DATA NOTES FOR *IDEA*, PART B

This document provides information, or data notes, on the ways in which states collected and reported data differently from the Office of Special Education Programs (OSEP) data formats and instructions. In addition, the data notes provide explanations of substantial changes or other changes that data users may find notable or of interest in the data from the previouse year. The chart below summarizes differences in collecting and reporting data for nine states. These variations affected the way data were reported for the IDEA, Part B child count and the educational environment, exiting and discipline collections. Additional notes on how states reported data for specific data collections follow this table.

Table B-1. State reporting patterns for *IDEA*, Part B child count data and educational environments data, 2007 and exiting and discipline data, 2006-07

	Differences from OSEP reporting categories Where H = Reported in the hearing impairments category O = Reported in the orthopedic impairments category P = Reported in the primary disability category					
	Multiple Other health impairments					
States	disabilities (OHI)					
Colorado		О				
Delaware	P					
Florida	P					
Georgia	P					
Michigan						
North Dakota	P					
Oregon	P					
West Virginia	P					
Wisconsin	P					

Table B-2. State developmental delay reporting practices for IDEA, Part B child count data and educational environments data, 2007, and exiting and discipline data, 2006-07

	Does not use developmental delay	Uses developmental delay for children under age 6 only
Arizona		X
Arkansas		X
California	X	
Colorado		X
Florida		X
Indiana		X
Iowa	X	
Montana		X
Nevada		X
New Jersey		X
New York		X
Ohio		X
Oregon		X
Rhode Island		X
South Dakota		X
Texas	X	
West Virginia		X

Tables 1-1 Through 1-19: IDEA Part B Child Count, 2007

Alaska

The state attributed the decrease in the number of children ages 3 through 5 reported with specific learning disabilities to a data entry error discovered in one of its largest districts last year. The district unknowingly reported several children with developmental delays or speech or language impairments in the specific learning disabilities category. That error was discovered and corrected for the 2007 reporting period.

The early childhood child count date in Alaska was October 1, 2007. There were 143 multiracial students not included in the ethnicity detail counts.

The school-aged child count date in Alaska was October 1, 2007. There were 982 multiracial students not included in the ethnicity detail counts.

Arkansas

There was a decrease in the number of children with disabilities in the categories of hearing impairments and orthopedic impairments, -17.65 percent and -29.73 percent, respectively. Arkansas stepped up its child find efforts in these areas and therefore believed the decrease was due to (1) children moving into school-age services and (2) more children with these disabilities being classified as having multiple disabilities.

There was an increase in the number of children with disabilities in the categories of specific learning disabilities and multiple disabilities, 30.00 percent and 13.45 percent, respectively. The increase in the number of children ages 3 through 5 in the specific learning disabilities category reflected 5-year-old kindergarten students because Arkansas does not allow a preschool child to be identified as having a specific learning disability.

Professional development provided to individual education program (IEP) teams in the areas of evaluation and identification contributed to the increase in the multiple disabilities classification. IEP teams are recognizing that a child may have more than one disability that affects the child's education. A child with a hearing impairment or an orthopedic impairment may have been classified as having multiple disabilities if there was an additional disabling condition present.

There was a decrease in the number of children ages 6 through 21 with disabilities in the category of mental retardation in 2007-08 (-11.24 percent). The state attributed the decrease to the professional development provided to IEP teams in evaluation, identification and disproportionality. Students were reclassified from the mental retardation category to the autism and multiple disabilities categories as diagnostic tools and evaluations improved.

The increase in the number of children with disabilities in the autism category (16.19 percent) followed the national trend of increased prevalence of autism diagnosis.

Colorado

Colorado does not use the developmental delay category. The state reported children identified under Colorado's category of preschool with a disability in the developmental delay category.

Colorado reported students in the state's physical disability category under OSEP's orthopedic impairments category. Colorado does not have a category for other health impairments.

Connecticut

Connecticut does not allow 6-year-olds to be classified as developmentally delayed. The state has an edit in its special education data system for 2007-08 to properly check students identified as developmentally delayed. Twenty-five students were out of compliance for eligibility determination. The 25 students were identified as having a late Planning and Placement Team (PPT) and were given an administrative override. The Bureau of Special Education was notified of the 25 noncompliance issues. The Department addressed this issue with districts through the General Supervision system.

An increase in referrals from the state's Part C program (specifically the population of 3-year-old children) resulted in an increase of nearly 650 more 3-year-olds identified as eligible to receive special education and related services in FFY 2007 in the areas of developmental delays, speech or language impairments and other health impairments. This accounted for nearly 80 percent of the total 3- through 5-year-old child count difference. The remaining increase was attributed to the national trend in increased identification of autism.

The decrease in the number of students with orthopedic impairments was multifaceted. Twenty-one percent of the 2006-07 population in this category exited (via diploma, certificate, aging out or moving). Another 29 percent reported by one district to have been miscoded in the 2006 child count were correctly reported in other categories in the 2007 child count. An additional 24 percent changed disability categories, although each student was from a different district (thus no systemic noncompliance was noted). The remaining students continued to be classified within the orthopedic impairments disability category.

The decrease in the number of students with orthopedic impairments was due to a large exiting group in the 2006-07 school year. The reduction by 20 students was explained with 10 graduates, 5 students who moved out of state and 5 students who were reclassified into other disability categories at their triennial evaluation.

Georgia

The decrease in the number of children ages 3 through 5 reported with mental retardation, speech or language impairments, emotional disturbance or specific learning disabilities

accurately reflected the numbers submitted to the state by the districts. The most significant decrease, in speech or language impairments, was attributed to a statewide emphasis on prereferral interventions, particularly those services provided by speech-language pathologists. Categorical reductions seen in children ages 3 through 5 in all areas, excluding speech, mirrored the increase in the number of students identified as having developmental delays.

The increase in the number of children ages 3 through 5 and students ages 6 through 21 reported with autism accurately reflected the number submitted to the state by the districts. On Feb. 8, 2007, the Centers for Disease Control and Prevention reported findings from the summary of prevalence data in an autism spectrum disorder (ASD) surveillance project. The results showed an average of 6.7 children out of 1,000 had an ASD in the six communities assessed in 2000, and an average of 6.6 children out of 1,000 had an ASD in the 14 communities included in the 2002 study. This report suggests the number of children identified as having ASD was aligned with the national trend.

The increase in the number of children ages 6 through 21 reported as having developmental delays accurately reflected the number submitted to the state by the districts. The increase in the number of children reported with developmental delays was attributed to State Board Rule 160-4-7-.05 Eligibility Determination and Categories of Eligibility, adopted July 7, 2007, which increased the maximum age for developmental delay eligibility from 7 to 9.

Guam

Age	Area of concern	2006	2007	Difference	Notes
Group					
3-5	Speech or language	27	64	37/ 137.04%	Guam set new procedures
	impairments				in 2007 for submission of
					eligibility documents. There was no deadline on
					submission of documents
					in 2006, therefore
					eligibility documents came
					in after the counting period
					for 618.
3-5	Developmental	70	50	-20/	
	delay	, 0	30	-28.57%	
	delay			20.5770	category for a number of
					students ages 6, 7 or 8
					when their eligibility/tri-
					ennial evaluation was
					conducted.
6-21	Emotional	83	96	13/15.66%	The increase was due to
	disturbance				the hiring of social
					workers and increased

					community awareness presentations that resulted in a greater number of children identified as having emotional disturbance. Guam also improved its emotional disturbance identification process.
6-21	Specific learning disabilities	1,503	1,348	-155/-1,031%	The decrease was due to a change in students' disability category to other disability categories when their eligibility/triennial evaluation was conducted.
6-21	Autism	60	75	15/25%	Guam attributed the increase to increased community awareness presentations (child find activities).

Illinois

In July 2007, Illinois changed its definition of developmental delay to include students up to age 9. Prior to July 2007, the state reported only students ages 3 through 5 with developmental delay.

Illinois used Dec. 3, 2007, as the child count date for school year 2007-08 because its usual child count date, Dec. 1, 2007, fell on a Saturday that year.

Indiana

The state believed the increase in the number of students ages 6 through 21 in the other health impairments category from 9,840 to 10, was a result of pressure placed on school districts to identify and serve students classified as having attention deficit disorder /attention deficit hyperactivity disorder. Also, students with certain medical conditions are living longer and were being served in school under IEPs.

The increase in the number of students ages 6 through 21 with autism from 7,391 to 8,341 was attributed to improvements made to Indiana's data collection system that allowed for a more accurate count of students with autism. Previously, many of these students were counted under other disability areas. Nationally, there was a growing awareness and a better recognition and identification of autism. In addition, advances were made in identifying higher functioning autistic children for placement in special education.

The state was unable to determine the exact reasons for specific disability increases or decreases for children ages 3 through 5. The state conducted an internal review to ensure that submitted local district data were processed correctly. No problems were identified. The state speculated that more children were identified under the category of developmental delay instead of other more "traditional" exceptionality areas. It should be noted that the total early childhood count increased by 166 students (.86 percent).

Louisiana

The decrease in the number of 3- through 5-year-olds classified in the mental retardation category was by design. In the past, districts classified students in the mental retardation category after the noncategorical preschool exceptionality was eliminated. The Louisiana Department of Education preferred that preschool-aged children with developmental issues be classified as having developmental delays until their 6th birthday, with a few exceptions. At the 6th birthday, enough data should be collected to classify the student appropriately. The state is addressing this issue through an ongoing training of our preschool coordinators.

The number of students reported in the autism category increased due to an increased awareness locally and nationally of the characteristics of autism. Additionally, workshops and conferences were provided to teachers and parents regarding the characteristics of autism, such that children with characteristics of autism were more easily identified.

Maryland

Maryland attributed the 26.47 percent decrease in the number of 3- through 5-year-olds with mental retardation to the increased number of children served under the categorical option of developmental delays.

Maryland attributed the 14.81 percent decrease in the number of 3- through 5-year-olds in the orthopedic impairments category to the increased number of children served under the developmental delays category.

Maryland attributed a 10.97 percent increase in the number of 6- through 21-year-olds with autism to the following:

- Improved understanding and recognition of the characteristics of autism and advances in neuropsychological research that have assisted in more accurate diagnosis;
- The classification of autism as a spectrum disorder, so students who were "pervasive developmentally delayed" may now be coded as autistic;
- Increased awareness of autism through national public campaigns such as Autism Connect and Autism Speaks;
- An increase in the number of initiatives by the Maryland State Department of Education, in collaboration with local programs and interagency partners, to increase information and support for children with autism; and,

• Parents seeking services for their children with autism who often come to Maryland.

Maryland attributed a 12.12 percent increase in the number of students ages 6 through 21 in the developmental delays category to a change in coding and reporting practices relating to the state definition. Attention to this definition increased the use and extension of the age requirements (up to age 9) in this category.

Maryland attributed a 14.6 percent decrease in the number of students with multiple disabilities to more students being coded as developmentally delayed.

Micronesia

Ten students in the specific learning disabilities category should have been counted in the developmental delays category.

Minnesota

Mental retardation is a low-incidence disability category (1 percent of all students with disabilities in 2007 age group 3 through 5) with volatility in annual rates of increase and decrease, especially in the 3 to 5 age group. A significant decrease in numbers of students in this category was expected subsequent to increases between 2004 and 2006.

Emotional behavioral disorder is also a low-incidence disability category (1.6 percent of all students with disabilities in 2007 age group 3 through5) with volatility in annual rates of increase and decrease, especially in the 3 to 5 age group. Declining rates of increase were expected subsequent to 2005-06.

The state attributed the increase in the number of students ages 6 through 21 in the multiple disabilities category to the transition to a system for identifying students with multiple disabilities. The annual rate of increase in the number of these students was expected to stabilize over the long-term.

The declining annual rates of increase in the autism category were expected subsequent to 2004-05 and were consistent with rates reported by other states. ASD continued to be underidentified in early childhood. Minnesota continued to improve the screening, evaluation and identification of these students. The CDC estimates the national prevalence of ASD to be between 1/303 and 1/94 individuals. Minnesota's prevalence rate was approximately 1/130.

<u>Mississippi</u>

The increase in the number of children and students with autism was attributed to increased identification due to greater emphasis on autism within the state.

Due to the Mattie T. Consent Decree, the state must reduce the number of children and students in the specific learning disabilities category and increase the number in the other health impairments category to meet federal court requirements.

A new emphasis on appropriate identification changed disability categories as districts strove to appropriately identify their students.

New York

Ninety-three students ages 3 through 5 reported to the state as multi-racial were included in the white (not Hispanic) race/ethnicity category.

Ninety-four students ages 6 through 21 reported as multi-racial were included in the white (not Hispanic) race/ethnicity category.

All preschool children ages 3 through 4 were reported in the developmental delay category.

North Carolina

In the ages 3 through 5 category, 851 students were reported in a multicultural race/ethnicity category without fields added to capture other ethnicity. This number was shown in the state's database with the ethnicity flag.

In the ages 6 through 21 age category, 5,143 students were reported in a multicultural race/ethnicity category without fields added to capture other ethnicity. This number was shown in the state's database with the ethnicity flag.

North Dakota

In North Dakota, developmental delay is called noncategorical delay and is a fairly new category. Not all special education units were initially trained to identify students in this eligibility category; therefore, it is likely that this eligibility category will continue to grow for the next few years.

