calculated for each respondent. A respondent who answered each of the five items a "6" (Very Strongly Agree) received a 100 percent score; a respondent who answered each item a "1" (Very Strongly Disagree) on each of the five items received a 0 percent score. A respondent who answered each item a "4" (Agree) on each of the five items received a 60 percent score. The mean percent of maximum score for the phone respondents (66%) was not significantly different from the mean percent of maximum score for the mail respondents (65%). Thus, the phone respondents were no more or no less satisfied than the mail respondents; as such, nonresponse bias is not present. This suggests that the results based on the mail respondents are representative of all parents of students with disabilities.

In order to report on this indicator, the OPI reviewed the items on the written survey to determine which of the 26 items related to the concept of the schools' "facilitating parent involvement." The OPI determined that all 26 items on the Parent Survey related to this indicator.

Each survey respondent received a percent of maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a "6" (Very Strongly Agree) on each of the 26 items received a 100 percent score; a respondent who rated their experiences with the school a "1" (Very Strongly Disagree) on each of the 26 items received a 0 percent score. A respondent who rated their experiences with the school a "4" (Agree) on each of the 26 items received a 60 percent score. (Note: a respondent who on average rated their experiences a "4", e.g., a respondent who rated 8 items a "4," 9 items a "3" and 9 items a "5," would also receive a percent of maximum score of 60%.)

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; and (4) by the age of the child. For example, 88% of the parents who returned a survey indicated that their children are white and 82% of special education students in the monitored districts are white.

Furthermore, a cross-section of parents with children of various types of disabilities responded to the survey. Weighting of survey responses was not necessary given the representativeness of the respondents and the lack of significant differences among groups of respondents.

The OPI, with recommendations from the Montana Special Education Advisory Panel, determined that a 60 percent cut score represented the most-appropriate cut score. A 60 percent cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that school facilitated their involvement. The Special Education Advisory Panel did not believe it was appropriate to insist that respondents "strongly agree" (a cut score of 80%) or "very strongly agree" (a cut score of 100%) that the school facilitated their involvement in order for the respondent to be counted as someone who believes that the school facilitated parent involvement. Thus, any parent who had a percent of maximum score of 60 percent or above was identified as one who reported that the school facilitated his/her involvement.

Baseline Data for FFY 2005 (2005-2006)

The following table shows that 65.5 percent of parents reported that the school facilitated their involvement.

Table 8. 1 Percentage of parents who state that the school facilitated their involvement

	School facilitated parent involvement
2005 (2005-2006)	65.5%

Discussion of Baseline Data

The first year of data collection indicates that the majority of parents believe that the LEAs facilitate their involvement; 65.5 percent of parents state that their child's school facilitated their involvement.

While this overall "parent involvement" percentage provides a benchmark of the extent to which schools are encouraging and facilitating parent involvement, the OPI has also reviewed individual item results to determine specific areas in which the schools and the OPI can make improvements in how they communicate with and relate to parents of special education students. The LEAs will be given their survey results so that they might also target specific areas for improved parent involvement.

The OPI is concerned about the low response rate. The response rate of 16.1 percent is lower than desired. Even though the phone interviews suggest that nonresponse bias is not present, the OPI will be working with the LEAs and with PLUK to encourage all parents to complete and return the survey. Beginning with the 2006-07 school year, the survey will be administered in the spring of each year. The LEAs will be encouraged to distribute the survey to parents in person such as at the regularly scheduled IEP meeting. This in-person distribution method should result in a higher response rate this year than last year. Provision of the survey in an electronic format will also be explored as one of the options for collecting survey responses.

Performance targets were established based on the recommendation and advice of the Special Education Advisory Panel. The Panel felt strongly that it would be difficult to move parents from a category of agree to "strongly agree."

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, the Parent Involvement Percentage will be 65.5% within a 95% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, the Parent Involvement Percentage will be 65.5% within a 95% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, the Parent Involvement Percentage will be 65.5% within a 95% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, the Parent Involvement Percentage will be 66% within a 95% confidence interval.
2009 (2009-2010)	Given a minimum N of 10, the Parent Involvement Percentage will be 67% within a 95% confidence interval.
2010 (2010-2011)	Given a minimum N of 10, the Parent Involvement Percentage will be 68% within a 95% confidence interval.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
The OPI will continue to work with the parent training and information center, Parents, Let's Unite for Kids (PLUK), to seek and encourage parents to become involved with their child's educational program.	Ongoing	MPRRC PLUK OPI
The OPI , with the support of its regional CSPD structure, will share strategies and best practices with school personnel and LEAs on improving parental involvement.	Ongoing	CSPD MPRRC PLUK OPI
The OPI will continue to make available special education information on its Web site to keep parents informed.	Ongoing	OPI

Monitoring Priority: Disproportionality

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

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

Overview of Issue/Description of System or Process

Montana is a state with little racial diversity. Our largest minority group is composed of American Indians. We are home to seven Indian reservations and 12 distinct tribal groups. The state's racial makeup is as follows: White 90.6 percent, American Indian 6.2 percent, Hispanic 2 percent, Asian .6 percent, Black .3 percent, Other.6 percent (2000 Census). Although 6.2 percent of Montana's population is American Indian, American Indians comprise over 11.3 percent of the state's K-12 students and over 14.7 percent of the population of students with disabilities. One-half of Montana's American Indian population is clustered around seven reservations, while the remaining half live in the state's urban areas. Of 852 schools in Montana, 641 (75%) have enrollments of less than 250 students. When making judgments of disproportionate representation, it is critical to keep in mind the results of the identification rate calculation due to small numbers within each racial/ethnic and disability subgroup.

In an effort to be more culturally responsive to our American Indian population, in 1999 the legislature approved "Indian Education for All." One of the intents of this legislation is to improve educational outcomes for American Indian students. In state fiscal year 2005, the legislature significantly increased funding for Indian Education for All. This resulted in the OPI establishing a Division of Indian Education for the purpose of providing technical assistance and support to LEAs on improving instructional practices for Indian students and to incorporate culturally responsive instructional materials as a part of their curriculum in all Montana schools. These efforts, as well as LEAs movement to incorporate early intervening strategies with a focus on response to intervention, are expected to have a positive impact by reducing disproportionate representation in special education.

The OPI maintains a copy of all LEAs' evaluation, identification and placement policies and reviews these policies to ensure they are race/ethnic neutral. Additionally all LEAs are required to implement and document general education's interventions to help ensure that referrals made to special education are based on instructional need and not on factors of race/ethnicity. The OPI ensures LEA compliance with these requirements through its General Supervision activities. These include the review of LEAs' policies and procedures to ensure compliance with IDEA and state laws and rules, compliance monitoring of all LEAs, State-Supported Programs, and State-Operated Programs on a cyclical basis to ensure implementation of policies as contained in the LEAs' approved Program Narrative and Focused Intervention activities.

Measurement:

Data Source: Child Count/618 data

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

Include state's definition of "disproportionate representation."

Describe how the state determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Following is a description of how the OPI will calculate special education identification rates for each LEA:

The rate is calculated by determining the proportion of students with disabilities of a specific racial/ethnic category receiving special education and related services based on the district's student population (enrollment count). The formulas are as follows:

- Specific racial/ethnic category of interest:

  Number of students with disabilities receiving special education and related services of the specific racial/ethnic category divided by the number of students of the specific racial/ethnic category enrolled in the school. (e.g., American Indian/Alaskan Native)

- Comparison group – all other students with disabilities in all other racial/ethnic categories:

  Number of other students with disabilities receiving special education and related services in all other racial/ethnic categories divided by the number of students in all other racial/ethnic categories enrolled in the school. (e.g., Hispanic + Black + ...)

Note: The identification rate is calculated for each racial/ethnic category for all disabilities.

The OPI then compares the identification rate of a specific racial/ethnic category in all disabilities to the identification rate of students in all other racial/ethnic categories and using statistical methods, measures the *size of difference* between the two proportions to determine if the size of difference is statistically significant **and results in a determination of disproportionate representation**. In this case, the term *statistically significant* means that, using a *level of significance of* ***.01***, we can be **99** percent confident that the size of difference between the two proportions is large enough to indicate that there is a relationship between the racial/ethnic and disability categories within the population from which the data was drawn that cannot be attributed to random chance.[3]

Data Limitations

1) A statistically significant difference **identifies disproportionate representation, but it cannot determine if the disproportionate representation is the result of inappropriate identification**. **Therefore, following the determination of disproportionate representation, the OPI conducts a review of LEA policies, practices and procedures to ensure identification is not the result of inappropriate identification. If, following a review of an LEA's policies, practice and procedures, the OPI determines that identification is the result of inappropriate identification, corrective actions with specified timelines are given to the LEA and the LEA is required to provide public notice of its revision(s) to policies, practices and/or procedures.**

2) In addition, caution must be used when evaluating the results of the identification rate calculation due to small numbers within each racial/ethnic and disability subgroup. Although the calculation procedure uses a minimum N of 10, the number of students enrolled for racial minority and

[3] Levin, Jack (2003). *Elementary Statistics in Social Research*. p. 219. Boston, MA: Pearson Education Group, Inc.

disability subgroups are still relatively low, especially in small rural schools, and, therefore, the calculation procedure also uses a confidence interval to obtain more precise and reliable results.

Currently, Montana does not have an individual student information system and, therefore, cannot track individuals across schools and school years. The OPI collects aggregate enrollment each October and special education data each December, which carries with it the risk of misclassification of student data (i.e., reporting a student's race/ethnicity inconsistently between the two data collections). Further, the data collection of students enrolled in the school includes students with disabilities and cannot be disaggregated. Therefore, comparisons made between students with disabilities and students without disabilities must be done with caution.

Description of System or Process

Beginning school year 2005-2006, the OPI will implement procedure**s** to determine whether an LEA has disproportionate representation based on inappropriate identification procedures. The process will include a state-level review of LEA data to identify LEAs that are calculated to have a *statistically significant difference in identification rates* **resulting in the determination of disproportionate representation**. When **analysis of an LEA's data shows there is disproportionate representation (either over or under), the OPI informs the LEA of its determination and conducts a review of LEA policies, practices and procedures to ensure identification is not the result of inappropriate identification. The LEA review includes review of selected student files, review of LEA policies, practices and procedures and selected interviews with LEA staff. If, following the review, the OPI determines that identification is the result of inappropriate identification, corrective actions with specified timelines are given to the LEA and the LEA is required to provide public notice of its revision(s) to policies, practices and or procedures.**

The OPI maintains a monitoring tracking system to ensure that corrective actions are completed within the required timelines and LEAs have provided the required documentation to demonstrate change.