The number of personnel qualified to detect autism increased in North Dakota; the increases in this category were expected to mirror the increases seen nationally.

The state recognized an error in its hearing impairments category. Seven to eight students were not listed in the child count from the North Dakota School for the Deaf. Corrected data will be submitted to the Education Data Exchange Network (EDEN) when available.

Northern Mariana Islands

The state attributed the increase in the other health impairments category from 2006 to 2007 to an increase in child count.

Ohio

In compliance with EDEN and Office of Special Education Programs guidance, counts of multi-racial students were included in those detail records that did not mandate a race/ethnicity breakdown and in overall totals. Counts of Ohio children with disabilities who were coded as multi-racial were omitted from those records for which race/ethnicity was required, thus explaining the discrepancies between those records and overall totals.

Prior to the 2007 child count, Ohio's data system required LEAs to report children ages 3 through 5 with disabilities as a preschooler with a disability. When completing the 618 child count report, the data were disaggregated into the specific disability categories, including developmental delays, based on the categorical percentages of the total from the data reported for the school age (6 through 21) population. Beginning in 2007, LEAs were required to report students ages 3 through 5 by specific disabilities, including developmental delays.

Oregon

The increase in the number of children ages 3 through 5 in the emotional disturbance category (17 children, 51.52 percent) was attributed to small increases in 20 districts across the state. Seven other districts actually had small decreases, for a net increase of 17 students. This increase appeared consistent with the total increase of 3- through 5-year-olds in the all disabilities category.

The increase in the number of children ages 3 through 5 in the autism category (102 children, 12.03 percent) was attributed to a continuing statewide trend of annual increases in the number of children with autism.

The increase in the number of students ages 6 through 21 in the autism category (612 students, 11.21 percent) was attributed to a continuing statewide trend of annual increases in the number of students with autism.

Pennsylvania

The decrease in the number of children ages 3 through 5 in the visual impairments category was a natural fluctuation of this low-incidence population.

The increase in the number of children ages 3 through 5 in the emotional disturbance category (23.48) was evenly distributed among programs. The increases across the state as a whole were likely a reflection of the population increase within the state.

The increase in the number of children ages 3 through 5 in the multiple disabilities category (12.30) was evenly distributed among programs. The increases across the state as a whole were likely a reflection of the population increase within the state.

The 16.32 percent increase in the number of students ages 6 through 21 in the other health impairments category was consistent with previous years' increases as compared to the national trends.

The 20.55 percent decrease in the number of students ages 6 through 21 in the deafblindness category was due to the natural fluctuation of this low-incidence population and the graduation and aging out of students in this disability category. In Pennsylvania, the IEP team determines primary and secondary disabilities. The number reported in this category reflected the decisions of IEP teams across the state.

The 19.64 percent increase in the number of students ages 6 through 21 with autism was consistent with previous years' increases as compared to the national trends.

The 15.05 decrease in the number of students ages 6 through 21 in the developmental delay category was attributed to improved reporting of the primary disability for each child with multiple disabilities.

Rhode Island

The decrease in the number of children ages 3 through 5 with disabilities in the specific learning disabilities category (from 66 in 2006 to 49 in 2007, 25.76 percent) was due to the overidentification of children in this particular category.

The increase in the number of children ages 3 through 5 with disabilities in the autism category (from 130 in 2006 to 180 in 2007, 38.46 percent) was attributed to an increased awareness of this disability. This increase also reflected the national trend toward increasing numbers of students in this category.

The increase in the number of students ages 6 through 21 with disabilities in the autism category (from 1,018 students in 2006 to 1,184 in 2007, 16.31 percent) was attributed to an increased awareness of this disability. This increase also reflected the national trend toward increasing numbers of students in this category.

South Carolina

Since Dec.1, 2007, fell on a Saturday, the 2007 child count and educational environments data were based on Dec. 3, 2007. The substitution of this date was based on information obtained at the June 2007 Overlapping Part B and Part C Data Meetings.

South Carolina used the category of disability entitled preschool child with a disability during the 2006-07 school year. Students ages 3 through 5 meeting eligibility criteria for this category were recorded for the purposes of this report under the category of developmental delay.

South Carolina began transitioning to a new data collection system for Table 1 & 3 data reporting in 2006. Child Count and Environments data submissions in 2006 were mixed

between the new student level reporting and district data counts. All of the districts and state Operated Programs reported through the new student level data system in 2007. Additionally, our data manager left during the 2006-2007 reporting year and a new staff member was appointed in September of 2007. With the reporting of student level data and increased instructional trainings and assistance to the districts, we feel the accuracy of their reporting has increased and accounts for differences noted in the April 8, 2008 revision of the 2007 Child Count data

South Dakota

South Dakota does not allow the use of the developmental delay category for students over the age of 5.

The state analyzed the increase (169) in the number of children and students in the emotional disturbance category. The state conducted on-site reviews in the last two years of the districts with the greatest changes in this category. During those reviews, the state provided technical assistance on determining eligibility for students who have behavior concerns. Those districts accounted for 54 students of the 169 students whose eligibility category was changed to emotional disturbance. In addition, South Dakota has a new facility that works with juveniles who have mental health disorders and serious problems controlling aggression.

Texas

Texas does not use, and therefore does not report, the developmental delay eligibility category.

Vermont

Data were submitted in pre-suppressed format in accordance with Vermont Department of Education policy and could not be subjected to analysis; therefore they were excluded from these tables.

Washington

The overall percentage increase in child count was relatively small (2.69 percent for 6 through 21 and .33 percent for 3 through 5). There seemed to be movement within the specific disability categories. The state continued to see an annual increase in students with ASD. This increase reflected the national trend of increasing numbers of students in this category. Additionally, students diagnosed with autism could be categorized in other health impairments, which was the other disability category in which Washington noted a significant increase in the 2007 child count. The state provided increased awareness training to parents, families, staff and the medical community about autism from its State Needs Project (The Autism Outreach Center). In addition, the University of Washington Autism Center at the Center on Human Development and Disability, Autism Society of Washington, Professional Development in Autism Center and Families for Effective

Autism Treatment of Washington were also contributing factors in the increase of ASD diagnoses and therefore the change in the state's child count categories.

West Virginia

The number of children ages 3 through 5 in the hearing impairments category decreased from 87 to 41, which is a decrease of 53 percent. This reduction was in the number of students served by West Virginia Schools for the Deaf and Blind, which was verified.

The number of children ages 3 through 5 in the visual impairments category decreased from 42 to 18, which is a decrease of 57 percent. This reduction was in the number of students served by West Virginia Schools for the Deaf and Blind, which was verified.

The number of students ages 6 through 21 in the autism category increased from 782 to 904, which is an increase of 16 percent. This increase was consistent with longitudinal trend data for the state and paralleled the national trend. These trends resulted from increased public awareness, child find activities and expansion of the conditions included in the autism spectrum.

Wisconsin

There was a decrease in the percentage of children ages 3 through 5 in the mental retardation, emotional disturbance, orthopedic impairments and traumatic brain injury categories. Overall the state's count of children ages 3 through 5 with disabilities decreased. As a result, this decrease was reflected in specific disability categories.

The increase in the percentage of school-age children identified with a disability of autism seemed to correspond with the national trend of more children being identified as autistic. The number of preschoolers in the state identified as autistic also increased.

There was an increase in the percentage of children in the developmental delay category. Wisconsin's definition of developmental delay is limited to children ages 3, 4 and 5. A child may continue to be identified as having developmental delay through the school year in which the child turns age 6 provided the child's birth date is after the start of the school year (September 1). This means that Wisconsin's count of children identified with a developmental delay will vary from year-to-year based on when a child's birth date occurs during the school year in which the child turns age 6 and the October 1 count date.

Wyoming

During the 2006-07 reporting year, Wyoming implemented new state education rules regarding services for students ages 3 through 21 with disabilities in response to the changes required through the reauthorization of *IDEA*. One of the changes in the rules was to allow the use of the developmental delay disability category through age 9. This is a change for Wyoming; in the past this disability category was allowed only for children ages 3 through 5.

Tables 2-1 Through 2-8: IDEA Part B Educational Environments, 2007

Alabama

The changes shown in the environment categories for children ages 3 through 5 may have reflected the state's increased focus on appropriate selection of LREs by IEP teams for this age group. This includes statewide trainings and help documents available on the state's Web site.

There was a decrease in the number of students in almost all of the environment categories for students ages 6 through 21, with a noted small increase for those reported at 80 percent or more time inside a regular education class. The state was uncertain how to account for this change, but data will be monitored for patterns or trends in future data reporting.

The changes in the number of children reported in the educational environments for children ages 3 through 5, notably the increase in the 80 percent of the day in the regular classroom and the converse decrease in the 40 percent to 70 percent in the special education classroom, may have reflected the state's increased focus through statewide activities on appropriate selection of LREs by IEP teams for this age group. These activities included training in environment determination and help documents continuing to be available on the state's Web site. Analysis of the 2006 data coupled with random reviews of preschool programs in various districts indicated a need for such technical assistance statewide.

There was a decrease in the number of students in almost all of the ages 6 through 21 environments, with a noted small increase for those counted at 80 percent or greater inside the regular education classroom. The state hypothesized that perhaps the technical assistance activities related to environment determinations directed toward the 3 through 5 age group also improved choices made for the 6 through 21 age group. Additionally, as current state initiatives promote access to the regular education curriculum, a subsequent increase in the 80 percent or greater environment should be expected along with a proportional decrease in more restrictive environment selections. Although the state was uncertain how to specifically account for these changes, data will be monitored for patterns or trends in future data reporting.

<u>Alaska</u>

Alaska attributed the increase in the number of 3- through 5-year-old students in the separate class category to the fact that several Head Start programs closed this year across the state. The special education students previously served in these programs are now served in separate classes because the public school preschool programs have insufficient numbers of peers to count as regular early childhood programs (Alaska funds only preschool for special education students). This trend would also account for the decrease in the number of 3- through 5-year-olds being served in regular early childhood programs.

The increased number of 3- through 5-year-old students in the service provider location was attributed to a coding error identified and corrected by one of the state's largest districts. Last year, it unknowingly underreported the number of students in this category.

Alaska attributed the decrease in the number of 6- through 21-year-old students who received special education inside the regular class 40 percent to 79 percent of day and the increase in the number of students receiving special education inside the regular class less than 40 percent of the day to specific changes made in the state's largest district. The district instituted new programs and supports that increased service time for the higher needs students who were transitioning from one school to another (elementary to middle school or middle school to high school).

<u>Arizona</u>

The state:

- Requires public education agencies (PEAs) to have a continuum of placement options;
- Promotes/encourages PEAs to make appropriate placement decisions based upon the individual needs of students;
- Provides resources to PEAs that would give them the capacity to serve more students in regular classroom settings such as training in differentiated instruction and use of assistive technology.

As a result, PEAs are establishing more inclusive programs for students with disabilities.

Additionally, the state had not yet begun to collect data on the proportion of the day spent in early childhood programs, and thus, the data on 3- through 5-year-olds were estimated.

Arkansas

Over the past two years, preschool programs received extensive training to ensure they were basing educational environment on the child's instructional setting rather than the program's overall orientation. The shift of focus to the child's instructional setting resulted in a more accurate picture of the child's educational environment as seen in the changing data. The 2007-08 child count revealed that there was a decrease in the number of children ages 3 through 5 with disabilities receiving services in more restrictive environments. Children with disabilities receiving services in the separate class environment decreased 33.90 percent. Similarly, children who received services with their peers without disabilities less than 40 percent of the time declined 25.95 percent. As these two more restrictive environments declined, there was a significant increase in the number of children being served in less restrictive environments. Children with disabilities receiving services alongside their peers without disabilities for 40 percent to 79 percent of the time increased 132.73 percent.

Over the past few years, Arkansas has had an increase in the overall K-12 enrollment, and the number of children receiving special education and related services declined. The

state attributed much of the decline to early intervening services (EIS) and response to instruction (RTI) programs. From the December 2006 to the December 2007 child count, there was an 11.83 percent decrease in the number of children with disabilities receiving services 40 percent to 79 percent of the time in the regular classroom. These changes were attributed to (1) professional development provided to IEP teams in the areas of evaluation and identification; (2) the decline of student referrals due to EIS/RTI, resulting in the students with the greatest needs being referred to and placed in special education; and (3) the movement of students out of special education and related services.

Connecticut

Department efforts were to include as many children ages 3 through 5 with disabilities in regular early childhood programs as possible. Additionally, OSEP's new environment categories allowed Service Plan students to be reported in inclusive environments.

Connecticut continued to experience a reduction in special education identification as early intervention programs became more prominent. The reduction in regular class placement figures was a symptom of the overall drop in child count. In actuality, the child count reduction did not occur just within the 40 to 79 percent category, but when combined with the Department's efforts to include more students in the 80 percent or more regular class environments, the reduction in data (while misleading) appeared in the 40 to 79 percent category.

The reduction in hospital/homebound placements reflected increased diligence to accurately classify state facilities as residential versus hospital environments.

The increase in number of students reported as limited English proficient reflected statewide trends in migration of Latino families into the state.