<u>Definition of Disproportionate Representation</u>

An LEA is determined to have disproportionate representation (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of a specific race/ethnicity group receiving special education and related services compared to the proportion of students with disabilities in all other race/ethnicity groups receiving special education and related services in that LEA, within a 99 percent confidence interval.

Baseline Data for FFY 2005 (2005-2006)

Baseline data was collected during the 2005-2006 school year. **The OPI, identified eight LEAs as having a disproportionate representation of racial and ethnic groups in special education. Baseline data indicate that three LEAs were identified as having an *over-representation* of American Indian/Alaskan Native receiving special education and related services, and five were identified as having *under-representation* of White receiving special education and related services. After further review, it was determined that none of these LEAs identified with disproportionate representation were determined to have disproportionate representation due to inappropriate identification. The following table presents the results of the identification of LEAs with disproportionate representation and whether the disproportionate representation was based on inappropriate identification procedures.**

Table 9. 1 Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures for the 2005-2006 School Year - Revised

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified With Disproportionate Representation	Number of LEAs Identified With Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified With Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a) * 100
2005-2006	433	**8**	0	**0.0%**

Discussion of Baseline Data

The OPI conducted a review of each of the LEAs' policies, practices and procedures to determine if disproportionate representation was the result of inappropriate identification. None of the **eight** LEAs initially identified **as having a disproportionate representation** were determined to have disproportionate representation **as a result of inappropriate identification.**

Additionally, there were no **written** complaints, due process hearings **or corrective actions issued in 2005-2006** related to inappropriate identification based on race or ethnicity.

There was 0 percent of LEAs in 2005-2006 identified with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.
2009 (2009-2010)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.
2010	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial

(2010-2011)	and ethnic groups in special education and related services resulting from inappropriate identification is 0% within a **99**% confidence interval.

Improvement Activities/Timelines/Resources

Improvement Strategies	Timelines	Resources
The OPI will continue to implement a pilot project with selected LEAs on the implementation of Early Intervening Services and the use of Response to Intervention (RtI). The OPI will provide training and technical assistance to LEAs on Early Intervening strategies.	Ongoing Annually Ongoing	OPI staff Consultants U. of Montana CSPD OPI Staff/Consultants MPRRC
The OPI will continue collaboration with Reading First on early intervention strategies.	Ongoing	NCCRESt OPI staff LEAs
Provide technical assistance to schools in collaboration with the Division of Indian Education for All on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.	Ongoing	OPI staff CSPD

Monitoring Priority: Disproportionality

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

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

Overview

Refer to overview under performance indicator #9.

Because our LEAs are so small, and disaggregation of the data into even smaller categories of race/ethnicity, extreme caution must be taken when making a determination of **disproportionate representation**. There are many factors, aside from educational practices, which may affect the representation of a racial/ethnic group in specific disability categories.

The OPI has not had any due process hearings, mediations, complaints or compliance finding related to disproportionate representation or inappropriate identification of racial or ethnic groups in specific disability categories.

Measurement:

Data Source: Child Count/618 data

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

Include state's definition of "disproportionate representation."

Describe how the state determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Overview of Issue/Description of System or Process

Beginning school year 2005-2006, the OPI will implement procedure**s** to determine whether an LEA has disproportionate representation **of racial and ethnic groups *in specific disability categories that is the result of inappropriate identification.*** The process will include a state-level review of LEA data to identify LEAs that are calculated to have a *statistically significant difference* **by racial and ethnic groups in specific disability categories. An LEA will be determined to have disproportionate representation if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial/ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities racial/ethnic groups within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.**

When **analysis of an LEA's data shows there is disproportionate representation, the OPI will inform the LEA of its determination and conduct a review of LEA policies, practices and procedures to**

ensure identification is not the result of inappropriate identification. The LEA review includes review of selected student files, review of LEA policies, practices and procedures and selected interviews with LEA staff. If following the review, the OPI determines that identification is the result of inappropriate identification, corrective actions with specified timelines will be given to the LEA and the LEA will be required to provide public notice of its revision(s) to policies, practices and or procedures.

The OPI maintains a monitoring tracking system to ensure that corrective actions are completed within the required timelines and LEAs have provided the required documentation to demonstrate change.

Definition of Disproportionate Representation

An LEA is determined to have disproportionate representation (under or over) if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial/ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities racial/ethnic groups within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

An LEA's special education identification rate will be calculated by determining the proportion of students with disabilities of a specific racial/ethnic category identified with a particular disability based on the LEA's student population (enrollment count). The formulas are as follows:

- Specific racial/ethnic and disability category of interest:

  Number of students with disabilities of the specific racial/ethnic and disability category divided by the number of students of the specific racial/ethnic category enrolled in the school (e.g., American Indian/Alaskan Native and Autism).

- Comparison group – all other students with disabilities and racial/ethnic categories:

  Number of other students with disabilities in a specific disability category divided by the number of students in all other racial/ethnic categories enrolled in the school (e.g., [Hispanic-Autism] + [Black-Autism] + ...).

Note: The identification rate will be calculated for each disability and racial/ethnic category combination. The OPI will then compare the identification rate of a specific racial/ethnic category in a particular disability to the identification rate of all other students in the same disability category and using statistical methods, will measure the *size of difference* between the two proportions to determine if the size of difference is statistically significant. In this case, the term *statistically significant* means that, using a minimum N of 10 and a *level of significance of* ***.01***, we can be **99** percent confident that for districts with an N of 10 or greater, the size of difference between the two proportions is large enough to indicate that there is a relationship between the racial/ethnic and disability categories within the population from which the data was drawn that cannot be attributed to random chance.[4]

[4] Levin, Jack (2003). *Elementary Statistics in Social Research*. p. 219. Boston, MA: Pearson Education Group, Inc.

Data Limitations

A review of data alone does not result in a determination of inappropriate identification. When an LEA is identified as having disproportionate representation further investigation is conducted to determine if there is disproportionate representation in disability categories as a result of inappropriate identification.

In addition, caution must be used when evaluating the results of the identification rate calculation due to small numbers within each racial/ethnic and disability subgroup. Although our calculation uses a minimum N of 10, the number of students enrolled for racial minority and disability subgroups are still relatively low, especially in small rural schools, and, therefore, a confidence interval is applied to obtain more precise and reliable results.

Currently, Montana does not have an individual student information system and, therefore, cannot track individual students across LEAs and school years. The OPI collects aggregate enrollment each October and special education data each December, which carries with it the risk of misclassification of student data (i.e., reporting a student's race/ethnicity inconsistently between the two data collections). Further, the data collection of students enrolled in the LEA includes students with disabilities and cannot be disaggregated. Therefore, comparisons made between students with disabilities and students without disabilities must be done with caution.

Baseline Data for FFY 2005 (2005-2006)

Baseline data was collected during the 2005-2006 school year. The OPI, identified **three** LEAs as having **disproportionate** representation of racial and ethnic groups **in *specific disability categories.*** Of the **three** LEAs, **two** LEAs were identified as having **an *over-representation*** of American Indian/Alaskan Native students identified in the disability category of learning disabled and **one LEA was identified as having an *under-representation* of White students identified in the disability category of learning disabled. Further review of these LEAs indicates that the disproportionate representation was not due to inappropriate identification procedures. The following table presents the results of the identification of LEAs with disproportionate representation and whether the disproportionate representation was based on inappropriate identification procedures.**

Table 10. 1 LEAs Identified with Disproportionate Representation by Race/Ethnicity and Disability for the 2005-2006 School Year – Revised

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified With Disproportionate Representation	Number of LEAs Identified With Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified With Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a) * 100
2005-2006	433	**3**	0	**0.0%**

Discussion of Baseline Data

The OPI conducted a review of each of the LEAs policies, practices and procedures to determine if disproportionate representation was the result of inappropriate identification. None of the three LEAs initially identified as having disproportionate representation were determined to have disproportionate representation as a result of inappropriate identification.

Additionally, there were no complaints or due process hearings related to inappropriate identification based on race or ethnicity in a disability category.

There was 0 percent of LEAs in 2005-2006 identified with disproportionate representation of racial and ethic groups in specific disability categories that is the result of inappropriate identification.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.
2006 (2006-2007)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.
2007 (2007-2008)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.
2008 (2008-2009)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.
2009 (2009-2010)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.
2010 (2010-2011)	Given a minimum N of 10, the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification is 0% within a **99**% confidence interval.

Improvement Activities/Timelines/Resources

Improvement Strategies	Timelines	Resources
The OPI will provide training and technical assistance to LEAs on Early Intervening strategies.	Ongoing	OPI Staff NCCREST
The OPI will continue collaboration with Reading First on early intervention strategies.	Ongoing	OPI staff CSPD
Provide technical assistance to schools in collaboration with the Division of Indian Education for All on instructional strategies in general education that may lead to fewer American Indian students identified as needing special education.	Ongoing	OPI staff CSPD
Implement a pilot project with selected LEAs on the implementation of Early Intervening Services and the use of Response to Intervention (RtI) as one of the factors in determining eligibility under IDEA.	Ongoing	OPI staff CSPD Consultants U. of Montana

Monitoring Priority: Effective General Supervision Part B/Child Find

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

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

Measurement:

a. # of children for whom parental consent to evaluate was received.
b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or state established timeline).
c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or state established timeline).

Account for children included in a, but not included in b or c. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.

Percent = b + c divided by a times 100.

Overview of Issue/Description of System or Process

Previous to IDEA 2004, the OPI did not have a formal policy on timelines for completion of eligibility determination following receipt of parent permission to evaluate. However, following the passage of IDEA 2004, the OPI adopted the 60-day timeline and incorporated this indicator as a part of its compliance monitoring reviews. The OPI provided training for special education personnel on the 60- day requirement for completion of evaluation. Compliance reviews are conducted on a five-year cycle and are composed of a review of a sampling of student records to determine compliance with IDEA regulations and state rules. This compliance monitoring process is described in detail under performance indicator #15.

As a part of the compliance monitoring process, monitors select a sampling of special education records for students who have been initially evaluated for special education services. In conducting their review, they compare the date of the LEA's receipt of written parent permission for evaluation to the date that the evaluation was completed to ensure that the evaluation was conducted in accord with the 60-day timeline.

It is anticipated that this data will be collected and reported on for all students initially evaluated during a school year effective with the full implementation of the special education records and information management system (SERIMS).

Baseline Data for FFY 2005 (2005-2006 school year)

A total of 75 LEAs were monitored during the 2005-2006 school year. As a part of the compliance monitoring process, a total of 156 records of students who were initially evaluated for special education were reviewed. Of these students, 43 were determined not eligible for special education services and 102 were identified as IDEA-eligible. One hundred forty-five or 93 percent of the eligibility determinations for the 156 records reviewed, were made within the required 60-day timeline. The range of delays beyond the 60-day timeline ranged from two weeks to five months. The most frequent of the range was 2-3 weeks.

Discussion of Baseline Data

There are a number of factors which could account for the perceived delay in completing the evaluation within the 60-day time line. The LEAs do not date stamp on the evaluation form the date that signed permission for evaluation was received. Therefore, an evaluation form may have been signed and dated by the parent, but the form may not have been received by the LEA until a later date. Monitors determine completion of the evaluation by comparing the date of the parent signature on the permission to evaluate form to the date on the Child Study Team (CST) meeting document. There are instances when the evaluation was, in fact, completed but the meeting date was held beyond the 60-day timeline. There was one case identified in which a special education teacher reported that the request for evaluation was not immediately given to her, but when it was received the evaluation was completed within two weeks. When the student information system is fully implemented, it will document the date that written parent consent was received by the LEA.

Analysis of data showed that incidences of not meeting the 60-day timeline was a sporadic event. In other words, monitors did not identify any LEA which had a pattern of practice of not responding to written parent consents for evaluations or delaying completion of the evaluation. If there is a finding that an LEA has a pattern of practice that results in a delay of completion of the evaluation, monitors would require the LEA to take immediate corrective actions.

Based on 2005-2006 data of 156 records reviewed, 93 percent of initial evaluations conducted were completed within the 60-day timeline.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**
2006 (2006-2007)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**
2007 (2007-2008)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**
2008 (2008-2009)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**
2009 (2009-2010)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**

2010 (2010-2011)	**100% of children, with parental consent to evaluate, were evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).**

Improvement Activities/Timelines/Resources

Improvement Strategies	Timelines	Resources
Provide technical assistance and training to LEAs on timeline requirements.	Ongoing	OPI Staff CSPD MPRRC
Work with the contractor to ensure this data element is collected as a part of the SERIMS.	Fully implement 2008-2009	OPI Staff Contractor
The OPI will work with PLUK to ensure parents are knowledgable of the 60-day timeline.		OPI Staff CSPD PLUK

Monitoring Priority: Effective General Supervision Part B/Effective Transition

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

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

Overview

Each LEA is required to have a comprehensive child find system in place. As part of the child find requirement, LEAs must coordinate child find procedures with Part C agencies to ensure that infants/toddlers and preschool children who are referred for a suspected disability are evaluated, and, as appropriate, served by the appropriate agency. In addition to working collaboratively with Part C agencies, LEAs also work in collaboration with Head Start and other provider programs. The LEAs and Head Start agencies often have formal agreements which specifically describe the roles, responsibilities and activities each agency will conduct to ensure an effective child find system.

The Office of Public Instruction (OPI) addresses Early Childhood Transition through these methods: (1) An interagency agreement with the Developmental Disabilities Program (DDP), Montana's Part C lead agency for the IDEA Part C Early Intervention Program, defines the procedures with which both Early Intervention provider agencies and local educational agencies collaborate to ensure the provision of free appropriate public education by the child's third birthday; (2) Appropriate personnel from both the OPI and DDP provide training and technical assistance at the local level to support smooth transition activities; (3) Both the OPI and DDP work with Parents, Let's Unite for Kids (PLUK) to inform and support parents and families experiencing transitions from Part C to early childhood special education; (4) The OPI complaints and due process management system responds to inquiries about provision of FAPE on the third birthday, among other concerns; and (5) The OPI compliance monitoring procedure ensures that the sample of individual student records reviewed include 3-year-old children and, specifically, looks into the provision of free appropriate public education on the third birthday.

Following are activities that have continued to be implemented to support the provision of FAPE upon the third birthday:

1. The Office of Public Instruction and Developmental Disabilities Program, the lead agency for the IDEA Part C Early Intervention Program, collaborate effectively. Interagency agreements lay out responsibilities and roles.
2. A representative of the Family Support Services Council is a member of the Special Education Advisory Panel, and the OPI Preschool Specialist participates on the Family Support Services Council. The Family Support Services Council is the counterpart of the Special Education Advisory Panel guiding the IDEA Part C Early Intervention Program.
3. The Early Assistance Program staff and Preschool Specialist provide guidance and direction to callers inquiring about preschool transition concerns. Frequent callers are parents, special educators, family support specialists, advocates, and other service providers.

Measurement:

Data Sources:

Part C and Part B Child Count Data

Compliance Monitoring Data

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

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

Percent = c divided by a – b times 100.

Overview of Issue/Description of System or Process

The OPI does not have a student information system in place that allows for the collection of data as identified in the measurement table above. Instead, the OPI collects data through collaboration with Part C and through its compliance monitoring activities. The data provided by Part C comes from Table 3 data which they report annually to the U.S. Department of Education on February 1. The data from compliance reviews collected is based on review of a sampling of students with disabilities records.

The OPI is developing a special education records and information management system which will address all of the data elements required as a part of the indicator. The system is expected to be fully implemented in the 2008-2009 school year.

Baseline Data for FFY 2004 (2004-2005)

The Developmental Disabilities Program (DDP) is the lead agency for the IDEA Part C Early Intervention Program. The DDP issued a *Report on Infants and Toddlers Exiting Part C Programs (Table 3)* dated January 31, 2005, that reported that 721 children exited the program between July 1, 2004, and June 30, 2005. Of these children, 248 were reported under Section B: Exited for other reasons. These reasons include:

- Deceased (N = 12),
- Moved out of state (N = 79),
- Withdrawal by parent or guardian (N = 93), and
- Attempts to contact unsuccessful (N = 64).

The remaining 473 children were reported under Section A: Program Completion. Of these children, 182 were reported under the category: Completion of IFSP prior to reaching maximum age for Part C. The remaining 291 children were reported in the outcomes shown in the table below.

Table 12. 1 Number and Percentage of Infants and Toddlers

Number and Percentage of Infants and Toddlers			July 1, 2003 - June 30, 2004	
Part B Eligible	**Not Eligible for Part B, Exit to Other Programs**	**Not Eligible for Part B, Exit With No Referrals**	**Part B Eligibility Not Determined**	**TOTAL**
180	43	12	52	287
63%	15%	4%	18%	

Table 12. 2 Number and Percentage of Infants and Toddlers

Number and Percentage of Infants and Toddlers			July 1, 2004 - June 30, 2005	
Part B Eligible	**Not Eligible for Part B, Exit to Other Programs**	**Not Eligible for Part B, Exit With No Referrals**	**Part B Eligibility Not Determined**	**TOTAL**
197	**36**	**12**	**46**	**291**
67%	**12%**	**4%**	**15%**	

Discussion of Baseline Data

Of the 291 children referred by Part C to the Part B program, 67 percent of the children were determined to be eligible for Part B services.

A review of child count data for both infants/toddlers (Part C) and the number of 3-year-old children served under Part B shows that Part B numbers of children served is consistently greater than the number of infant/toddlers served under Part C. There may be a variety of reasons for this (parents not wanting their child to receive services until the child reaches age 3, lack of identification prior to age 3, new children entering the state, parents not wishing to participate in transition planning, etc.).

Of 40 entities monitored for procedural compliance during 2003-2004 and the 54 entities monitored in 2004-2005, none required a corrective action to address a systemic concern related to provision of FAPE on the child's third birthday. Similarly, no confidential memoranda were required to address an instance where provision of FAPE on the third birthday was at issue. No concerns related to provision of FAPE on the third birthday were identified and addressed by the OPI legal unit in either 2003-2004 or the 2004-2005 school year.

Analysis of data from due process, mediations, complaints, the EAP and compliance monitoring support the conclusion that LEAs are implementing effective child find services and providing special education and related services to eligible children on their third birthday.

An IEP developed and implemented by the third birthday means that the initial IEP includes the written approval for placement by the parent and it is implemented within 30 days of determination of eligibility and in accord with the timelines specified in the IEP.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.
2006 (2006-2007)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.
2007 (2007-2008)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.
2008 (2008-2009)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.
2009 (2009-2010)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.
2010 (2010-2011)	100% of students referred by Part C and eligible for Part B will have an IEP developed and implemented by their third birthday.

Improvement Activities/Timelines/Resources

Improvement Strategies	Timelines	Resources
Continue to monitor for procedural compliance, as well as to review data from due process, mediations, and complaints.	Ongoing	OPI Staff
Continue to work with Part C to collect necessary data elements to meet these new data collection requirements for this indicator.	Ongoing	OPI and DDPHS/Part C Staff
The OPI will work with its contractor to ensure the SERIMS includes necessary data elements to address this performance indicator.	2006-2007	OPI Staff
Continue to provide TA and training on effective child find practices and transition from Part C to Part B.	Ongoing	CSPD Activities OPI and DDPHS/Part C Staff
Fully implement the SERIMS to ensure all data elements are collected	2008-2009 School Year	OPI Staff

Monitoring Priority: Effective General Supervision Part B / Effective Transition

***Indicator 13**: **Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.**

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

Overview

Montana continues to improve its preparation of students with disabilities for post-school activities. As a result of the Transitions Outcomes Project (TOP), as well as commitments of staff and resources, LEAs have access to training and technical assistance on issues related to the development of coordinated transition plans and interagency collaboration. The low incidence of compliance monitoring intervention for secondary transition issues is a result of this ongoing effort.

Seven years ago, Montana was one of the first states in the country to spearhead an initiative to help LEAs improve secondary transition planning and practices for students with disabilities. Under the guidance of the Mountain Plains Regional Resource Center, the Transition Outcomes Project began in two pilot school districts in the state. Since then, the Transition Outcomes Project has been active in over 50 LEAs across the state and over 2,500 IEPs have been reviewed. Follow–up review and technical assistance continues to occur. The Transition Outcomes Project provides the model to help IEP team members identify strengths and improvement targets for meeting each of the transition process requirements, identified problem areas, and monitor progress toward improvements.