District of Columbia

Students receiving services at home were reported with students attending a regular early childhood program, in the regular early childhood program at least 80 percent of the time. The reasoning was that for children receiving services at home, with their family/caregivers, this was the LRE, just as attending a regular early childhood program at least 80 percent of the time was the LRE. The state realized this was incorrect, and it will not be repeated in the next data submission.

<u>Florida</u>

The 2006-07 reporting year was the first with big changes to the environments data for 3-through 5-year-olds. As with any new data collection, there was a level of confusion to the reporting. Also, in 2007-08, Florida instituted a formal "data verification" process (in addition to all the edits already in the system). The state targeted environments data, and districts did a fair amount of cleanup based on that activity.

Florida does not have any mandatory attendance pre-kindergarten programs. It has Head Start programs and a few Title I pre-kindergarten programs offered within school districts. It has a voluntary pre-kindergarten (VPK) program for 4-year-olds that is funded by the state. Most of the VPK providers are private preschools or daycares. School districts are required to offer VPK in the summer, but this was not reflected in the state's October environments data reporting.

Georgia

The decrease in the number of children ages 3 through 5 served in all settings, except for home, was based on an overall reduction of 1,956 students (-9.58 percent) ages 3 through 5 served in special education. The increase in the number of children ages 3 through 5 served in their home will be monitored to determine if the significant reduction reported in 2006 was a factor of the implementation of the new reporting requirements. A less significant change rate is anticipated in the next reporting cycle.

The decrease in the number of children ages 6 through 21 served inside the regular class for 40 percent to 79 percent of the day and inside the regular class for more than 40 percent of the day was based on two primary factors. First, there was an overall reduction of 10,076 students ages 6 through 21 served in special education. Second, there was an increase of 4,805 students served inside the regular class for more than 80 percent of the day. This increase demonstrated the continued emphasis on serving students in a general education setting. The increase in the number of students served in a separate school reflected a change in the reporting practice of one district serving more than 12,000 students with disabilities.

Guam

Age	Setting	2006	2007	Difference	Notes
3 through 5	Early	69	88	19/27.54%	More students were placed
	childhood				in natural environments
	setting				with their peers without
					disabilities.
3 through 5	Separate	58	17	-41/-70.69%	The decrease in the number
	class				of children ages 3 through 5
					served in a separate class
					was due to more students
					being placed in natural
					environments with their
					peers without disabilities.
3 through 5	Home	1	16	15/1,500.00%	The increase was due to
					more students being
					identified in the home
					environment in 2007 than in
					2006.

3 through 5	Service provider location	18	33	15/83.33%	More students were placed in the service provider environment in 2007 than in 2006.
6 through 21	Inside regular class less than 40 percent to 79 percent of day	696	492	-204/-29.31%	More students were placed in natural environments with their peers without disabilities.
6 through 21	English proficiency	201	164	-37/-18.41%	The decrease was due to a change in students' English proficiency when their eligibility/triennial evaluation and IEP were conducted.

Hawaii

The increase in the number of children ages 3 through 5 with disabilities receiving services in a separate class was likely due to changes to the electronic database and the preschool environment categories. The previous database did not include an environment called separate class for 3- through 5-year-olds, which required a hand-count of these students for the 2006 child count. The separate class environment was added to the new database that was launched at the beginning of the 2007-08 school year.

This flag for total does not indicate a significant change because the percentage change was less than 10 percent.

The decrease in the number of 6- through 21-year-olds receiving services inside regular class 80 percent or more of the day can be attributed to an overall decrease in numbers of the age 6 through 21 special education population. Awareness on integration of special education students in the general education setting and at the home school is improving.

The increase in the number of 6- through 21-year-olds receiving services inside regular class 40 to 79 percent of day was attributed to services provided by the Comprehensive Student Support System decreasing the need for more restrictive environments. Awareness of integration of special education students in the general education setting and at the home school is improving.

The decrease in the number of 6- through 21-year-olds receiving services inside regular class less than 40 percent of the day can be attributed to an overall decrease in the age 6 through 21 special education population.

The decrease in the number of 6- through 21-year-olds receiving services in a separate school can be attributed to an overall decrease in the age 6 through 21 special education population.

The decrease in the number of 6- through 21-year-olds receiving services in a residential facility can be attributed to an overall decrease in the age 6 through 21 special education population.

The decrease in the number of 6- through 21-year-olds parentally placed in private schools can be attributed to an overall decrease in the age 6 through 21 special education population.

The decrease in the number of 3- through 5-year-olds in the English proficient category was likely due to changes to the electronic database that was launched at the beginning of the 2007-08 school year. Previous English proficiency data were acquired from a special education database. As of the 2007 child count, these data were acquired from the new database that holds demographic information for general and special education students.

<u>Indiana</u>

The increase in the number of students ages 6 through 21 receiving services in a separate school and the decrease in the number receiving services in a residential facility was a result of day students at the State School for the Blind and the State School for the Deaf being reported under separate school. Previously, these students were reported under residential facility.

The increase in the number of students ages 6 through 21 receiving services in the parentally placed in private schools increase category was a result of parents becoming more aware of the requirements to serve students in private schools and requesting that services be provided using the proportionate share Part B, *IDEA* funds.

The state believed that the increase in the number of limited English proficient (LEP) students was due to improvements in the procedures for identification and reporting of these students since the initial first-year collection.

Iowa

- The proportion of 3- through 5-year-olds in regular early childhood programs at least 80 percent of the day increased from 37 percent to 54 percent;
- The proportion of 3- through 5-year-olds in regular early childhood programs 40-79 percent of the day increased from 7 percent to 12 percent;
- The proportion of 3- through 5-year-olds in regular early childhood programs less than 40 percent of the day increased from 2 percent to 6 percent;
- The proportion of 3- through 5-year-olds in separate classes decreased from 33 percent to 17 percent;

• The proportion of 3- through 5-year-olds in service provider locations decreased from 17 percent to 8 percent.

The above changes reflected a positive trend in the data for children ages 3 through 5 in the state of Iowa and were explained by (1) changes to the 618 data collection, (2) efforts at the state and local levels to encourage the placement of children in inclusive settings, and (3) efforts at the state and Area Education Agency (AEA) levels to increase the validity and reliability of placement data. From October 2006 to October 2007 a change was implemented in the 618 placement data that altered the determination of the amount of time a child spends in a regular early childhood program.

The 2007 submission reflected the first full year of the revised data collection. In addition, the Iowa Department of Education has been implementing strategies to promote the inclusion of children in regular early childhood settings, such as providing professional development to teachers in regular education curriculum and assessment and promotion of the Quality Preschool Program Standards (QPPS) for early childhood and early childhood special education settings. Staff development regarding data quality and consistency was fully implemented in 2006-07, which resulted in more valid and reliable data. Consistent use of the data both publicly and privately with the directors of special education highlighted the importance of the data and focused attention on the data process. Iowa's AEAs and LEAs were also held accountable for placement data through the determination process associated with the Part B Annual Performance Report (APR) for the first time based on FFY 2005 data, drawing further attention to the necessity of valid, reliable and timely data.

- The proportion of students ages 6 through 21 in the regular class at least 80 percent of the day increased from 55 percent to 60 percent;
- The proportion of students ages 6 through 21 in the regular class 40-79 percent of the day decreased from 31 percent to 27 percent.

The above changes reflected a similarly positive trend for children ages 6 through 21 in the state of Iowa, though of smaller magnitude. The changes were explained by (1) efforts at the state and local levels to encourage the placement of students in less restrictive environments and (2) efforts at the state and AEA levels to increase the validity and reliability of placement data. Staff development regarding data quality and consistency was fully implemented in 2006-07, which resulted in more valid and reliable data. This included full implementation of the WebIEP, which is now used across the state for greater than 90 percent of IEPs entered into the system and LRE calculations made, increasing the reliability of the data. Consistent use of the data both publicly and privately with the directors of special education highlighted the importance of the data and focused attention on the data process. Iowa's AEAs and LEAs were also held accountable for placement data through the determination process associated with the Part B Annual Performance Report (APR) for the first time based on FFY 2005 data, drawing further attention to the necessity of valid, reliable and timely data.

In addition to the changes addressed above, all flagged changes in Iowa's placement data were checked for accuracy and found to be correct.

Kentucky

In the 3 through 5 age range, there was a decrease of nearly 500 students directly attributable to the decrease in the identification of students under the developmentally delayed category. This resulted in placement data changing in the regular early child hood environment options. However the percentages remained similar. There was still some difficulty in Kentucky in determining the makeup of the early childhood classes as to whether they were to be considered a separate class or a regular early childhood program as their makeup can change from day to day. This made it difficult to have consistent reporting of these data across the first four placement options. However if you look at these three categories combined from one year to the next, the percentage of students reported in these categories was a quarter of a percent different from year to year. Kentucky believed the individual placement categories would be more consistent if the definition of what constitutes a regular early childhood class was better defined.

Louisiana

The 2006 FAPE data collection for 3- through 5-year-olds was not directly comparable to the prior year. The approved 2006 placements were received after the 2006 school year began. Given that the state of Louisiana collected student-level data and districts had already started the school year with prior placements, the state elected to convert the child count data to the new placements programmatically after the final count was taken. Individual student data were not converted. In the 2007 school year, districts used the new placements when writing new IEPs for the 2007 school year. The programmatic conversion in 2006 did not directly align with LEA entry of the placements in 2007.

The increase in 2007 in the number of students ages 6 through 21 in the regular class 79 to 40 percent of the day and the decrease in the number of students in the regular class less than 40 percent of the day was a result of increased effort to place students in the LRE.

Maryland

Maryland attributed the 42.86 percent increase in the number of 3- through 5-year-olds receiving services in a regular early childhood program at least 80 percent of time to (1) greater understanding of LRE definitions resulting in greater accuracy in local data collection and reporting and (2) state emphasis on serving young children with disabilities in regular early childhood settings.

Maryland attributed the 19.26 percent decrease in the number of 3- through 5-year-olds receiving services in a regular early childhood program 40 to 79 percent of time to (1) enhanced understanding of LRE definitions resulting in greater accuracy in local data

collection and reporting and (2) increased number of children in regular early childhood settings 80 percent or more of the time.

Maryland attributed the 33.24 percent decrease in the number of 3- through 5-year-olds receiving services in a service provider location to (1) enhanced understanding of LRE definitions resulting in greater accuracy in local data collection and reporting and (2) increased number of children in regular early childhood settings.

Maryland attributed the 11.59 percent decrease in the number of 6- through 21-year-olds receiving services inside a regular class 40 to 79 percent of the day to decreasing enrollment statewide and an increased number of children in regular class 80 percent or more of the day.

Maryland attributed the 12.71 percent decrease in the number of 6- through 21-year-olds receiving services in homebound/hospital environments to increased understanding regarding when home and hospital was a service versus a placement and increased monitoring to ensure children were not inappropriately placed in the environment.

Maryland was still researching the 23.88 percent increase in the number of 6- through 21-year-olds (+48) receiving services in correctional facilities.

Maryland attributed the 19.29 percent increase in the number of 3- through 5-year-olds who are LEP to an increase in immigration and an increase in the number of children born into non-English-speaking families in the general population from which children with disabilities are identified.

Maryland attributed the 24.31 percent increase in the number of 6- through 21-year-olds who are LEP to an increase in immigration and an increase in the number of children born into non-English-speaking families in the general population from which children with disabilities are identified.

Massachusetts

Massachusetts' 2006 Part B LRE submission for 3- through 5-year-olds was based on a data sampling calculation derived from actual data collected from our state's two largest LEAs.

A data sample, rather than the entire state data set, had to be submitted for 2006 because Massachusetts had already established its data collection parameters for the year before OSEP's later introduction of its new reporting requirements for these data. Due to time constraints, the state was unable to refine its data collection system to accommodate these changes until the following year.

The LRE counts for 2007 were based on actual counts for all LEAs. Therefore, the state believed that the apparent trends between Massachusetts' 2006 and 2007 LRE data were artifacts of the estimation and did not reflect real patterns for the state.

Michigan

There has been a monitoring priority for school districts to make more concerted efforts to educate children ages 3 through 5 with typically developing peers. As a result, districts focused on educational environments, including the placement and delivery of programs and/or services to students with disabilities. In addition, the Office of Early Childhood Education and Family Services employed a consultant who focused on collaborating with school districts in transitioning students to less restrictive environments. These efforts, along with a continued emphasis of the Office of Special Education and Early Intervention Services on helping districts provide more accurate and complete data, accounted for the increase in the proportion of 3- through 5-year-olds in regular early childhood programs at least 80 percent of the day. They also helped to explain the concomitant decreases in children served in regular early childhood programs between 40 percent and 79 percent of the day, less than 40 percent of the day, and those receiving educational services in separate environments.

Mississippi

Due to the lateness in receiving the new 3 through 5 LRE categories, the state could not add them to its database. Therefore, the state incorporated a crosswalk methodology of the data.

The federal court ordered the state, in the Mattie T. Consent Decree, to decrease the number of self-contained classrooms. Training on updated categories created more awareness of proper reporting in districts.