The Transition Outcomes Project began examining transition-planning practices in schools beginning with the 2000-01 school year. It evaluates IEP review documentation against a set of benchmarks that reflect transition practices that meet the current legal and procedural requirements. Areas in need of improvement are identified and then targeted for inservice and technical assistance from transition project staff. These schools' practices are then revisited. A review of accumulated data shows a clear and consistent pattern of improvement from the first review to the second. This project is successful in raising awareness of what is necessary in order to be in full compliance with the transition requirements of IDEA and represents a solid step in improving outcomes for students in this area. Montana's compliance monitoring Special Education Student Record Review Form has been revised to reflect transition requirement changes under IDEA '05.

Transition activities during 2004-2005 focused on development and dispersion of a detailed training module addressing both compliance and best practice transition processes. This training was done in each of the state's five CSPD regions. The OPI also continued providing training and technical assistance for all schools. In addition to a state secondary transition coordinator and the monitoring specialists, Montana has eight trained transition coaches and trainers that provide training and technical assistance and are geographically located across the state.

Measurement:

Percent = # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals divided by # of youth with an IEP age 16 and above times 100.

Overview of Issue/Description of System or Process

The OPI implements a compliance monitoring system based on a five-year cycle. This cycle is described in detail in performance indicator #15. Data for this performance indicator is collected as a part of the compliance monitoring process.

When the OPI fully implements its special education records and student information system, this will allow the OPI to select a broader sampling of records for students ages 16 and older to ensure their IEPs meet all of the requirements under this performance indicator.

The OPI collected baseline data as a part of its compliance monitoring procedures during the 2005-2006 school year. Compliance monitors reviewed a sampling of student records for students, ages 16 and older, to ensure their IEPs include coordinated, measurable, annual goals and transition services that will reasonably enable to student to meet post-secondary goals.

Baseline Data for FFY 2005 (2005-2006)

During the 2005-2006 school year, student records were reviewed in 30 LEAs for coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals. Of the 70 records reviewed, 34 were found to be out of compliance. The statistical measurement results in a finding of 51 percent of records meeting this indicator.

Discussion of Baseline Data

Of the records found out of compliance, most were found to not include the required measurable postsecondary goals which were a new requirement under IDEA 04.

Improvement activities undertaken included a revision of forms which provide increased direction for transition requirements, revision and expansion of transition technical assistance and professional development materials, training of transition specialists in the SEA, statewide transition training, and technical assistance provided through other agency conferences. The new student data system under development in Montana, which will house a required use IEP form, will also include functionality that will require transition components be complete before the IEP can be entered. Technical assistance and professional development activities are ongoing.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2006 (2006-2007)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2007 (2007-2008)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2008 (2008-2009)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2009 (2009-2010)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2010 (2010-2011)	100% of IEPs for students, ages 16 and older, will have coordinated, measurable, annual IEP goals and reasonable transition services.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
Continue to provide technical assistance and professional development to LEAs and school personnel on transition requirements and IEP development.	Ongoing	OPI Staff CSPD Transition Coaches MPRRC
Continue to work with other state agencies such as Vocational Rehabilitation, etc., to engage their involvement in transition planning, as appropriate.	Ongoing	OPI Staff
Work with the IHEs to help ensure students in preservice education receive information and training related to transition requirements under IDEA and the development of appropriate goals.	Ongoing	OPI Staff CSPD State Council
Collect transition data through the SERIMS system.	2008-2009	OPI Staff

Monitoring Priority: Effective General Supervision Part B/Effective Transition

***Indicator 14**: **Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.**

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

Montana is collecting postsecondary school outcome data in 2007 for the first time. Special Education personnel have established linkages within the OPI and other agencies. Shared interests with Career, Technical and Adult Education, Vocational Rehabilitation, Adult service providers and Higher Education representatives have been established. Outcome data from this indicator will be used for SPP/APR reporting, identification of technical assistance targets and program planning. It will also be shared with our professional stakeholders for coordination and improvement of activities.

Percent = # of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school divided by # of youth assessed who had IEPs and are no longer in secondary school times 100.

Overview of Issue/Description of System or Process

Montana utilized the Montana Post-School Survey modeled after the post-school survey developed by the National Post-School Outcomes Center. Each LEA is responsible for contacting students and conducting survey interviews. The Post-School Survey is a Web-based survey and can be found at http://dev.opi.mt.gov/PostSchoolSurvey/Instructions.aspx.

The population for the survey are all high school students with disabilities reported as leaving school at the end of the 2005-2006 school year (June 30, 2006) by means of dropping out, graduating with a regular diploma, receiving a certificate, or reached maximum age. The total number of high school students with disabilities reported in the 2007 State Performance Plan as the base population was 1,256 students. However, during the survey process, it was reported that nine students had returned to secondary school, resulting in 1,247 high school students. Of those 1,247 students, 715 students who had IEPs and are no longer in secondary school were assessed by the survey.

The LEAs were provided a list of the exiting students that they reported and were required to conduct a follow-up survey with these students between April 2007 and September 2007. Montana has chosen to have LEAs report student outcome data for all students who had IEPs and are no longer in secondary school to ensure the greatest possible accuracy of our data. Because of the preponderance of small schools in Montana and close ties that generally exist between the school and community, teachers and other staff personally know the young adults and their families and as a result are often directly aware of the post-school outcome.

Survey results for all students who are successfully contacted will provide our data source. If certain sub-groups of students (e.g., by LEA, race/ethnicity, etc.) are underrepresented to a significant degree, then

further attempts to contact and interview a sample of these underrepresented students will be made. Likewise, if response rates are low or data is missing, LEAs will be required to initiate additional contact attempts.

Survey data collection format will be at the discretion of the LEA and may include personal contact, phone interview, paper, or electronic completion.

Key terms for this indicator are defined as follows:

Exiters are defined to include those students with disabilities who, during the 2005-06 school year, graduated with a regular diploma, received a certificate, who dropped-out, or who reached maximum age, as established by the LEA, for receipt of special education services.

Drop Outs. Those students who were enrolled in high school at the start of the reporting period, but were not enrolled at the end of the reporting period, and did not exit through any of the other bases described above. This includes runaways, GED recipients, expulsions, status unknown, students who moved and are not known to be continuing in another educational program.

Employment/Competitive employment is work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and compensated at or above minimum wage, but not less than customary wage, and level of benefits paid by employer for the same or similar work performed by individuals that are not disabled. Competitive employment includes being in the military and may be in the home when there is a family-based business.

Postsecondary school enrollment is defined as participation in a two- or four-year college program, vocational or technical education beyond high school or short-term education or employment training program (e.g., WIA, Job Corps, Beauty School, etc.) either full or part time. Full or part time is determined by the program in which the student is enrolled.

Baseline Data for FFY 2005 (2005-2006)

Table 14.1 below presents the results of Montana's Post School Survey for high school students who left school during the 2005-2006 school year.

Table 14. 1 Montana Post-School Survey Results for the 2005-2006 School Year

Number of Youth with Disabilities Not In Secondary School Who Responded to Survey (a)	Number of Youth with Disabilities Employed And Enrolled (b)	Number of Youth with Disabilities Competitively Employed (c)	Number of Youth with Disabilities Enrolled in Postsecondary School (d)	Percent of Youth with Disabilities Competitively Employed and/or Enrolled % = [(b+c+d)/a]	Number of Youth with Disabilities NOT Employed and/or Enrolled (e)	Percent of Youth with Disabilities NOT Employed and/or Enrolled % = (e/a)
715	159	377	37	**80.1%**	142	**19.9%**

Response rates for the Montana Post-School Survey are presented in Table 14.2 below.

Table 14. 2 Montana Post School Survey Response Rates for the 2005-2006 School Year

Number of Youth with Disabilities Not In Secondary School (a)	Number of Returned Surveys (b)	Number of Surveys NOT Returned	Survey Reponse Rate % = (b/a)
1247	715	532	**57.3%**

Discussion of Baseline Data

The representativeness of the surveys was assessed by examining the demographic characteristics of the students who responded to the survey to the demographic characteristics of all high school students with disabilities that left school at the end of the 2005-2006 school year. This comparison indicates the results are representative 1) by the race/ethnicity of the students; 2) by the primary disability category of the students; and 3) by the age of the students. For example, 78.8 percent of high school students leaving school in 2005-2006 are White, non-Hispanic and 78.6 percent of survey respondents were White, non-Hispanic. Further, a review of the distribution of survey respondents by primary disability is comparable to the distribution of high school students leaving school by primary disability. The distribution range for survey respondents is between 65.4 percent for learning disability to 0.1 percent for students with deaf-blindness. In turn, the primary disability distribution ranges from 66.2 percent for learning disability to 0.1 percent for students with deaf-blindness.

As indicated in Table 14.1 above, baseline data indicate that 80.1 percent of high school students with disabilities and no longer in secondary school as of the 2005-2006 school year, have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school. Conversely, 19.9 percent reported that they were not competitively employed and/or enrolled in some type of postsecondary school, or both, within one year of leaving high school.

Montana also reviewed the survey response rates as indicated in Table 14.2 above. The response rate for FFY 2006 (2006-2007 school year) is 57.3 percent. Activities planned to help increase the response rate are discussed below in Improvement Activities.

The response rate of 57.3 percent represented 715 surveys returned. Of those surveys returned, 573 surveys reported that the student had been competitively employed, enrolled in some type of postsecondary school, or both, within the 2006-2007 school year. This baseline data indicates that 80.1 percent of students with surveys returned had been competitively employed, enrolled in some type of postsecondary school, or both, within the 2006-2007 school year.

A copy of the Post-School Outcomes Survey has been included as an attachment to this document.

Measurable and rigorous targets were developed based on the analysis of the baseline data. As intervention strategies are applied to increase the rate of surveys returned, the expectation is that the percentage of students contacted by districts and responding to the survey will increase. This increase will include students who have moved or may not have had a stable living or family structure. Therefore, stakeholders have indicated that it is reasonable to expect that, for the near term, a downward trend in the data should be expected. As intervention strategies are applied to better prepare students and improve employment and educational opportunities, the downward trend of the percent of students who had been competitively employed, enrolled in some type of

post-secondary school, or both, should be halted and in subsequent years the percent should begin to show a gradual increase such that by the 2010 school year, the percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school should exceed the baseline data rate established for the students leaving school in 2005-2006.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	**80.1% of youth who had IEPs and are no longer in secondary school will be competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school**
2007 (2007-2008)	**79.1% of youth who had IEPs and are no longer in secondary school will be competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school**
2008 (2008-2009)	**79.5% of youth who had IEPs and are no longer in secondary school will be competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school**
2009 (2009-2010)	**80.1% of youth who had IEPs and are no longer in secondary school will be competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school**
2010 (2010-2011)	**80.3% of youth who had IEPs and are no longer in secondary school will be competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school**

Improvement Activities/Timelines/Resources:

Montana students exiting high school face numerous challenges in continuing education or training, as well as employment. The rural aspect of much of Montana provides limitations in accessing higher education and/or vocational training due to constrictive travel distances and a limited economy. Likewise, employment opportunities in rural communities are limited and many youth choose to train and work on the family farm, ranch, or home-based business, many of which do not meet the standard of competitively employed.

Montana is expanding our capabilities to provide online and other technology-based options for training and education which will particularly benefit rural areas. Even this poses unique difficulties in a state where cell phone service is not consistently available and digital phone lines are not the norm.

Montana has focused on transition issues in recent years as part of the transitions outcomes project and through intensive training and technical assistance to school personnel and parents. An action plan for transition training for the current and next year is developed and will utilize newly developed training materials which are available on our Web site at: http://www.opi.mt.gov/SpecEd/trans2.html. This training focuses on developing attainable and appropriate transition plans.

Improvement Strategies	Timelines	Resources
Provide information on post school data collection requirements to all LEAs and their personnel.	2005-2006	CSPD Activities OPI Regional MASS Meetings CEC OPI Web Site MCASE
Work with the SERIMS contractor to ensure required data collection components are included in the system.	February 2006 through July **2008**	OPI Staff
Provide training and technical assistance to LEAs on data collection and follow-up procedures to ensure complete collection of all required data.	2006-2007 Ongoing	OPI Staff **CSPD** **OPI Web Site**
Work with LEAs to collect baseline data for all students with disabilities who exited from school during the 2005-2006 school year.	June 30, 2007	LEAs OPI Staff Post-School Outcomes Center MPRRC
Open survey application for LEA use in April to maximize time for data collection/reporting.	**April 1, 2008** **Annually**	**OPI Staff**
Continue comprehensive transition training and technical assistance activities regionally and to individual LEAs.	**February 1, 2008** **Ongoing**	**OPI Staff** **CSPD** **Post-School Outcomes Center** **MPRRC** **OPI Web Site**
Continue to work with other agencies and higher education to improve access and opportunities for employment and education or training.	**February 1, 2008** **Ongoing**	**OPI Staff** **Vocational Rehabilitation** **Montana University System**

Monitoring Priority: Effective General Supervision Part B/General Supervision

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

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

Overview

The Montana Office of Public Instruction implements a comprehensive system of general supervision that includes: review of IDEA Part B applicants' policies and procedures to ensure consistency with IDEA Part B requirements; implementation of procedures for formal complaints and due process hearings and mediation; provision of an Early Assistance Program (EAP) to resolve issues prior to their becoming formal complaints or going to due process; implementation of a compliance monitoring process based on a five-year cycle and implementation of a focused intervention system based on selected performance indicators.

Each component of the general supervision system includes procedures for tracking data to ensure requirements and timelines are addressed in a timely manner. Complaints, mediations, and due process hearing timelines are tracked by the Legal Division of the OPI. The LEA/applicant policies and procedures and data, including data gathered through compliance reviews and focused intervention, are tracked through the Division of Special Education. Continuous improvement, based on each LEA's five-year comprehensive plan, is reported by LEAs annually and tracked through the Accreditation Division.

Montana implemented a separate, special education Continuous Improvement Monitoring Process (CIMP) from July 1, 2000, through June 30, 2003. Local education agencies (LEAs) which were involved in the CIMP process continued to work toward completing the goals identified in the CIMP improvement plan and to report progress to the OPI during the 2003-2004 school year. In May of 2003, the Montana Board of Public Education adopted administrative rule 10.55.601 which required all LEAs to have a single *Five-Year Comprehensive Education Plan* on file with the Office of Public Instruction to ensure ongoing continuous academic, social, emotional, and physical growth for all students to ensure consistent improvement. The five-year plan uses individual LEA and school data to drive reform. Since the advent of the five-year planning process, and consistent with the recommendations of the State Special Education Advisory Panel, the OPI Division of Special Education revised its general supervision procedures. This revision resulted in the OPI implementation of a combination of cyclical compliance monitoring and "Focused Intervention" activities. Focused Intervention was designed to be implemented in two stages to ensure that the process used would be effective in identifying LEA performance based on the performance indicators. Stage 1 activities, implemented during 2003-2004, included all of the following: identification of key performance indicators, factors to be used in LEA selection, Focused Intervention activities and responsibilities and information sharing and training. Stage 2, was implemented in 2004-2005, LEAs were selected based on their performance indicators data and participated in Focused Intervention activities with OPI staff. Following are descriptions of how procedural compliance is monitored through *Compliance Monitoring* and performance indicators are addressed through *Focused Intervention.*

Compliance Monitoring: The OPI reviews individual student records to verify that the LEA's child find procedures, evaluation/re-evaluation processes, and the Individualized Education Program (IEP) procedures meet IDEA requirements and Montana's standards. This student record review also addresses procedural safeguards and notices, suspension/expulsion, transition, least restrictive educational environment and

transfer of students from other Montana districts or out of state, as well as the provision of services to parentally enrolled students with disabilities in private schools. Compliance monitoring activities consist of:

- Review of a sample of student records to examine current practices and documentation;
- Visits to selected schools, when appropriate; and
- Contact with individual teachers and specialists to discuss records selected for review, when appropriate.

A systemic failure by the LEA to meet regulatory standards results in a finding of noncompliance and a corresponding Corrective Action Plan (CAP). A CAP identifies a systemic issue that requires a change in policy, procedure, or practice to ensure full compliance with the IDEA and Montana laws and rules. Each CAP cites a specific regulation, either federal or state, identified through a review of individual student records and describes the nature of the noncompliance. The CAP establishes timelines for the district to stop the noncompliant practice, implement policies and procedures to address the concern, implement required actions to produce permanent changes and a subsequent review of student records to demonstrate the continuation of these compliant practices. If as a result of compliance monitoring, it is determined that documentation or other evidence is insufficient to ensure an individual student is receiving a Free Appropriate Public Education (FAPE), the OPI addresses that concern with a confidential memorandum. A confidential memorandum is a directive to the district that: personally identifies one or more students; cites a specific violation of federal or Montana regulations governing the provision of FAPE; directs the district to take specific required actions; defines timelines for completing these actions; identifies the method for reporting completion of the required actions; and includes training, as necessary. Following the reauthorization of IDEA in December 2004, revisions to the compliance monitoring process were made to help ensure IDEA 2004 requirements were addressed.

Focused Intervention: Focused Intervention is modeled after the Continuous Improvement and Focused Monitoring System used by the Office of Special Education Programs. This system involves close examination of LEA-level data related to the following performance indicators: dropout and graduation rates, disproportionality, and educational environments data. Complaints, due process requests, and high-risk financial status factors are also considered. Because of the large number of LEAs in Montana and the size variations in enrollment, in 2004-2005, LEAs were sorted into 13 size categories for comparison. The LEAs were ranked on each of the performance indicators to determine the LEA's overall rank within the size category. This method allowed the OPI to select the LEAs most in need of focused intervention activities. The LEAs identified for intervention worked closely with the OPI staff to determine what factors contributed to the LEA's performance on a specific performance indicator, and developed and implemented strategies to address improved performance and/or revise the district's Five-Year Comprehensive Education Plan, as appropriate to reflect improvement strategies and activities. **Focused Intervention procedures are also implemented when following review of LEA data it is determined that the LEA has disproportionate representation, significant disproportionality, or a significant discrepancy in long-term suspensions and expulsions. The Focused Intervention activities include, but are not limited to, a review of LEA's policies, practices and procedures to ensure compliance with the IDEA, review of selected student records, and staff interviews.**

Information regarding the Focused Intervention and Compliance Monitoring processes can be found on the OPI Web site at: www.opi.mt.gov/speced under Guides. Click on Focused Intervention Process or Compliance Monitoring Process.

Following is a state administrative rule which address general supervision, as well as procedures the OPI will take if an LEA fails to take required actions.

10.16.3141 SUPERINTENDENT OF PUBLIC INSTRUCTION RESPONSIBILITY FOR MONITORING (1)

The Superintendent of Public Instruction shall provide an ongoing and systematic monitoring process consistent with the requirements of 34 CFR 300.600 through 300.602 and 300.606 through 300.608 to ensure compliance with IDEA and its implementing regulations at 34 CFR, part 300, and Montana statutes pertaining to special education at Title 20, chapter 7, part 4, MCA, and implementing administrative rules at ARM Title 10, chapter 16. The procedures shall apply to all educational programs for students with disabilities including those administered by other state agencies and educational programs for students with disabilities referred to or placed in private schools by a public agency.

(a) The procedures shall include:

(i) review of local educational agency policies, procedures, services, and performance data;

(ii) determination of the need for further information, on-site visitation, training, technical assistance, or intervention;

(iii) development of strategies to enable the local educational agency to improve services, educational practices, and outcomes for students with disabilities;

(iv) Superintendent of Public Instruction review of the performance of each local educational agency on the targets in the state's performance plan in accordance with 34 CFR 300.608 and 300.646; and

(v) procedures for identification of noncompliance and its correction including:

(A) the local educational agency's response to the findings;

(B) written documentation verifying immediate discontinuance of the violation, elimination of any continuing effects of past violations, and prevention of the occurrence of any future violations and the steps taken to address the violation; and

(C) verification of compliance by the Superintendent of Public Instruction.

(2) If a local educational agency is not meeting the requirements under Part B of IDEA, including the targets in the State Performance Plan, or fails to voluntarily take steps to correct an identified deficiency or fails to take any of the actions specified in a local educational agency corrective action plan, the Superintendent of Public Instruction shall notify the local educational agency in writing of the actions the Superintendent of Public Instruction intends to take in order to enforce compliance with IDEA and its implementing regulations, and Montana statutes pertaining to special education and implementing administrative rules.

(a) The notice shall include a statement of the actions the Superintendent of Public Instruction intends to take, right to a hearing, and consequence of the local educational agency's continued noncompliance on its accreditation status and approval for state and federal funding of special education services.