Missouri

The increases in the number of children ages 3 through 5 receiving services inside regular class less than 40 percent of the time and service provider location were attributed to an overall increase in the number of students in early childhood education as well as better understanding of the definitions of the educational environments that required that districts consider the programs that children attend, regardless of the provision of special education services. The increase in the number of children ages 3 through 5 receiving services in the autism category was in line with state and national increases over the past several years. Other changes in disability categories were small number changes that were spread across many districts in the state. The increases in the number of LEP students and Native American students were possibly related to the shift toward student-level reporting rather than aggregate reporting by the districts, which caused special education data systems to better align with districts' student-level information systems, resulting in better alignment between the special education data and data not specific to special education, such as race and LEP status. The increase in the Hispanic category was related to an increase in the Hispanic population in the state.

The increase in the number of students ages 6 through 21 receiving services in correctional facilities was due to increased reporting by both the Department of

Corrections and the Division of Youth Services. The increased number of students in the autism category was in line with state and national increases over the past several years. The increased number of deaf-blind students was attributed to an increased number of districts reporting these students. The increases in LEP students and Native American students was possibly related to the shift toward student-level reporting rather than aggregate reporting by the districts, which caused special education data systems to better align with districts' student-level information systems, resulting in better alignment between the special education data and data not specific to special education, such as race and LEP status.

New York

New York collected data on LRE settings for children ages 4 through 5 by using the LRE settings for students ages 6 through 21. These 4- through 5-year-old students were reported using the following mappings:

Inside regular class for 80 percent or more of the day = In the regular early childhood program at least 80 percent of time; Inside regular class for 79 to 40 percent of day = In the regular early childhood program 40 percent to 79 percent of time; Inside regular class less than 40 percent of day = In the regular early childhood program less than 40 percent of time; Separate school = Separate school; Residential facility = Residential Facility; Homebound/Hospital = Separate school; Correctional facilities = does not apply to children ages 4 through 5; Parentally placed in private schools (including home-schooled) = Home

New York State does not identify preschool children as being LEP. All preschool children with disabilities (43,385) were reported under not LEP in Section E.

New York State classifies a preschool child as preschool child with a disability, rather than by a specific disability category. All school-age students with disabilities were classified by a specific disability category. Data were provided by specific disability categories for school-aged students (ages 4 through 5) but under the developmental delay category for preschool children.

The state reported 194 students ages 6 through 21 who were reported to the state as multiracial in the white (not Hispanic) race/ethnicity category.

North Carolina

The discrepancy for the multicultural students in the age 3-through 5-category showed 851 students were not accounted for in this table without fields added to capture other ethnicity. This number can be shown in the state's database with the ethnicity flag.

The discrepancy for the multicultural students in the age 6-through-21 category shows 5,143 students were not accounted for in this table without fields added to capture other ethnicity. This number can be shown in the state's database with the ethnicity flag.

North Carolina noticed a decrease in exceptional children students reported in December 2007. The state contacted its LEAs after the certification of its count to verify correct submission of data. The LEAs informed the state at that time that the decrease was a direct result of positive initiatives around the state.

In 2006, the North Carolina Department of Public Instruction reporting personnel transposed the numbers on the report and accidentally reported the No LEP in the Yes category and vice versa. This caused a 50 percent difference in the following year's data. The numbers for 2007 were correct.

North Dakota

North Dakota was unable to collect the new data elements in Table 3, Educational Environment data, due to late notification of the major changes made to the Table 3 data collection. The state needs, minimally, one year advance notice to make changes to its statewide Web-based student information system and the various local student information systems. Therefore, the state coordinator for preschool programs, a research analyst and the special education data manager extrapolated Table 3 data to generate the 2006 educational environment data. As the data comparison between 2006 and 2007 graphically illustrated, the state's extrapolations had little veracity.

Northern Marianas

The increase in the number of students ages 6 through 21 receiving services inside the class 40 percent to 79 percent of the day was correct. The change reflected an increase in child count.

Ohio

Pursuant to EDEN and OSEP guidance, counts of multi-racial students were included in those detail records that did not mandate a race/ethnicity breakdown and in overall totals. Counts of Ohio children with disabilities who were coded as multi-racial were omitted from those records for which race/ethnicity was required, thus discrepancies between those records and overall totals.

Oregon

The majority of the increase in the number of children ages 3 through 5 receiving services in a regular early childhood program at least 80 percent of the day (565 children, 12.36 percent) came from two large programs. The first data coordinator reported that the 2006 data were incorrect due to misinterpretation of the new 2006 codes. After further training, she reported the 2007 data were an accurate reflection of educational environments. The second data coordinator reported a significant increase in the number of typical peers enrolling in their early childhood special education community classrooms. This resulted in several classrooms having a 50/50 (or greater) ratio, changing the status to regular early childhood program. Also, due to Head Start

expansion dollars, this program increased children's services in typical settings. The fluctuation from several of the state's other programs can likely be attributed to the newness of the data codes in 2006. Some increase can also be attributed to Oregon's work on expanding services in typical settings.

The majority of the decrease in the number of children ages 3 through 5 receiving services in a regular early childhood program 40 percent to 70 percent of the day (348 children, -25.4 percent) came from one large program, covering three counties. The data coordinator reported that the 2006 data were incorrect due to misinterpretation of the new 2006 codes. After further training, the 2007 data were an accurate reflection of the counties' educational environments. The fluctuations from other programs were also attributed to the newness of the data codes in 2006.

The majority of the increase in the number of children ages 3 through 5 receiving services in a regular early childhood program less than 40 percent of the day (182 children, 42.13 percent) came from two programs. One data coordinator reported it no longer had self-contained classrooms for children with autism and served the majority of children with autism in a regular early childhood model (less than 40 percent). The other data coordinator reported its 2006 data were incorrect due to misinterpretation of the new 2006 codes. After further training, the 2007 data were an accurate reflection of the program's educational environments.

The majority of the decrease in the number of children ages 3 through 5 receiving services in a separate class (204 children, -11.65 percent) came from two programs. One data coordinator reported it no longer had self-contained classrooms for children with autism and served the majority of children with autism in a regular early childhood model (less than 40 percent). The other data coordinator reported it did not do a good job of training staff on the new 2006 codes. After more formal training in the fall of 2007, the program's data more accurately reflected children served in a separate class. The fluctuations from the state's other programs was attributed to the newness of the data codes in 2006. The decreases from other programs were also attributed to Oregon's work on increasing services in typical settings.

The majority of the increase in the number of children ages 3 through 5 receiving services in the home (55 children, 64.71 percent) came from one program. The data coordinator reported a model change in serving children with language delays in separate settings to serving them in early childhood programs. Children who were not enrolled in an early childhood program were receiving services in the home environment.

The majority of the increase in the number of children ages 3 through 5 receiving services in a service provider location (18 children, 26.09 percent) came from one program. The data coordinator reported there was a misinterpretation of the service provider location code for 2007. The children should have been reported as separate class.

The majority of the increase in the number of children ages 3 through 5 in the LEP Yes category (957 children, 99.79 percent) came from 10 programs. This was a new code in 2006, and programs did not accurately report the data. The 2007 data more accurately reflected the LEP status of pre-school children in Oregon.

The decrease in the number of students ages 6 through 21 receiving services in a separate school (120 students, -12.85 percent) was attributed to two large districts in the state incorrectly reporting students in alternative education programs in the separate school category in 2006. This was corrected for the 2007 child count.

The increase in the number of students ages 6 through 21 receiving services in the homebound/hospital category (33 students, 20.12 percent) was attributed to one district in Oregon that implemented a new program for students who were at significant risk for dropping out. The program resulted in a number of IEP teams deciding that Web-based instruction accessed from the student's home was the least restrictive environment (LRE) for those students.

The increase in the number of students ages 6 through 21 receiving services in a correctional facility (51 students, 20.73 percent) was attributed to one large Youth Corrections Education Program reporting far fewer students in 2006-07 than in 2005-2006 and 2007-08. The reason for the significant decline (42 students) and subsequent increase (32 students) can be attributed to the decision of the Oregon Youth Authority to make large changes to the population of students served at the facility housing the program. The change was implemented during the child count, and the number of students actually being served by the program on the child count date (Dec. 1, 2006) was lower than it otherwise would have been. The most current data for that program indicated that the effects of the change have leveled-off.

<u>Palau</u>

The pre-school setting had the fastest rate of student turnover. Students in this setting usually progressed quickly and were mainstreamed into the regular setting.

The increase in the number of students ages 6 through 21 receiving services inside a regular class 80 percent or more of the day was attributed to Palau's working to mainstream students in a regular education environment.

The decrease in the number of students ages 6 through 21 receiving services inside the regular class 40 percent to 79 percent of day was attributed to students moving to a different setting and exiting the program.

The decrease in the number students ages 6 through 21 receiving services inside the regular class less than 40 percent of the day was attributed to Palau's efforts to have students spend time in regular settings as much as possible.

The decrease in the number of students ages 6 through 21 receiving services in a separate school was attributed to one student leaving the island and therefore exiting.

There are no residential facilities in Palau.

There was a significant change in the number of female students ages 6 through 21 receiving services compared to last year's count. The state did not provide an explanation for this change.

After verifying with Palau Ministry of Education Database management, all students in Palau were ELL (English language learners); therefore, all students were reported in the LEP Yes category.

Pennsylvania

There was an increase (23.18 percent) in the number of children ages 3 through 5 receiving services in a regular early childhood setting 40 to 79 percent of the day. In January 2007, Pennsylvania created a new unified office for the Departments of Education and Public Welfare. The new office, the Office of Child Development and Early Learning (OCDEL), coordinates Pennsylvania's early childhood programs, including infant/toddler and preschool early intervention, the Head Start supplemental program, pre-K programs, full-day kindergarten, family literacy and child care programs. The establishment of the OCDEL offered incredible opportunities for collaboration and was accountable for the increase in the number of children served in early childhood learning environments and other community-based settings.

There was an increase (19.37 percent) in the number of children ages 3 through 5 receiving services in a separate school. This was a natural fluctuation in this low-incidence population, resulting in significant percentage changes despite small (compared to total children reported) number changes. These numbers were accurate and reflected the decisions of IEP teams across the state.

There was an increase (100 percent) in the number of children ages 3 through 5 receiving services in a residential facility. This was a natural fluctuation in this low-incidence population, resulting in significant percentage changes despite small (compared to total children reported) number changes. These numbers were accurate and reflected the decisions of IEP teams across the state.

There was a 13.71 percent increase in the number of students ages 6 through 21 parentally placed in private schools. This placement reflects the unilateral decision of a parent and fluctuates based on parent placement decisions. It is not within the control of the state agency.

Puerto Rico

The Puerto Rico Department of Education was not comfortable with the information reported for students with Spanish language limitations. The state required clarification and data validation from its Language Limitation Office to revise its data.

South Carolina

Since Dec.1, 2007, fell on a Saturday, the 2007 child count and educational environments data were based on Dec. 3, 2007. The substitution of this date was based on information obtained at the June 2007 Overlapping Part B and Part C Data Meetings.

South Dakota

In September of 2006, OSEP approved the new 3- through 5-year-old LRE codes. South Dakota's Student Information Management System (SIMS) manager, Infinite Campus, worked diligently to make the necessary changes for the Dec. 1, 2006, child count collection. On Nov. 20, 2006, those changes were placed into the system. South Dakota Special Education Programs had to create a crosswalk to roll over codes in such short turn-around time. Since districts had only 10 days to verify and understand the new environment codes, the codes were not an accurate reflection.

Since the release of the new LRE codes, South Dakota disseminated and trained districts on the new codes. IEPs were coded, and teams selected the appropriate codes. SIMS data managers entered the updated codes into the SIMS system. The data reported for 2007 accurately reflected the new LRE codes.

In the State Performance Plan, South Dakota's goal was to decrease the number of students in the school environment inside a regular class less than 40 percent of the day. Due to this goal, districts were working on decreasing the numbers by reviewing local data, conducting in-services and training staff on environment definitions.

Upon review of the data, the increase in the number of students ages 6 through 21 receiving services in a residential facility was due to private residential facilities being included in the final 2007 child count. It was also a reflection of a new residential facility that opened in January 2007 in the state.

Tennessee

The large percentage change for education environments for children ages 3 through 5 with disabilities from separate classes to regular early childhood programs was an artifact of the state's local school districts' ability to effectively implement the change in OSEP's reporting instructions the second year after they were introduced.

Texas

Texas did not report parentally placed students with disabilities in private schools. The state anticipated having the capacity to report this category in 2008-09.

Vermont

Data were submitted in pre-suppressed format in accordance with Vermont Department of Education policy and could not be subject to analysis therefore, they were excluded from these tables.

Virginia

An increase in the number of children ages 3 through 5 receiving services in a regular early childhood program or residential facility was due to data not being comparable from 2006 to 2007. Virginia had to crosswalk data collected using the old 3 through 5 environment categories for the Dec. 1, 2006, child count. Data collected for the Dec. 1, 2007, child count reflected the current 3 through 5 environment categories.

A decrease in the number of children ages 3 through 5 attending separate school, separate class, children not attending a special education program but are at home or at a service provider location was due to data not being comparable from 2006 to 2007. Virginia had to crosswalk data collected using the old 3 through 5 environment categories for the Dec. 1, 2006, child count. Data collected for the Dec. 1, 2007, child count reflect the current 3 through 5 environment categories.

A decrease in the number of students ages 6 through 21 receiving services inside regular class less than 40 percent of the day was due to the statewide and local efforts to increase the time children with disabilities spend in the regular class.