(b) The Superintendent of Public Instruction may initiate one or more of the options under ARM 10.16.3121 and implement the provisions of 34 CFR 300.608 to ensure compliance.

Measurement:

Data Sources:

Compliance Monitoring

Due Process, Mediations, Complaints Data

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

a. # of findings of noncompliance made related to monitoring priority areas and indicators.
b. # of corrections completed as soon as possible, but in no case later than one year from identification.

Percent = b divided by a times 100.

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

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

a. # of findings of noncompliance made related to such areas.
b. # of corrections completed as soon as possible, but in no case later than one year from identification.

Percent = b divided by a times 100.

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

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

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

Percent = c divided by b times 100.

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

Overview of Issue/Description of System or Process

The OPI maintains tracking systems for compliance monitoring, as well as a separate tracking system through the Legal Services Division for due process hearings, mediation, complaints and the Early Assistance Program. The tracking systems are reviewed, on no less than a monthly basis, to ensure timelines are met and procedures are being followed. Personnel maintaining the tracking systems are responsible for ensuring program specialists are kept aware of the timelines. Program specialists conduct follow up with the LEAs, as appropriate, to ensure the LEA is addressing the corrective actions required in accord with the designated times.

Baseline Data for FFY 2004 (2004-2005)

Noncompliance Identified Through Complaints, Due Process Hearings and Mediations

An analysis of data from FFY 2003 (2003-2004) shows that all due process hearings, mediations and formal complaints have been met 100 percent of the time and within the one-year period. When extensions were approved, they were date specific and incorporated into the tracking system to ensure decisions were rendered within the designated timeframe. Legal Services personnel continue to ensure procedures are followed, required timelines are met, and hearing officers are knowledgeable of timelines and procedures.

Table 15. 1 Formal Complaints, Mediations, and Due Process Hearings for the 2003-2004 School Year

Formal Complaints								
(1) July 1, 2003 - June 30, 2004	(2) Number of Complaints	(3) Number of Complaints with Findings	(4) Number of Complaints with No Findings	(5) Number of Complaints not Investigated Withdrawn or No Jurisdiction	(6) Number of Complaints Set Aside Because Same Issues being Addressed in a Due Process Hearing	(7) Number of Complaints with Decisions Issued within 60 Calendar Days	(8) Number of Complaints Resolved beyond 60 Calendar Days, with a Documented Extension	(9) Number of Complaints Pending as of: 6/30/04
TOTALS	3	0	3	3	0	0	0	0

Mediations					
(1) July 1, 2003 - June 30, 2004	Number of Mediations		Number of Mediation Agreements		(6) Number of Mediations Pending as of: 6/30/04
	(2) Not Related to Hearing Requests	(3) Related to Hearing Requests	(4) Not Related to Hearing Requests	(5) Related to Hearing Requests	
TOTALS	1	1	1	6	0

Due Process Hearings					
(1) July 1, 2003 - June 30, 2004	(2) Number of Hearing Requests	(3) Number of Hearings Held *(fully adjudicated)*	(4) Number of Decisions Issued within Timeline under 34 CFR §300.511	(5) Number of Decisions within Timeline Extended under 34 CFR §300.511(c)	(6) Number of Hearings Pending as of: 6/30/04
TOTALS	10	3	1	2	0

Findings Of Noncompliance For Corrective Action Plans (CAPs) and Confidential Memorandums (CMs)

7/1/03-6/30/04

	CAP	CM
Referral	6	1
Child Find		
Determination of Needed Evaluation Data	22	4
Comprehensive Educational Evaluation Process	6	12
Re-evaluation	1	1
Criteria for Identification of OHI	0	2
Composition of Child Study Team	0	1
Criteria for Identification of Cognitive Delay	0	1
Initial Evaluations	0	1
Transfer of Students: Intrastate and Interstate	1	5
Eligible Students under the IDEA	1	0
Adversely Affect the Student's Educational Performance	1	0

IEPS	CAP	CM
Content of IEP	13	9
IEP Meetings	0	1
Development/Review/Revision of IEP	0	6
Extended School Year Services	0	3
IEP-Accountability	1	0
Determination of Setting	0	1
Parent Participation	6	0
Parental Involvement	1	0
Parental Consent	2	0
Procedural Safequards Notice	4	0
Prior Notice by the Public Agency, Content of Notice	4	0
Special Education Records	3	1
Free Appropriate Public Education	1	0
Transfer of Parental Rights at Age of Majority	0	2
Totals	**73**	**51**

Of the corrective actions given, determination of needed evaluation data was cited most frequently. This resulted from failure of personnel to appropriately document a review of existing evaluation data. The next most frequently cited corrective action was Content of the IEP. On further investigation, it was found that of the 13 corrective actions issued under this regulation (34 CFR 300.347), eight were due to failure to provide a statement addressing program modifications or supports for school personnel; three corrective actions addressed measurable annual goals and two addressed lack of documentation of how the child's progress toward the annual goals would be measured. The third most frequently cited corrective actions were comprehensive educational evaluation process, referral and parent participation. Under comprehensive educational evaluation process, the primary issue was failure to provide a summary statement of implications for educational planning. Three regulations related to IDEA's procedural safeguards, prior notice, and consent (34 CFR 300.503-505) were cited in a total of 10 reports. These concerns were primarily related to the use of outdated forms or assurances that parents received copies of required documents. Parent participation, cited in six reports, was linked to either meetings held without parents, a lack of documentation to demonstrate attempts to involve the parents or failure to provide appropriate notice. State regulations governing referral and evaluation procedures were addressed in 12 reports. In most cases, the issue related to these regulations was the failure to document all of the requirements cited within the regulation. In the case of referral documentation, forms may not have included the signature of the referring person or failed to document general education interventions tried. The most frequent issue with comprehensive educational evaluation process (ARM 10.16.3321) was the failure to provide an adequate summary statement of the basis for making the determination whether the student has a disability and needs special education. In one instance, an entity was cited under FAPE. This issue specifically addressed the lack of provision of speech-language services for those students who had such services identified on their individualized education plans.

Twelve of the 40 entities monitored for procedural compliance received confidential memos. A total of 51 citations of federal and state administrative rules were made. Confidential memorandums were student specific and generally required that the entity convene a CST or IEP meeting to address the specific concern. In many cases, a single confidential memo (CM) might have identified more than one regulation. Comprehensive educational evaluation process was cited most frequently. Generally, these issues were related to a lack of required elements (e.g., evaluation summary statements) in the child study team report. In Content of the IEP (CFR 300.347), there was no single component of regulation cited consistently across the CMs.

Summary of Compliance Monitoring

In 2003-2004, complete documentation of a review of existing evaluation data arose as the most significant compliance concern. Although entities reported they conducted the reviews, the lack of adequate documentation resulted in their receiving a corrective action(s). The second most frequent systemic issue was the content of the IEP. Both of these issues were cited in Montana's Annual Performance Report for 2002-2003; however, it was noted that there was notable improvement in the writing of measurable annual goals, short-term objectives and documenting the provision of supplementary aids and services. In 2003-2004, compliance reviews also revealed that IEPs occasionally lacked adequate documentation of present levels of performance and program modification and supports for school personnel. In the case of program modifications and supports for school personnel, if the entity did not have a statement on the IEP under this component, it was assumed by the OPI program specialists that this had not been addressed.

Discussion of Baseline Data

Compliance Monitoring/Corrective Action Timelines

Forty entities consisting of public schools, state-operated programs and residential facilities were monitored for procedural compliance during 2003-2004. Of those monitored, 13 were found to be in full compliance, 25 were required to take corrective actions because of an identified 'systemic' issue(s), and of these 25, 10 also received a confidential memorandum. Two entities received only a confidential memorandum. An analysis of the 2003-2004 data shows that all LEAs (100%) which received confidential memos completed their corrective actions within the year. Of the 26 LEAs which were required to complete corrective actions plans (CAPs) 4, or 15 percent of the total, did not meet the one-year timeline. Two LEAs exceeded the timeline by six days, two LEAs exceeded the one-year timeline by two months and one LEA exceeded the timeline by three months.

The LEA which exceeded the one year timeline by three months did so because the LEA did not conduct their required review of records following training by the targeted deadline. In another case, the LEAs exceeded the timeline by two months because the corrective actions given could not be fully accomplished. In none of the four cases in which timelines exceeded the one-year timeline was the LEA not attempting nor was it being reluctant in correcting the noncompliance. If such was the case, the OPI would have taken action, as appropriate, in accord with its administrative rule.

Focused Intervention School Year 2004-2005

The OPI implemented Focused Intervention during the 2004-2005 school year. Three entities were selected based on a review of LEA data. One LEA was selected based on LRE/settings of service, one based on graduation/dropout rates, and one based on disproportionate representation. Based on findings no issues of noncompliance were found. Therefore, no corrective actions were issued.

A. There were zero instances of noncompliance related to the monitoring priority areas as identified by the performance indicators.
B. There were a total of 124 findings (CAPs and CMs) of noncompliance in the areas not related to monitoring priorities and indicators. Of these, 8 or 6 percent of the total findings were not corrected in the one-year timeline.
C. One hundred percent of noncompliance identified through complaints, due process hearings and mediations were completed within the one-year timeline.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of the findings of noncompliance are corrected within one year from identification.
2006 (2006-2007)	100% of the findings of noncompliance are corrected within one year from identification.
2007 (2007-2008)	100% of the findings of noncompliance are corrected within one year from identification.
2008 (2008-2009)	100% of the findings of noncompliance are corrected within one year from identification.
2009 (2009-2010)	100% of the findings of noncompliance are corrected within one year from identification.
2010 (2010-2011)	100% of the findings of noncompliance are corrected within one year from identification.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Revise Focused Intervention activities to better align with SPP indicators.	2006-2007	OPI Staff
Continue to use the monitoring tracking system to ensure timelines are addressed.	Ongoing	OPI Staff
Review status of LEAs' corrective actions on a monthly basis and report that status to the monitoring staff.	Ongoing	OPI Staff
Provide follow-up to LEAs to ensure they are moving toward completion of their corrective actions in the timeline given.	Ongoing	OPI Staff
Implement sanctions, as appropriate, to ensure LEAs complete required corrective actions.	Ongoing-as appropriate	OPI Staff

Monitoring Priority: Effective General Supervision Part B/General Supervision

<u>Indicator 16</u>: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

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

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

Overview of Issue/Description of System or Process

A party filing an administrative complaint with the OPI must allow 15 business days for the Early Assistance Program (EAP) to attempt to resolve the issue either informally or formally. Both parties involved may allow additional time if a resolution appears possible. A formal approach to resolution would be mediation provided by the OPI. If resolution is not possible through the EAP, then the OPI assigns a complaint investigator to determine whether a rule violation occurred. The investigator provides the OPI Complaint Officer with a draft report which, in turn, leads to a final report of the investigation.

Baseline Data for FFY 2004 (2004-2005)

One complaint received, final report issued after the 60-day timeline; the timeline was extended.

One Complaint, resolved after 60 days = 100%

Discussion of Baseline Data

The EAP program has reduced the number of complaints received by the OPI. In this one case, the complainant rescheduled several appointments with the investigator, causing the OPI to extend the timeline in order to complete the investigation and complete the draft report.

With such a low N, one complaint requiring an extension can skew the percentages.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.
2006 (2006-2007)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.
2007	100% of signed written complaints will have a final report issued within 60 days or within the

(2007-2008)	timeline extension given for exceptional circumstances with respect to a particular complaint.
2008 (2008-2009)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.
2009 (2009-2010)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.
2010 (2010-2011)	100% of signed written complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Continue to work at reducing the number of complaints needing investigations by providing timely technical assistance to LEAs.	Ongoing	OPI Staff Part-time Personnel
Continue to use part-time seasonal personnel to serve in a TA capacity and IEP facilitator as needed for LEAs to resolve conflicts.	Ongoing	OPI Staff Part-time Personnel

Monitoring Priority: Effective General Supervision Part B/General Supervision

<u>Indicator 17</u>: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

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

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

Overview of Issue/Description of System or Process

When a party has filed for a due process hearing and the resolution session has been unsuccessful, the OPI sends a strike list of five names to both parties. Each will strike two and rank the other three IHOs. The OPI will select the IHO receiving the highest ranking between the parties. From there, the IHO proceeds with the hearing agenda.

Baseline Data for FFY 2004 (2004-2005)

Four requests, three fully adjudicated, one withdrawn

Of the three requests that resulted in hearings, 100 percent were adjudicated within 45 days or were adjudicated within a properly extended timeline.

Discussion of Baseline Data

The OPI received one request for an expedited hearing and three regular requests. The expedited hearing was accomplished in the time frame, the two others were completed in an extended time frame and the last was withdrawn due to the family moving to another state. That request was filed by the public school and the parents asked that it be withdrawn due to their moving out of state.

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

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Continue to provide annual training to hearing officers on the IDEA which will include updates on hearings and court cases, techniques to improve conduct of hearings, and new federal and state rules. Hearing officers will be provided information about additional training opportunities available to hearing officers and administrative law judges in the region.	2006-2010 Ongoing Annually	OPI Legal Staff Consultants MPRRC
Continue to track timelines for due process hearings to ensure ongoing compliance with timeline provisions and report to State Director.	2006-2010 Ongoing Annually	OPI Legal Staff Staff of the Division of Special Education

Monitoring Priority: Effective General Supervision Part B/General Supervision

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

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

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

Overview of Issue/Description of System or Process

Schools will convene the 30-day resolution session in a timely manner following the IDEA statute requirements. If requested, the OPI may provide technical assistance in resolving the issue(s).

Baseline Data for FFY 2005 (2005-2006)

Table 18.1 below presents the baseline data for FFY 2005 (2005-2006 school year) for the number and percent of hearing requests that were resolved through resolution session settlement agreements.

Table 18. 1 Number and Percent of Dispute Resolutions with Settlement Agreements for the 2005-2006 School Year

Number of Resolution Sessions	Number of Resolution Sessions with Settlement Agreements	Percent of Resolution Sessions with Settlement Agreements
2	2	100.0%

Discussion of Baseline Data

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, 50% of resolution sessions will result in a written settlement agreement.
2006 (2006-2007)	Given a minimum N of 10, 55% of resolution sessions will result in a written settlement agreement.
2007 (2007-2008)	Given a minimum N of 10, 60% of resolution sessions will result in a written settlement agreement.
2008 (2008-2009)	Given a minimum N of 10, 65% of resolution sessions will result in a written settlement agreement.
2009 (2009-2010)	Given a minimum N of 10, 70% of resolution sessions will result in a written settlement agreement.
2010 (2010-2011)	Given a minimum N of 10, 75% of resolution sessions will result in a written settlement agreement.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
The OPI will respond to any requests from LEAs for assistance in establishing procedures for successful resolution sessions.	Ongoing	OPI Staff MPRRC
The OPI will provide a technical assistance document for LEAs on resolutions.	2006-2007	OPI Staff MPRRC

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

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

Measurement:
Percent = (2.1(a)(i) + 2.1(b)(i)) divided by (2.1) times 100.

Overview of Issue/Description of System or Process

Established procedures allow either party to request mediation. For mediation to proceed, both parties must agree to the mediation. The OPI may assign a mediator or will send a list containing three mediators. In the case where an option for mediators is provided, each party ranks the three mediators and the OPI selects the highest ranked mediator. The mediator establishes a schedule for the mediation. Once completed, the mediator submits a written report of the session(s). If a settlement is reached, a signed copy is submitted to the OPI.

Baseline Data for FFY 2004 (2004-2005)

One mediation request was received by the OPI. This mediation request did not result in a written settlement agreement.

Discussion of Baseline Data

This mediation attempt was the result of two to three years of various interventions attempted by the district, parent and the OPI. Even though the parents agreed to mediation, one of the parents did not fully support the process and the attempt failed as a result.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Given a minimum N of 10, 50% of mediations will result in a written settlement agreement.
2006 (2006-2007)	Given a minimum N of 10, 60% of mediations will result in a written settlement agreement.
2007 (2007-2008)	Given a minimum N of 10, 65% of mediations will result in a written settlement agreement.
2008 (2008-2009)	Given a minimum N of 10, 70% of mediations will result in a written settlement agreement.
2009 (2009-2010)	Given a minimum N of 10, 72% of mediations will result in a written settlement agreement.
2010 (2010-2011)	Given a minimum N of 10, 75% of mediations will result in a written settlement agreement.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
Provide training to LEAs parents, parent advocacy groups regarding the mediation process, the benefits of a mediated agreement and make available to schools and parents trained mediators at no cost when requested.	2005-2010 Ongoing	OPI Legal Staff MPRRC

Monitoring Priority: Effective General Supervision Part B/General Supervision

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

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

Measurement:

State-reported data, including 618 data and annual performance reports, are:

a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
b. Accurate (describe mechanisms for ensuring accuracy).

Overview of Issue/Description of System or Process

The OPI maintains a calendar with all reporting timelines designated and specific individuals are identified for ensuring each report is completed and submitted in accord with timelines. Division of Special Education staff, as appropriate, assist in providing report language and reviewing the documents for accuracy. The data manager holds primary responsibility for the collection and reporting of child count and discipline data. In addition, the data manager works closely with the programmer, as well as other personnel in the OPI to ensure the collection of personnel data includes all of the necessary components for special education reporting purposes. All reports submitted by LEAs are reviewed to ensure accuracy and completeness of reporting.

The assistant director of special education is primarily responsible for the completion and submission of the State Performance Plan and the Annual Performance Report. These reports are completed with the assistance of the data manager, legal services staff, the data research and analysis manager and program specialists. Reports are reviewed by the director and division staff prior to submission to ensure the information contained in each report is an accurate representation of the activities performed.

Baseline Data for FFY 2004 (2004-2005)

The OPI has consistently met designated timelines 100 percent of the time over the past four years. The data were reviewed and validation checks performed to ensure accuracy of the submitted data. When changes were necessary after reports had been submitted, revisions were promptly submitted.

Discussion of Baseline Data

The OPI continues to refine its data collection process. While there were no significant changes in state fiscal year 2004 to the way data was collected, the process is continually reviewed and, if necessary, revised to comply with collection requirements to streamline the process, and to ensure continued accuracy. LEAs are encouraged to provide input on the data collection processes and all constructive comments are considered when revisions to any process are made.

All special education data collections are now available to reporting entities over the Internet (Child Count has been collected on-line for four years). The data collections are secure, requiring assigned user names and passwords to access. Electronic web-based applications increase accuracy of the data collected by using validation checks built into the applications that make the reporting of incorrect data more difficult. The LEAs' increased familiarity with the applications adds to the accuracy of the data reported. The OPI provides several resources for each data collection that are available over the Internet and are updated every year. These include a comprehensive instruction manual for each application, on-line trainings either live or through video-on-demand, and a step-by-step video-on-demand training module that walks the user through the application from beginning to end. In addition, an OPI staff person is available to provide assistance to school districts throughout the reporting period.

The OPI implements electronic data collection systems which incorporate validation checks. In addition to the validation checks required at the LEA level when submitting data the OPI also conducts validation checks at the state level and follows up with the LEA if there appears to be a problem with the data. Data is never submitted to the OSEP without validations completed and data verified as correct by the LEAs. The data provided is as accurate as it can be without having a student-based information system.

The OPI will be implementing a new student information system, data warehouse and special education records and information system over the next two years. Once implemented, data will be collected from LEAs at the student level and will include all elements needed for reporting requirements of graduation, dropout, suspension/expulsion and race/ethnicity. This will markedly increase the accuracy of analysis of the data because all data will come from one system and be reported in a consistent manner. In addition, the system will include an electronic individualized education program (IEP) component (special education records and information system) that will provide special education data with the same level of accuracy. The OPI recognizes that there may be some change in the data provided by the old system and the new system. This will be addressed in the Annual Performance Report as it occurs.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time.
2006 (2006-2007)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time
2007 (2007-2008)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time
2008 (2008-2009)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time
2009 (2009-2010)	A. All reports will meet OSEP timelines 100% of the time. B. Reports submitted will be accurate 100% of the time
2010 (2010-2011)	A. All reports will meet OSEP timelines 100% of the time.