Washington

As noted in Indicator 5 of the Improvement Activities Section of Washington's FFY 2006 APR, targeted training had and continued to occur throughout the state in the appropriate use and definitions of LRE categories. These trainings seem to have assisted district staff in understanding the codes implemented in the December 2006 count, and the state saw some shifts occur in the December 2007 counts.

West Virginia

There was an increase of more than 10 students and more than 10 percent in the number of children ages 3 through 5 receiving services in a regular early childhood program at least 80 percent of time increased and a decrease in the number of children ages 3 through 5 receiving services in a regular early childhood program 40 percent to 79 percent of the time.

In 2006, data were reported by districts under the old educational environments definitions, and rules were created to convert it the new educational environments categories for federal reporting. Because data for percentage of time in regular early childhood programs had not been maintained by districts, it was not possible to report in three early childhood program categories. For 2007, policy, definitions and data coding were changed to reflect the new federal definitions. Therefore, accurate data were collected for all three categories of early childhood environments.

The state also noted a significant increase in universal pre-K programs that contributed to the increase of children in regular early childhood programs at least 80 percent of the time and the corresponding decrease in regular early childhood programs 40 percent to 79 percent of the time.

There was a decrease by more than 10 students and more than 10 percent in the number of children ages 3 through 5 receiving services in a separate class. The West Virginia Department of Education (WVDE) Office of Special Programs encouraged the inclusion of more students with disabilities in regular early childhood programs so the number of students in this category was expected to decrease.

The number of children ages 3 through 5 receiving services in the home decreased by more than 10 students and more than 10 percent. WVDE Office of Special Programs encouraged the inclusion of more students with disabilities in regular early childhood programs so the number of student in this category was expected to decrease.

The number of children ages 3 through 5 receiving services in a service provider location decreased by more than 10 students and more than 10 percent. WVDE Office of Special Programs encouraged the inclusion of more students with disabilities in regular early childhood programs so the number of student in this category was expected to decrease.

The number of students ages 6 through 21 receiving services inside regular class 40 percent to 79 percent of the day decreased by more than 10 students and more than 10 percent. WVDE Office of Special Programs encouraged the inclusion of more students with disabilities in general education environments so the number of students in this category was expected to decrease.

The number of students ages 6 through 21 receiving services in a residential facility increased by more than 10 students and more than 10 percent. The number of students being served in out-of-state facilities increased. The Department of Health and Human Resources and the court system make the majority of out-of-state placements in residential facilities. The WVDE has little control over the number of students with disabilities placed in out-of-state residential facilities.

The number of students ages 6 through 21 receiving services in a correctional facility increased by more than 10 students and more than 10 percent. The number of students served in correctional facilities increased. The court system makes these placements. The

WVDE has no control over the number of students with disabilities placed in correctional facilities

The number of students ages 6 through 21 who lack English proficiency increased by more than 10 students and more than 10 percent. The state attributed the increase to an overall increase in the number of students with diverse backgrounds.

Wisconsin

The data were verified and all counts were as reported.

Due to the late approval of the preschool educational environment categories first used during the 2006-07 school year, the state was unable to change its data collection system for that school year to incorporate the new preschool educational environment categories. The preschool educational environment counts submitted for the 2006-07 school year were based on a crosswalk using additional data available, including physical location and grade, of the preschool educational environment data collected to the new categories. The 2007-08 school year was the first year the state collected data using the current preschool educational environment categories.

The percentage of students ages 6 through 21 receiving services in a separate school or a residential facility decreased. The state continued to implement improvement activities related to the State Performance Plan Indicator 5. These improvement activities include a focus on reducing the number of students placed in separate schools and residential facilities.

The percentage of students ages 6 through 21 receiving services in a homebound/hospital environment or parentally placed in private schools increased. The percentage receiving services in a correctional facility decreased. The use of homebound/hospital, parentally placed in private schools and correctional facility as educational environments is very student/situation specific so increases/decreases in the number of students reported in these categories can be expected from year to year. Overall the percentage of school age children in the state reported in these educational environment categories was very low.

There were increases in the number of children and students ages 3 through 21 who were LEP. For the 2007-08 school year, the state changed its data collection system for the reporting of English proficiency status. Prior to the 2007-08 school year, the state determined English proficiency status by matching child count records to another state data collection that included English proficiency status. Beginning with the 2007-08 school year, English proficiency status was added as a specific data element within the child count data collection.

Wyoming

The Wyoming Early Intervention Education Program (EIEP) serving students ages 3 through 5 made a conscious effort to improve the accuracy of environment data because

through monitoring activities it was determined that guidance was necessary to eliminate confusion around current environment definitions. The EIEP completed a statewide training on the definitions of early childhood environments, and the state believed that training resulted in more accurate reporting; therefore, the 2006-07 environment data provided were correct and showed a significant change from past years due to definition clarifications for data input.

2006-07 Part B Non-Child Count Data

Tables 3-1 Through 3-5: IDEA Part B Personnel, 2006

Alabama

There were increases in the number of fully certified related services personnel in all but two areas. The state was uncertain how to account for this change, but data will be monitored for patterns or trends in future data reporting.

The increase in the number of not fully certified speech-language pathologists may be attributed to the implementation of certification for speech-language pathologist assistants. As personnel with this certification may have been incorrectly included in this count, technical assistance information on appropriate personnel counts was provided statewide.

In Alabama, due to the nature of the education agency in which some certified special education teachers serve, and based on The Alabama Model for Identifying Highly Qualified Teachers, these personnel are not required to be highly qualified. Neither the directions for this table nor the spreadsheet provided for the reporting of these special education teachers who are not required to be highly qualified. Therefore, the state noted that of the 24 full-time equivalent (FTE) teachers reported in Section A, Special Education Teachers for Ages 3-5, column (2), 11.5 FTE teachers were not required to be highly qualified, and therefore, were inappropriately reported under the not highly qualified heading. Additionally, of the 690.2 FTE teachers reported in Section A, Special Education Teachers for Ages 6-21, column (2), 163.5 FTE teachers were not required to be highly qualified, and therefore, were inappropriately reported under the not highly qualified heading. Thus, an appropriate report of the total FTE numbers for Section A, column (2) should show: Section A, Special Education Teachers for Ages 3-5, column (2) Not Highly Qualified—12.5; Section A, Special Education Teachers for Ages 6-21, column (2) Not Highly Qualified—526.7.

<u>Alaska</u>

Alaska requires all special education teachers to meet *IDEA* standards for highly qualified.

Alaska could not differentiate between paraprofessionals working with 3- through 5-yearolds and those working with all other special education students. The state changed its data collection to be able to report these data for the 2007-08 school year.

Alaska did not report psychologists because it cannot differentiate between those hired specifically for special education and those working with all students. The state changed its data collection to be able to properly report these data for the 2007-08 school year. Past year reports included all psychologists, not just those working with special education students.

American Samoa

The diagnostic and evaluation personnel reported in Section C: Row 4 perform psychological and educational tests and other assessment procedures. They have gone through certified module trainings conducted by a certified psychologist. Five of the seven successfully completed training to be certified to perform such duties, and they were locally certified.

Arizona

Generally speaking, the increase in population and number of PEAs justified, to varying degrees, the increase in some of the numbers.

Ongoing PEA training will continue, resulting in improved data reporting

Arkansas

The Arkansas 2006-07 personnel data had significant changes in the areas of fully certified psychologists, occupational therapists, physical therapists and social workers. The increase in the number of fully certified psychologists was due to a shift in reporting that included professionals previously reported under diagnostic and evaluation staff such as school psychologists and psychological examiners.

The decline in the number of occupational therapists and physical therapists appeared to follow a fluctuation trend—increasing one year and then decreasing the next. Although the 2005 count increased from 2004, the 2006 count decreased, bringing the count more in alignment with the level of 2004. While the use of these professionals was dependent on student needs, part of the decline could be attributed to increased training and data cleansing to ensure that FTE was reported appropriately.

The decline in the number of social workers employed in special education programs was tied to an increase in school social workers employed to provide services to all students not just special education. In addition, the decline could be attributed to increased training and data cleansing to ensure that FTE was reported appropriately.

The information requested in Table 2, Section C on speech pathologists was contained in Table 2, Section A. Speech is considered an instruction, not a related service, in Arkansas; therefore, speech pathologists are considered teachers. The number of speech pathologists for students ages 3 through 5 and 6 through 21 was included in Table 2, Section A with the count of special education teachers. Special education teachers are considered highly qualified if they have the proper credentials to teach special education (including speech therapist). Therefore, special education teachers who did not meet the criteria for *NCLB* highly qualified but were fully certified for their position were reported under highly qualified for this report.

Connecticut

All paraprofessionals were reported in the 6- through 21-year-old row because Connecticut does not collect these data by age of student.

Delaware

All teachers were not highly qualified because not all special education teachers teach courses where they are required to be highly qualified. Delaware does not currently track paraprofessionals for ages 3 through 5.

Georgia

Effective as of the 2003-04 school year, State Board Rules were modified to require a standard credential for all personnel providing educational interpreting for children who are deaf or hard of hearing in LEAs. The implementation of this state rule significantly affected the number of interpreters holding full certification; however, each year the number of interpreters obtaining the required credential is increasing.

There was a decrease in the number of speech-language pathologists, not fully certified from 2005 to 2006. Georgia does not offer a provisional certification or licensure for speech pathologist. Clear Renewable Certificate and Non-Renewable Professional Certificate are the only certifications issued.

There was a decrease in the number of not fully certified social workers and an increase in the number of fully certified social workers. Georgia does not offer a provisional certification or licensure for social workers. Clear Renewable Certificate and Non-Renewable Professional Certificate are the only certifications issued.

Hawaii

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category special education teachers for ages 3 through 5-highly qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category special education teachers for ages 6 through 21-highly qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category total special education teachers-highly qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category special education paraprofessionals for ages 3 through 5-qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category special education paraprofessionals for ages 6 through 21-qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category total special education paraprofessionals-qualified.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category speech-language pathologists-fully certified.

Contract services are no longer available. Instead, there was an increase in positions created by districts and schools. In transitioning to school-based behavioral health services, many other previously contracted services showed up as newly created positions.

The change in the number of fully certified psychologists was attributed to contract services no longer being available. In transitioning to school-based behavioral health services, many other previously contracted services showed up as newly created positions.

The change in the number of fully certified recreation specialists was attributed to transitioning to school-based behavioral health services; many other previously contracted services showed up as newly created positions.

The 2006 personnel data collection contained data categories that were not comparable to prior years. Therefore, 2005 data were not available for the category medical/nursing service staff-fully certified.

The change in the number of fully certified counselors and rehabilitation counselors was attributed to transitioning to school-based behavioral health services; many other previously contracted services showed up as newly created positions.

Idaho

The assignment codes in the Idaho Basic Education data system do not distinguish between early childhood instructional assistants (paraprofessionals) and those serving 6-through 21-year-olds. The state entered all in the fields for paraprofessionals for ages 6 through 21.

<u>Illinois</u>

Illinois' personnel data did not include personnel employed by private agencies or staff serving in nonpublic schools. As a result, Illinois' personnel data were an undercount.

Illinois does not collect FTE data for home-hospital instructors. As a result, 3,536 home-hospital instructors were omitted from this report.

Illinois' early childhood special education teachers are not required to meet highly qualified requirements as Illinois school districts are not required to provide preschool services to all students. Some special education teachers of students within the 6 through 21 age range may not meet highly qualified requirements if they are working on the basis of a special education approval. Illinois does not collect special education teacher data by ages served. As a result, the state was only able to provide a separate count of teachers serving 3- through 5-year-olds when their services were provided in an early childhood or preschool setting. All other personnel who may have been serving students ages 3 through 5 were reported as serving 6- through 21-year-old students. As a result, the number of teachers for children 3 through 5 was an undercount, and the number of teachers for students ages 6 through 21 was a slight overcount.

Illinois does not collect special education paraprofessional data by ages served. As a result, all paraprofessional data were reported in the ages 6 through 21 categories.

Speech and language assistants/paraprofessionals may work with students in both the 3 through 5 age range and the 6 through 21 age range. Paraprofessionals may be assigned to more than one classroom and may provide services to students in both the 3 through 5 age range and the 6 through 21 age range.

Kentucky

The Kentucky Department of Education as well as districts emphasized the importance of using highly qualified teachers as a result of *NCLB*. Special education teachers for ages 6 through 21 showed a shift from the number of teachers who were less than highly qualified to more who were. This same trend was true for the special education teachers of 3- through 5-year-old students. There was also an increase in the overall number of teachers for this population.

The state could not provide a specific reason for the overall increase in the number of special education teachers in the 3 through 5 age range category.

Louisiana

The decrease in the number of psychologists was due to the change in reporting criteria for this category. Many LEAs had psychologists who served all students rather than exclusively students with disabilities.

The increase in the number of personnel employed to provide special education services in the 3 through 5 age category was due to the reopening of schools and the return of teachers after Hurricanes Katrina and Rita.

The increase in the number of speech-language pathologists, occupational therapists and physical therapists was due to the reopening of schools and the return of special education service providers after Hurricanes Katrina and Rita.

Maine

The state's database was not adjusted to the new requirements for reporting personnel at the time of data collection. The decrease in personnel was due to five categories for which data were no longer required.