Improvement Activities/Timelines/Resources

Improvement Activities	Timelines	Resources
All special education data collections continue to be available for electronic submittal over the Internet	Ongoing	
The OPI will implement a web-based SIS, DW and SERIMS	2006-2007/2007-08	OPI Staff Contractor
Technical assistance and training will be provided to LEAs to ensure they understand how to submit their data	Ongoing	OPI Staff

Part B – SPP /APR Attachment 1 (Form)

Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings 2004-2005 School Year

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	1
(1.1) Complaints with reports issued	1
(a) Reports with findings	0
(b) Reports within timeline	0
(c) Reports within extended timelines	1
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	1
(2.1) Mediations	
(a) Mediations related to due process	0
(i) Mediation agreements	0
(b) Mediations not related to due process	1
(i) Mediation agreements	0
(2.2) Mediations not held (including pending)	0

SECTION C: Hearing requests	
(3) Hearing requests total	4
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	3
(a) Decisions within timeline	1
(b) Decisions within extended timeline	2
(3.3) Resolved without a hearing	1

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	1
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	1
(a) Change of placement ordered	0

Part B – SPP/APR Attachment 2 (Parent Survey)

2006-07 Montana Parent Involvement Survey – Special Education

This is a survey for families of children receiving special education services. Your responses will help guide efforts to improve services and results for children and families.

You may skip any item that you feel does not apply to you or your child.

School's Effort to Partner with Parents:	**Very Strongly Disagree**	**Strongly Disagree**	**Disagree**	**Agree**	**Strongly Agree**	**Very Strongly Agree**
1. I am an equal partner with my child's teachers and other professionals in planning my child's educational program	1	2	3	4	5	6
2. At the IEP meeting, we discussed how my child would participate in statewide assessments	1	2	3	4	5	6
3. At the IEP meeting, we discussed accommodations and modifications that my child would need	1	2	3	4	5	6
4. At the IEP meeting, we discussed whether my child needed services beyond the regular school year	1	2	3	4	5	6
5. My child received his/her special education services with children without disabilities to the maximum extent possible	1	2	3	4	5	6
6. I was given information about organizations that offer information and training for parents of students with disabilities	1	2	3	4	5	6
7. I have been asked for my opinion about how well the special education services my child receives are meeting my child's needs	1	2	3	4	5	6
8. My child's Child Study Team (CST) report is written in terms I can understand	1	2	3	4	5	6
9. Written information I receive is written in an understandable way	1	2	3	4	5	6
10. Teachers are available to speak with me	1	2	3	4	5	6
11. Teachers treat me as an equal team member	1	2	3	4	5	6
12. IEP meetings are scheduled at a time and place that are convenient for me	1	2	3	4	5	6
13. My child transitioned from early intervention (Birth to 3 program) to preschool special education without a break in services	1	2	3	4	5	6
Teachers and Administrators:						
14. Seek out parent input	1	2	3	4	5	6
15. Show sensitivity to the needs of students with disabilities and their families	1	2	3	4	5	6
16. Encourage me to participate in the decision-making process	1	2	3	4	5	6
17. Answer any questions I have about Procedural Safeguards (parent rights)	1	2	3	4	5	6
18. Respect my cultural heritage	1	2	3	4	5	6
My Child's School:						
19. Has a person on staff who is available to answer questions	1	2	3	4	5	6
20. Communicates regularly with me regarding my child's progress on IEP goals	1	2	3	4	5	6
21. Provides information about options for services/related services that address my child's needs	1	2	3	4	5	6
22. Offers parents information/training about special education issues	1	2	3	4	5	6
23. Offers parents a variety of ways to communicate with teachers	1	2	3	4	5	6
24. Gives parents the help they may need to play an active role in their child's education	1	2	3	4	5	6
25. Provides information on agencies that can assist my child in the transition from school to independent adult living (school, work, etc.)	1	2	3	4	5	6
26. Explains what options parents have if they disagree with a decision of the school	1	2	3	4	5	6

27. On **Dec. 1, 2005**, my child's age was: _____ Years

28. My child's race/ethnicity *(circle one)*

1	White	3	American Indian or Alaskan Native	5	Asian
2	Hispanic or Latino	4	Black	6	Native Hawaiian or Pacific Islander

29. My Child's Primary Disability *(circle one)*

1	Autism	6	Cognitive Delay	11	Traumatic Brain Injury
2	Deaf-blindness	7	Orthopedic Impairment	12	Visual Impairment Including Blindness
3	Deafness	8	Other Health Impairment	13	Developmental Delay
4	Emotional Disturbance	9	Specific Learning Disability		
5	Hearing Impairment	10	Speech/Language Impairment		

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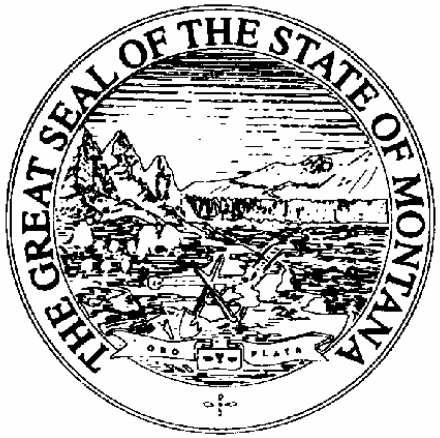
Office of Public Instruction



SURVEY ON EDUCATION SERVICES

2006

Linda McCulloch, Superintendent
Montana Office of Public Instruction
www.opi.mt.gov/

Dear Parents/Guardians:

Enclosed with this letter is a survey for families whose children receive special education services. Your responses are extremely important and will be used to improve services and results for children and families in Montana. Thank you for taking a few minutes to complete and return the survey by **September 29**.

What is being asked?	Information about your experience and family involvement with your child's special education services.
Who is asking?	The Montana Office of Public Instruction (OPI) and the U.S. Office of Special Education Programs. The surveys are being returned to the Mountain Plains Regional Resource Center which will collate the results for the OPI.
Are responses anonymous?	**Yes! Your responses are completely anonymous.** There is nothing on the survey that will identify you in any way. Only summary data will be shared with your school district and the Montana Office of Public Instruction.
How will we use the data?	**To help guide efforts to improve services and results for children and families.** We will provide summary data to each school district and also the U.S. Department of Education's Office of Special Education Programs in order to fulfill a federal requirement regarding parent feedback.
What do I do?	Complete the enclosed survey, fold it with preprinted address facing outward, and drop it in the mail **by September 29** (no postage necessary).

If you have more than one child receiving special education services, complete the survey for the oldest child.

If you have questions or if you need an alternate format or assistance completing the survey, contact:

Doug Doty, Montana Office of Public Instruction, 444-0907 1-888-231-9393 ddoty@mt.gov

Thank you for your participation!

State Director of Special Education
Robert Runkel

Parents, Let's Unite for Kids
Dennis Moore, Executive Director

Part B - SPP/APR Attachment 3 (Post-School Survey)

POST-SCHOOL SURVEY (PSS)

THESE DATA MUST BE GATHERED BETWEEN APRIL AND SEPTEMBER OF THE YEAR FOLLOWING THE STUDENT'S EXIT FROM HIGH SCHOOL.

Person Completing Survey (please circle):

Student Family Member Other Not Contacted

EMPLOYMENT SECTION

1. *Right now* are you working?
(1) NO, GO TO QUESTION # 5
(2) YES, GO TO QUESTIONS #2, #3, and #4 – IF MORE THAN 1 JOB, ANSWER FOR JOB WITH THE MOST HOURS/WEEK
(99) No Answer

2. Where is the job? – (*CHECK ONE OPTION*)
_____ in an integrated competitive employment setting (1)
_____ in your home (2)
_____ in the military (3)
_____ in a jail or prison (4)
_____ in sheltered employment (where most workers have disabilities) (5)
_____ in supported employment (paid work in a community with support services) (6)
_____ other (Specify) _____ (88)
_____ (99) No Answer

3. Are you usually paid at least minimum hourly wage?
(1) NO
(2) YES
(99) No Answer

4. Do you usually work 35 or more hours per week?
(1) NO
(2) YES
(99) No Answer
GO TO POSTSECONDARY SCHOOL SECTION

5. At any time since leaving high school, *have you ever* worked?
(1) NO, GO TO POSTSECONDARY SCHOOL SECTION
(2) YES, GO TO QUESTIONS #6, #7, #8
(99) No Answer

6. Describe the job—(if more than one job, describe the one held the longest)—(*CHECK ONE OPTION)*
_____ in an integrated competitive employment setting (1)
_____ in your home (2)
_____ in the military (3)
_____ in a jail or prison (4)
_____ in sheltered employment (where most workers have disabilities) (5)
_____ in supported employment (paid work in a community with support services) (6)
_____ other (Specify) _____ (88)
_____ (99) No Answer

7. Were you usually paid at least minimum hourly wage?

(1) NO
(2) YES
(99) No Answer

8. Did you usually work 35 or more hours per week?
(1) NO
(2) YES
(99) No Answer

POSTSECONDARY SCHOOL SECTION

9. *Right now*, are you enrolled in any type of school, training, or education program?
(1) NO, GO TO QUESTION #12
(2) YES, GO TO QUESTION #10 & #11
(99) No Answer

10. Describe the kind of school or training program (*CHECK ONE OPTION*)
_____ High school completion document or certificate (e.g., Adult Basic Education, GED) (1)
_____ Short-term education or employment training program (e.g., WIA, Job Corps, etc.) (2)
_____ Vocational Technical School—less than a 2-year program (3)
_____ Community or Technical College (e.g., 2-year college) (4)
_____ College/University (e.g., 4-year college) (5)
_____ Enrolled in studies while incarcerated (6)
_____ Other (88) (Specify): _____
_____ No Answer (99)

11. Are you enrolled full-time?
(1) NO
(2) YES
(99) No Answer
DATA COLLECTION COMPLETED

12. At any time since leaving high school, *have you ever* been enrolled in any type of school, training, or education program (if more than one, describe the program enrolled in the longest)?
(1) NO, DATA COLLECTION COMPLETED
(2) YES, GO TO QUESTION #13 AND #14
(99) No Answer

13. Describe the kind of school or training program (*CHECK ONE OPTION*)
_____ High school completion document or certificate (Adult Basic Education, GED) (1)
_____ Short-term education or employment training program (WIA, Job Corps, etc.) (2)
_____ Vocational Technical School—less than a 2-year program (3)
_____ Community or Technical College (2-year college) (4)
_____ College/University (4-year college) (5)
_____ Enrolled in studies while incarcerated (6)
_____ Other (88) (Specify): _____
_____ No Answer (99)

14. Were you enrolled full-time?
(1) NO
(2) YES
(99) No Answer
DATA COLLECTION COMPLETED