Maryland

Maryland attributed a 48.60 percent decrease in the number of fully certified interpreters to incorrect 2005 data that could not be corrected; 2006 data were correct.

Maryland attributed an 18.02 percent increase in the number of fully certified occupational therapists to a large local school system (LSS) that reported contractual occupational therapists, who had not been reported in previous years.

Maryland attributed a 20 percent increase in the number of fully certified social workers to an initiative in a large LSS to add social workers to elementary schools to support the expansion of the Student Support Teams model. Elementary schools were given a minimum of one school social worker.

Maryland attributed a 43.21 percent decrease in the number of fully certified counselors to an LSS misunderstanding the directions. The LSS did not have a method for correcting the data.

Maryland attributed a 402.57 percent increase in the number of not fully certified physical therapists to a large LSS reporting in this category for the first time.

Other categories flagged on this report were new categories collected by OSEP—highly qualified status for teachers and qualified status for paraprofessionals were not previously reported in the current format.

Data were based on reported class assignments.

Maryland attributes a 17.25% (86.8) increase in the number of qualified

Paraprofessionals for ages 3-5 to more accurate data from *nonpublic schools.

• Maryland attributes a 19.90% (1,186.69) increase in the number of qualified

Paraprofessionals for ages 6-21 to more accurate data from *nonpublic schools.

• Maryland attributes a 19.70% (1,273.49) increase in the total number of qualified

Paraprofessionals to more accurate data from *nonpublic schools.

• Maryland attributes a 25.37% (86.45) increase in the number of fully certified

Occupational Therapists to one LSS implementing a new HR Tracking system that caused 2006 data to not be reported accurately. The LSS is unable to correct 2006 data, however 2007 data is accurate.

• Maryland attributes a 16.08% (26.35) increase in the number of fully certified

Physical Therapists to one LSS implementing a new HR Tracking system that caused 2006 data to not be reported accurately. The LSS is unable to correct 2006 data, however 2007 data is accurate.

• Maryland attributes a 26.34% (160) decrease in the number of fully certified

Physical Education Teachers and Recreation and Therapeutic Recreation Specialists to one LSS not reporting the data accurately for 2006.

• Maryland attributes a 59.44% (88.78) increase in the number of fully certified

Medical/Nursing Staff to more accurate data from *nonpublic schools.

• Maryland attributes a 17.00% (30) increase in the number of fully certified

Counselors and Rehabilitation Counselors to more accurate data from *nonpublic schools.

• Maryland attributes a 152.27% (20.10) increase in the number of Orientation and

Mobility Specialists to one LSS' better understanding and more accurate reporting of staff that should be included in the category.

*The 2007 Personnel data reflects a 100% response from nonpublic schools.

Marshall Islands

The Republic of the Marshall Islands funded six teachers. *IDEA* funded 128 teachers.

Massachusetts

In 2006-07, the Massachusetts Department of Elementary and Secondary Education (previously called the Massachusetts Department of Education) implemented a pilot phase of its newest data collection system at the individual level for education personnel called the Education Personnel Information Management System (EPIMS). During this school year, 16 districts submitted pilot data, while the remainder of the districts continued to report through the old aggregate collection, the District School Staffing Report (DSSR).

The information reported through Table 2 (Personnel Data) was a combination of the pilot EPIMS data and DSSR data submitted by the districts. The varying changes between the reported numbers from the 2005-06 school year to the 2006-07 school year can be attributed in part to the fact that district personnel were still adjusting to the differences in reporting required between the different collection processes.

The Department implemented EPIMS on a mandatory basis to all districts in 2007. The first statewide EPIMS data collection period was from Oct. 1 to Dec. 31, 2007. EPIMS will replace the DSSR, which reported similar information on an aggregate basis.

The Massachusetts SEA does not have a separate certification process for certain related services personnel. These include audiologists, interpreters, occupational therapists, orientation/mobility specialists, physical therapists and speech-language pathologists. Therefore, in these categories, even if the stated personnel were licensed per the requirements of their field, these personnel were reported as not fully certified in this table.

Michigan

In prior reporting years, Michigan used the Michigan Compliance Information system (MiCIS) to report special education personnel. Beginning with the 2006-07 reporting year, data were collected using the Registry of Educational Personnel, maintained by the Center for Educational Performance and Information (CEPI). Such a change to a new data collection system helped to explain substantial changes in data between 2005-06 and 2006-07.

Note that special education fully certified teachers who are not required to be highly qualified were all reported as highly qualified. For special education teachers serving 3-through 5-year-olds, 468 teachers (421.49 FTE) were reported as highly qualified. For special education teachers serving 6- through 21-year-olds, 5,429 (4,720.66 FTE) were reported as highly qualified.

Paraprofessionals serving in Title 1 schoolwide buildings who did not meet Michigan highly qualified requirements were reported as not qualified.

Minnesota

Minnesota improved its data reporting systems to align with and meet federal requirements and guidance. The increase in the reported number of fully certified audiologists, occupational therapists, physical therapists and social workers from 2005 to 2006, and accompanying proportional decrease in the reported number of unqualified personnel, occurred because state reporting systems were aligned with federal guidance stating that personnel are considered fully certified when they "hold appropriate State certification or licensure for the position held." Previously Minnesota reported only staff licensed through the Minnesota Board of Teaching, even if those staff obtained licensure from a different state commissioner, board or professional organization. In Minnesota,

employment as any of the listed personnel categories and titles requires licensure from an appropriate state board or commissioner. All staff with the listed titles—audiologists, occupational therapists, physical therapists and social workers—in LEAs were appropriately licensed. The numbers reported for audiologists, occupational therapists, physical therapists and social workers indicated the actual number of fully certified personnel.

Minnesota changed its reporting of audiologists, social workers, occupational therapists and physical therapists based on the definitions found in federal guidance for this table and on Minnesota's state statutes. Minnesota's statutes require licensure for the areas mentioned above

Mississippi

The state had teachers who were not highly qualified teaching 3- through 5-year-olds; however, they were not teaching core subjects. Please see the definition of highly qualified below.

The state did not have a way to separate paraprofessionals for 3- through 5-years-olds, so all paraprofessionals were reported in the ages 6 through 21 category.

Highly Qualified Teacher (HQT) is a term that comes from *NCLB*, which is the most recent reauthorization of the *Elementary and Secondary Education Act of 1965 (ESEA)*.

HQT is applicable ONLY to teachers in *NCLB* Core Academic Subjects. NCLB defines those subjects as English, reading, language arts, science, mathematics, foreign languages, arts, civics and government, economics, history and geography.

Special education teachers are also considered under *NCLB* HQT provisions if they are teaching *NCLB* core academic subjects.

Missouri

The state could not provide a reason for the increase in physical therapists, school social workers totals and highly qualified because the total number increase was less than 20 and was distributed over several districts.

The number of physical education teachers decreased due to a change in reporting that included all teachers in state-operated programs (Missouri School for the Blind, Missouri School for the Deaf and State Schools for the Severely Handicapped) in Section A (Special Education Teachers) rather than Section C (Related Services Personnel).

The increase in teachers not highly qualified was due to the inclusion of teachers who were not considered, under *NCLB*, to be highly qualified in a core content area.

In response to Westat's request that states indicate the number of special education teachers who were not required to meet the standard for highly qualified teachers, the following data note was provided:

Approximately 2,400 (26 percent) of special education teacher FTEs were subject to HQT standards, and 6,800 (74 percent) were not. Of the 6,800 not subject to HQT standards, approximately 6,660 were reported as highly qualified due to their holding of special education certification, and 150 were reported as not highly qualified due to lack of appropriate special education certification.

Montana

Because Montana's special education teachers frequently teach across all ages, the breakout by age group for Sections A and B used a proportionate breakout based on the number of special education students from the Dec. 1, 2006, child count in each age group. The breakout is 10.5 percent for 3- through 5-year-olds and 89.5 percent for 6-through 21-year-olds.

Nebraska

The increase was a result of an overhaul of the personnel reporting system in conjunction with the completion of Nebraska's Longitudinal Data System; Nebraska believed that the Longitudinal Data System allowed for more accurate and complete reporting by the school districts and the service providers. This was also the explanation for the total increase in the number of psychologists reported. This increase was attributed to the combining of the categories counselor and rehabilitation counselors, a category which in the past Nebraska did not collect. This was also the explanation for the total increase in the number of counselors and rehabilitation counselors.

The decrease in not fully certified interpreters was due to Nebraska's interpretation that interpreters who met qualifications set in Nebraska Rule 51 were deemed fully certified. The increase in one category was due to the language change from school social worker to social worker. Nebraska interpreted this change to include community social workers (which Nebraska previously did not collect) who contracted with school districts, but were not employees of the school districts.

Nebraska collected information on paraprofessionals in the NDE Final Financial statement which was not reported until after the deadline for this report. These data were resubmitted on June 25.

Although Nebraska does not require interpreters to be fully certified, there are a set of qualifications that must be met in accordance with Rule 51 Section 010.07 (92 NAC 51. 010.07) in order for an educational interpreter to be employed as such in Nebraska public schools. In accordance with rule 51 010.06, the interpreter must meet at least one of the following competency levels:

- Educational Interpreter Performance Assessment Competency Level 3.5;
- Registry of Interpreters of the Deaf Certification;
- National Association of the Deaf Competency Level 4.0;
- Quality Assurance Screening Test Competency Level 4.0; or
- American Consortium of Certified Interpreters Exam Competency Level 4.0.

Nebraska teachers of 3- through 5-year-olds are not included on *NCLB*, however, preschool teachers in Nebraska are required to meet full state certification, which includes early childhood and preschool special education endorsements, and therefore are considered highly qualified.

OSEP required FTE of teachers serving ONLY students with disabilities; Nebraska does not distinguish between FTE of general education and special education for physical education and recreational and therapeutic recreational specialists. In addition *NCLB* does not include physical education courses as core content area.

Nebraska included orientation and mobility specialists in the broader category of teachers serving students with visual impairments as reported in Section A of this report.

New Hampshire

The state moved into a new data system, and its reporting function is inconsistent with the OSEP reporting requirements.

New Jersey

The increase in the number of total audiologists from 27 in 2005 to 51.2 in 2006, constituting an 89.63 percent increase, was not unusual. In 2004, New Jersey reported a total of 106 total audiologists. Since the numbers in this category have been relatively small, the state did not interpret a statewide fluctuation of 24 positions as a significant or unusual event.

The increase in the number of total interpreters from 106 in 2005 to 137 in 2006, constituting a 29.25 percent increase, was not unusual. In 2004, New Jersey reported a total of 135 total interpreters. Since the numbers in this category have also been relatively small, the state did not interpret a statewide fluctuation of 46 positions as a significant or unusual event.

It is unclear to the state why the number of physical education teachers and recreation and therapeutic recreation specialists increased from 321 in 2005 to 1,233 in 2006, a 284.11 percent increase. The category of physical education teachers was combined with the other categories for 2006-07, as reflected in the new and revised 618 report. Given this, the state suspected that the combined category may have been viewed by LEAs differently from when the categories were separated on the 2005-06 and earlier reports. To fully determine this, the state will be looking closely at the data in this category next

year to see if the reporting increase is consistent. The state believed the numbers accurately reflected the reporting by the districts and considered the change to be unusually significant. Next year comparisons will provide useful information about this increase.

The increase in the number of fully certified audiologists from 21 in 2005 to 51.2 in 2006, constituting a 143.81 percent increase, was not unusual. Since the numbers in this category have been relatively small, the state did not interpret a statewide fluctuation of 30.2 positions as a significant or unusual event.

The increase in the number of fully certified interpreters from 92 in 2005 to 128 in 2006, constituting a 39.13 percent increase, was not unusual. Since the numbers in this category have been relatively small, the state did not interpret a statewide fluctuation of 36 positions as a significant or unusual event.

It is unclear to the state why the number of fully certified physical education teachers and recreation and therapeutic recreation specialists increased from 309 in 2005 to 1,208, constituting a 290.94 percent increase. The category of physical education teachers was combined with the other categories this reporting year, as reflected in the new and revised 618 report. Given this, the state suspected that the combined category may have been viewed by LEAs differently from when the categories were separated on the 2005-06 and earlier reports. To fully determine this, the state will be looking closely at the data in this category next year to see if the reporting increase is consistent. The state believed the numbers accurately reflected the reporting by the districts and considered the change to be unusually significant. Next year comparisons will provide useful information about this increase.

The decrease in the number of not fully certified speech language pathologists from 118 in 2005 to 92 in 2006, constituting a 22 percent decrease, was not unusual. In 2004, New Jersey reported a total of 170 not fully certified speech language pathologists. Indeed with a total pool of nearly 3,000 speech language pathologists, the state did not interpret a change of 26 positions as a significant or unusual event.

The decrease in not fully certified psychologists from 49 in 2005 to 3 in 2006, constituting a -93.88 percent decrease, seemed a bit unusual but appeared to be accurate. While the numbers in this category have shown a steady decline since 2003, the substantial fluctuation seemed more pronounced than in previous years. The state would like to see what the numbers show for next year to see if this decrease was a sign of how districts are employing psychological services for students.

There was an increase in the number of not fully certified physical education teachers and recreation and therapeutic recreation specialists from 12 in 2005 to 25 in 2006, constituting a 108.33 percent increase. The state was not very clear why the increase occurred but suspected that the data for this category were being reported similarly by LEAs as the increase being reported for fully certified personnel in this category. It is important to keep in mind that there were relatively small numbers of personnel in this

category which could have resulted in a larger percentage change than would have been expected for larger personnel categories.

Although the increase in the number of not fully certified counselors and rehabilitation counselors from 17 in 2005 to 54 in 2006, constituting a 217.65 percent increase, was a bit higher than in previous years, the state believed it was accurate. The state would like to examine the data for the next reporting cycle to see if this is a blip or the indication of a larger upward trend.

New York

New York State modified its data collection instrument (PD-6) to collect only those titles and from only those schools that were not reporting data through the Department's BEDS personnel reporting system. The data provided for Table 2 in 2006 included some data from the BEDS personnel report and some data from the revised PD-6. Also, the state provided most of the same directions to its schools as was provided to the state for Table 2. As another major change, all provisional certifications were counted as fully certified since teachers holding provisional certifications were appropriately certified to carry out their responsibilities while continuing to work toward earning their permanent certifications.

- All the highly qualified teachers for ages 3 through 5 and 6 through 21 were new data collection categories for 2006.
- All the qualified paraprofessionals for ages 3 through 5 and 6 through 21 were new data collection categories for 2006.
- The increase of 10.22 fully certified audiologists was mostly in New York City schools.
- The increase of 26.68 fully certified speech-language pathologists was spread across many school districts.
- The increase of 13.52 fully certified interpreters was mostly in three schools.
- The increase of 10.79 fully certified occupational therapists was result of large increase in two schools and smaller increases spread across many schools.
- There was an increase of 35.33 fully certified physical education teachers and recreation and therapeutic recreation specialists. Beginning in 2006, the State began counting provisional certificates as fully certified. New York City Public Schools had a large increase in this category.
- The medical/nursing service staff category was a new reporting category in 2006.
- The decrease in the number of fully certified counselors and rehabilitation counselors (707.82) may have been a result of clearer directions for reporting personnel in this category.
- The increase in the number of fully certified orientation and mobility specialists (59.54) was due to the new federal reporting category, even though New York State had collected data for this category for many years.
- All the not highly qualified teachers for ages 3 through 5 and 6 through 21 were new data collection categories in 2006.

- All the not qualified special education paraprofessional titles for ages 3 through 5 and 6 through 21 were new data collection categories in 2006.
- The decrease in the number of not fully certified speech-language pathologists (234.98) was because, beginning in 2006, the state began counting provisional certificates as fully certified.
- The decrease in the number of not fully certified psychologists (412.78) was because, beginning in 2006, the state began counting provisional certificates as fully certified.
- The increase of 21.7 not fully certified occupational therapists was spread across many schools.
- The decrease in the number of not fully certified physical education teachers and recreation and therapeutic recreation specialists (185.17)was because, beginning in 2006, the state began counting provisional certificates as fully certified.
- The decrease in the number of not fully certified social workers (279.44) was because, beginning in 2006, the state began counting provisional certificates as fully certified.
- Not fully certified medical/nursing service staff was a new reporting category in 2006.
- The decrease in the number of not fully certified counselors and rehabilitation counselors (232.31) may have been a result of clearer directions for reporting personnel in this category.
- The increase in the total number of audiologists (12.72) was spread across many schools.
- Most of the increase in the total number of speech-language pathologists (969.19) was in New York City Public Schools.
- The increase in the total number of interpreters (44.1) was spread across 16 schools.
- The decrease in the total number of psychologists (554.29) was spread among 16 schools. Also, school districts were provided clarification regarding how to compute the FTE of personnel, when they were working on other administrative tasks.
- The increase in the total number of occupational therapists (379.99) was spread across many schools.
- The increase in the total number of physical education teachers and recreation and therapeutic recreation specialists (271.89) was because, beginning in 2006, the state began counting provisional certificates as fully certified.
- The decrease in the total number of counselors and rehabilitation counselors (940.13) may have been a result of clearer directions for reporting personnel in this category.

Data reported for Preschool Teachers for ages 3 through 5 include the following titles:

Preschool Teacher of Special Education; Teacher of Students with Disabilities (birthgrade; Preschool Teacher of Special Education-Bilingual; Teacher of Students with Disabilities (birth-grade 2)-Bilingual; Teacher of the Speech and Hearing Handicapped

and Language Disabilities-Certified Only; Teacher of the Speech and Hearing Handicapped and Language Disabilities-Bilingual-Certified Only; Teacher of the Deaf and Hearing Impaired/Teacher of Deaf and Hard of Hearing (all grades); Teacher of the Deaf and Hearing Impaired/Teacher of Deaf and Hard of Hearing (all grades)-Bilingual; Teacher of the Blind and Partially Sighted/Teacher of the Blind and Visually Impaired (all grades)-Bilingual.

Data reported for School-age Teachers for ages 6 through 21 include the following titles:

Teacher of Students with Disabilities (birth-grade 2); Teacher of Students with Disabilities (birth-grade 2)-Bilingual; Teacher of Special Education; Teacher of Special Education-Bilingual; Teacher of Students with Disabilities (grades 1-6); Teacher of Students with Disabilities (grades 1-6)-Bilingual; Teacher of Students with Disabilities (grades 5-9) Content Specialist; Teacher of Students with Disabilities (grades 5-9) Content Specialist-Bilingual; Teacher of Students with Disabilities (grades 5-9) Generalist; Teacher of Students with Disabilities (grades 5-9) Generalist-Bilingual; Teacher of Students with Disabilities (grades 7-12); Teacher of Students with Disabilities (grades 7-12)-Bilingual; Teacher of the Speech and Hearing Handicapped and Language Disabilities-Bilingual-Certified Only; Teacher of the Speech and Hearing Handicapped and Language Disabilities-Certified Only; Teacher of the Deaf and Hearing Impaired / Teacher of Deaf and Hard of Hearing (all grades); Teacher of the Deaf and Hearing Impaired/Teacher of Deaf and Hard of Hearing (all grades)-Bilingual; Teacher of the Blind and Partially Sighted/Teacher of the Blind and Visually Impaired (all grades); Teacher of the Blind and Partially Sighted/Teacher of the Blind and Visually Impaired (all grades)-Bilingual.

New York State eliminated the separate collection of special education teachers employed by public school districts, Special Act School Districts, BOCES, Charter Schools, and the State Operated Schools and instead used data collected by the Department on the BEDS personnel reports from these schools.

Data reported for preschool teachers-highly qualified included teachers with permanent certification/licensure or professional certificate and provisional certification or initial certificate. In previous years, New York State reported the former under fully certified and the latter under not fully certified.

Data reported for preschool teachers-not highly qualified included teachers not fully certified.

Data reported for school-age teachers-highly qualified included teachers with permanent certification/licensure or professional certificate and provisional certification or initial certificate. In New York State, highly qualified included teachers who met state certification requirements for the above categories were highly qualified per *NCLB*. In previous years, New York State reported only permanent certification/licensure or

professional certificate under fully certified and provisional certification or initial certificate under not fully certified.

Data reported for school-age teachers-not highly qualified included teachers with permanent certification/licensure or professional certificate and provisional certification or initial certificate who were not highly qualified per *NCLB* and also not fully certified teachers.

Data reported for counselors included the following titles: guidance counselor and guidance counselor-bilingual.

Data reported for related services personnel under fully certified included personnel with permanent certification/licensure or professional certificate and professional certificate and provisional certification or initial certificate. In previous years, New York State reported the former under fully certified and the latter under not fully certified.

Data no longer reported included the following titles: physical therapist assistant, occupational therapist assistant; orientation and mobility instructor-bilingual and other professional staff.

North Carolina

In 2005, the state's LEAs reported 127 not highly qualified physical education teachers and recreation and therapeutic recreation specialists. In 2006, the state saw an increase of 116 personnel in this category reported as highly qualified. The state saw this as a positive change in that North Carolina's schools were working toward getting their personnel certified.

The changes in the 2006 submission of personnel as compared to the 2005 submission can be attributed to the fact that the collection form that was sent from North Carolina to the LEAs asked them to report their personnel who worked only with exceptional children.

We found this requirement in the document posted at https://www.ideadata.org/docs/personnelPtB.doc and named, "Table 2 of Personnel (In Full-Time Equivalency of Assignment) Employed to Provide Special Education and Related Services for Children With Disabilities."

In 2005, the LEAs reported all personnel who worked with exceptional children even if part of their time was spent with the general population of students. The change in the way these data were collected can be attributed to all flags marked (A) in the state's Personnel Resolution Submission Report.

Generally speaking, the increase in population and number of PEAs justified, to varying degrees, the increase in some of the numbers.

Ongoing PEA training will continue, resulting in improved data reporting.

North Dakota

Because North Dakota had been submitting same year personnel data in the past and now chose, with permission, to submit previous year personnel data to coincide with the EDEN collection timeframe, the state was unable to separate its paraprofessionals into the two age groups. The previous statewide Web-based data collection (ORS) did not collect these data, and the state's Management Information Systems department would not make changes to that system as the state developed, tested, and deployed a new dot.net statewide Web-based data collection system (STARS). The state can now collect paraprofessional data by age category; however that will be specific to the 2007-08 school year.

Northern Marianas

The state resubmitted the data table to reflect the change of employment status of nine individuals.

The decline in the number of certified teachers from 2005-060 was due to more stringent qualification requirements in line with *NCLB*.

Ohio

Ohio does not identify individual teachers as being highly qualified. Rather, it complies with the mandate of *NCLB* to identify courses taught by teachers who are highly qualified. As the counts required for this submission were FTEs, Ohio analysts applied the percentage of courses taught by highly qualified teachers to the number of FTEs teaching special education to arrive at the number of highly qualified FTEs for this report.

Some dramatic differences between the numbers reported here and last year's numbers occurred due to ensuring that the number reported represented positions dedicated to working with students with disabilities rather than positions in which students with disabilities might be part of the clientele but are not targeted.

Oklahoma

Oklahoma implemented a new online system for reporting the highly qualified status of all teachers teaching core classes. The system did not collect information on the age of students served nor did it collect information about non-core content classes and teachers. Therefore, the only teachers reflected in this online reporting system were those who were the teacher of record, responsible for instruction and grading for core content classes. In addition, the system collected the information by class and not by teacher. The OSDE-SES had to apply a rubric for determining percentage of teachers from the information.

Pennsylvania

Due to the concerted efforts on behalf of the Bureau of Special Education, and school districts, the successful efforts of our professional development grant from OSEP showed an increase in the number of fully certified audiologists (41.34) where previously there were shortages.

Due to the concerted efforts on behalf of the Bureau of Special Education, and school districts, the successful efforts of the state's professional development grant from OSEP showed an increase in the number of fully certified speech-language pathologists (362.08) where previously there were shortages.

The increase in the number of fully certified physical education and recreational and therapeutic recreational specialists (15.82) reflected a more accurate reporting from previous years.

The increase in the number of fully certified counselors and rehabilitation counselors (32.96) reflected an annual fluctuation related to the needs identified in individual student's IEPs. The state believed this increase reflected the impact of OSEP's corrective action regarding more specific/detailed reporting of psychological services on individual student's IEPs.

The increase in the number of not fully certified speech-language pathologists (275.82) reflected the age 3 through 5 requirements that are aggregated into this report. Certification in Pennsylvania for students ages 3 through 5 is not identical to the requirements for students ages 6 through 21.

The increase in the number of not fully certified social workers (454.20) reflected the age 3 through 5 requirements that are aggregated into this report. Certification in Pennsylvania for students ages 3 through 5 is not identical to the requirements for students ages 6 through 21.

The increase in the number of not fully certified counselors and rehabilitation counselors (198.47) reflected the age 3 through 5 requirements that are aggregated into this report. Certification in Pennsylvania for students ages 3 through 5 is not identical to the requirements for students ages 6 through 21.

Due to the concerted efforts on behalf of the Bureau of Special Education and school districts, the successful efforts of our professional development grant from OSEP showed an increase in the total number of audiologists (41.34) where previously there were shortages.

Due to the concerted efforts on behalf of the Bureau of Special Education and school districts, the successful efforts of our professional development grant from OSEP showed an increase in the total number of speech-language pathologists (360.68) where previously there were shortages.

The state believed the increase in the total number of certified physical education and recreational and therapeutic recreational specialists (14.49) reflected a more accurate reporting from previous years.

The increase in the total number of social workers (15.58) reflected the age 3 through 5 requirements that are aggregated into this report. Certification in Pennsylvania for students ages 3 through 5 is not identical to the requirements for students ages 6 through 21.

The increase in the total number of counselors and rehabilitation counselors (35.90) reflected an annual fluctuation relative to the needs identified in individual student's IEPs. The state believed this increase reflected the impact of OSEP's corrective action regarding more specific/detailed reporting of psychological services on individual student's IEPs.

Pennsylvania does not require 3 through 5 preschool teachers to meet the highly qualified requirements.

Pennsylvania does not require special education teachers who are not providing content area instruction as defined under *NCLB* to meet the highly qualified requirements. As a result, teachers such as itinerant special education teachers who provided only consultation or supportive services were not required to meet the highly qualified requirements.

In addition, itinerant staff who were not providing direct content instruction under *NCLB*, such as speech-language pathologists, interpreters, psychologists, occupational therapists, social workers, counselors and rehabilitation counselors were required to meet the highly qualified criteria.

Rhode Island

Personnel for children ages 3 through 5 data were based on preschool teacher data, and 6 through 21 data were based on teachers in grades kindergarten and up.

The state's paraprofessional data cannot be broken into FTEs by the 3 through 5 and 6 through 21 age groups. Related services personnel FTE numbers included those personnel who worked with students with and without disabilities because the data system did not allow the state to break out that number.

South Carolina

Personnel data collection categories changed from previous years, therefore differences are not comparable in many categories. Increased numbers in many categories may be attributed to the following reasons.

Districts and agencies that failed to report by the specified deadline were provided technical assistance to ensure the completion and submission of the report information. All districts and agencies ultimately submitted personnel data, which increased the numbers reflected in the state reporting for 2006-07.

South Carolina includes speech or language impairments as a category of disability, and consequently, speech-language pathologists were included in Section A of Table 2. Section A reports the number of FTE special education teachers contracted or employed to work with children who are receiving special education, according to whether the teachers are highly qualified. Previously, some districts may have included these teachers under Section C, related services personnel.

Intensive monitoring and technical assistance were provided to individual districts and agencies that had inaccuracies or inconsistencies in their reported data. They were required to submit data corrections.

The decrease in numbers for total and fully certified psychologists can be attributed to a large number in the state reaching retirement age. A study conducted by the USC School of Psychology indicated that the state is entering into a period of decreasing numbers of school psychologists due to retirement.

The reason(s) for the decrease in total and fully certified counselors and rehabilitation counselors was unknown as was the decrease in numbers for fully certified social workers. These could be attributed to allocation of funds for positions that were not required, attrition and completion of grant programs; however, these reasons were undocumented. The decrease in the total number and certified number of interpreters, while also undocumented, may be attributed to the change in needs of students and the advance and increased use of technology.

South Dakota

The SEA data included numbers from the category other school personnel with the categories of special education aides, audiologists, occupational therapists, physical therapists, job coaches and social workers. The directions provided to the LEAs allowed them to report personnel in the other school personnel designation. The SEA included this designation in its calculation to provide a more accurate representation of personnel; therefore the state's submission reflected higher numbers than seen in previous years.

Tennessee

For the 2006-07 school year, Tennessee changed the rule and calculation approach used for used for determining whether teacher or paraprofessional FTEs would be counted as serving students with disabilities ages 3 through 5 or ages 6 through 21. During the previous school year, if a teacher or paraprofessional served one or more students ages 3 through 5, then the data collection system automatically counted those personnel FTE in the age 3 through 5 category. In response to changes made by OSEP to the Table 2 report

requirements, Tennessee removed the automated calculation approach and required each LEA to assign its personnel FTE to the appropriate student age group category based on their current student caseload. This represented a significant change and caused a large shift in the number of teachers and paraprofessionals between the age 3 through 5 and age 6 through 21 designations.

<u>Utah</u>

Utah certifies paraprofessionals only in Title I schools.

Vermont

The increase in psychologists in Vermont was the result of seven Supervisory Unions reporting 0 for this category in the 2005 report, but reporting having psychologists in the current reporting period. The state was unable to ascertain if this was a reporting error for 2005, but verified that the 2006 count was correct. These data were collected as part of our Service Plans data collection, in which Supervisory Unions report projected special education expenses for the next year. These plans were reviewed for year-to-year consistency by consultants within the department; no discrepancies were noted during those reviews.

<u>Virginia</u>

In accordance with reporting instructions, Virginia had no special education paraprofessionals who ere not qualified. There are no state requirements for certification or licensure for paraprofessionals serving children with disabilities.

Washington

None of the data reported were incorrect. Discrepancies in the category of speech-language pathologists-not fully certified correlated to the increase in the fully certified category of speech-language pathologists.

The state did not see any patterns within specific districts as to why the decrease in interpreters or psychologists, just a few FTE changes over many districts statewide.

In the area of counselors, per the instructions, more districts assigned counselors to the general student population rather than specifically to special education students. Therefore, they were not, as appropriate, included in this data collection. A few districts previously counted counselors who were general education counselors in this data report.

For interpreters, psychologists and adaptive physical education, a review of the data found that a one or two FTE change in multiple districts caused the year-to-year change, but no one or two districts were the cause of these changes, nor was it any specific geographic location within the state.

Wisconsin

The data were verified and all counts as reported were accurate.

Occupational therapists
decrease in percent fully certified
increase in percent not fully certified
decrease in total percent
Physical therapists
decrease in percent fully certified

decrease in percent fully certified decrease in percent not fully certified decrease in total percent

Prior to the 2006-07 school year, the FTE reported for occupational therapists also included the FTE for occupational therapy assistants. Likewise the FTE reported for physical therapists also included the FTE for physical therapy assistants. Beginning with 2006-07, only the FTE for the therapist positions were included. If the FTE for these assistant positions would have been included on the 2006-07 report, the overall change in FTE for the occupational therapy category would have been -.45 percent, while the overall change in FTE for the physical therapy category would have been -3.13 percent.

Overall the percentage of occupational therapists fully certified remained high, with more than 99 percent of the reported total FTE being fully certified. The overall percentage of physical therapists fully certified was 100 percent.

Note: FTE rounded to the nearest tenth to match ED*Facts* reporting requirements The following special education teacher position/assignments were not required to meet state standards for highly qualified teachers, but were included in this report.

Teacher-Family and Consumer Education-Special Education Teacher-Technology Education-Special Education Teacher-Vocational/Transition-Special Education Teacher-Assistive Technology Specialist

These staff had a combined FTE of 33.6 with 33.4 FTE reported as highly qualified (fully certified) and .2 reported as not highly qualified (not fully certified).

Tables 4-1 Through 4-6, IDEA Part B, Exiting 2006-07

<u>Alaska</u>

In regards to the discrepancy between the total number of students exiting by disability and the total number of students served ages 6 through 21 by their race/ethnicity, 37 multi-racial students were not included in the race/ethnicity counts as per the directions. They were broken out as follows: dropped out; graduated with diploma; moved, known to be continuing; received a certificate; and transferred to general education.

The state attributed the decrease in the number of students reported in the transferred to regular education category to ongoing training in the correct use of the two-year-old data collection tool. Last year, there was confusion about who to report in the transferred to regular education category. Some students who transferred between schools were incorrectly reported as transferred to regular education. The state continued to train to this issue and expected its data to stabilize over the next few years.

Alabama

The increase in the number of students remaining in school until reaching maximum age may have reflected the statewide emphasis on access to the general education curriculum. A comparison of the numbers of students from 2005 to 2006 in this area showed an increase in numbers in all age groups, which may indicate a trend in students remaining in school to continue access opportunities. Correlating with this trend would be the indicated decrease in students counted as dropped out.

The decrease in the number of students indicated as dropped out may have been conversely related to the increase in the number of students remaining in school until reaching maximum age. This trend may have reflected a statewide emphasis on access to the general education curriculum, which increased diploma opportunities for students. Additionally, this access allowed for students with disabilities to be included and receive the same benefits from retention activities offered to regular education students. The state will continue to monitor future data for trends.

Arizona

A decrease in the number of graduates may be attributed to PEAs erroneously reporting the number of students returned for an additional year of high school even if students met the graduation requirements that entitled them to a high school diploma. The state provided information to PEAs to rectify this reporting problem.

With regard to the increase in students reported as moved, known to be continuing, PEAs were more accurately reporting students in the Student Accountability Information System (SAIS) as a result of training by Arizona Department of Education staff.

Arkansas

Students who reached maximum age at age 20 turned 21 over the summer and were not eligible to return to school for 2006-07.

Students who graduated at age 15 or 16 were verified as early graduates. Many of these students had block scheduling that allowed them to complete a greater number of credits in a year.

During the 2005-06 school year, districts began to shift their reporting of students receiving services in residential treatment facilities in anticipation of rule changes leading to an initial increase in the number of students reported as moved, known to be continuing. The new rules required the home district to withdraw the student immediately upon being placed into residential treatment and required the district where the facility was located to enroll the student. While the number of students reported as moved, known to be continuing initially increased, with a year of implementation completed, the number of students reported as moved, known to be continuing began to decline as tracking of residential students became the responsibility of select districts.

Colorado

We believe that there are clearly two factors that influenced the significant year-to-year changes in Colorado's exit data from 2005-06 to 2006-07:

1. Due to IDEA 2004 it was necessary for Colorado to collect end-of-year student data for the first time in over ten years, specifically because of the change in the criteria for reporting exit data. This change required the development of a new Automated Data Exchange (ADE) system.

In keeping with the Department's policy of assuring that any codes that have the same definition are used across collections we used all exit codes that were currently being used by the Total Student End-of-Year Collection if the definitions were the same for both collections. Although exit data had been collected in the past on the December Count, the change to the new ADE system and the adoption of codes already in existence resulted in the use of different exit codes and a more finite breakdown of the basis of exit for each student. Although extensive training was done regarding the use of the new codes there was still confusion regarding the new codes and definitions. There were also some LEA data systems that could not implement the changes quickly enough which resulted in a need to crosswalk the old codes to the new codes.

Additional training was done prior to the 2007-08 Special Education End-of-Year Student collection which we believe resolved any confusion that existed during the prior year.

2. Because 2006-07 was the first year for the Special Education End-of-Year Student Collection we were only able to programmatically assure that all students that

were reported on the 2006 December Count were included in the EOY collection. We were not able to do any kind of comparison to assure that all students that were exited either prior to December 1, 2006 or after December 1, 2006 were included in the EOY collection. For the 2007-08 EOY collection we added edits that required that all students who were reported at the end of the 2006-07 school year were included in the 2007-08 submission. The addition of this edit will result in the inclusion of all students served by the LEA during the reporting period.

Colorado sent a table similar to the table we received regarding the year-to-year change to each of the LEAs and requested a line by line explanation of the differences noted in the year-to-year comparison between 2005-06 and 2006-07. After reviewing the responses it became apparent that further evaluation of the data was necessary in order to accurately explain the anomalies reflected. An additional year was added to the comparison table and has been included in this documentation.

• Transferred to Regular Education

An explanation for this discrepancy was repeated by the majority of the LEAs and stated that as a part of the 2004-05 CIMP extensive training was provided to the LEAs to assure that proper identification of children with Speech or Language Impairments and Significant Learning Disabilities was occurring across the State. As a result of this training many of the LEAs staffed out children with Speech or Language Impairments and Significant Learning Disabilities during the 2005-06 school year.

As reflected in the data comparison above the actual spike in the number of student that "Transferred to Regular Education" actually occurred during the 2005-06 school year which is consistent with the explanation offered by the majority of the LEAs.

• Graduated with Regular High School Diploma and Received a Certificate

It was consistently reported by the LEAs that because of the move to align exit codes with the Total Student End-of-Year an attempt was made to use the total student data system to report the appropriate exit codes. It was discovered that in some instances a decision was made, without consulting with special education directors, that all students in special education would be coded as "91 - Graduated with regular diploma by meeting IEP requirements", even if they did in fact receive a "Regular High School Diploma". Directors reported that the use of this code was inaccurate for the majority of special education students and have worked with the leadership of their districts to resolve this issue.

During the same time period many special education directors reported that they were in the process of changing data systems which added to discrepancies in reporting in these two categories.

• Reached Maximum Age and Died

These two categories are completely reflective of the special education student population for any given reporting period. All directors that were required to provide an explanation for these two categories reported that the data were accurate as reported.

Moved Known to be Continuing and Dropped Out

The Total Student End-of-Year definition for Dropped Out states that students must be reported in this category unless "official documentation was received." During the 2006-07 Special Education End-of-Year Student training, emphasis was placed on the fact that the LEAs could not report students as "Moved Known to be Continuing" unless official documentation was received. If the LEA did not receive a request for records for a student, that student was reported as "Dropped Out" (this is consistent with the way these students are coded in the Total Student End-of-Year collection).

There was a drop in the Total number of exiters between 2005-06 and 2006-07 which is consistent with the explanations provided in each category.

Connecticut

As commented in 2006-07, the state continued to see Connecticut's special education data system integrated with the state's all-student data system and was therefore better able to track students previously reported as dropouts. With the new system, students who were previously thought to have dropped out, due to failure to communicate leaving status to the previous district, were located (using the state-assigned unique identifier) as transfers to other districts. This resulted in lowering the misreporting of students as dropouts who were actually still enrolled in another public school.

Two factors that could have contributed to the reduction in transfer to regular education included Connecticut's 5-year initiative to improve appropriate identification and eligibility determination for *IDEA*, as well as the state's emphasis on appropriate early intervention programs where services affected students before they fell behind and therefore were not found eligible for special education.

Delaware

Delaware continued to improve the ability to track student movement through districts via the pupil accounting system, which contributed to the increase in the number of students deemed moved, known to be continuing. There was an increased focus during the year to exit special education students on the special education data screen as well as on the registration screen to provide more in-depth tracking information about specific special education exits. Delaware saw a real increase in the number of dropouts, unrelated to changes in data reporting.

Georgia

Special education program status in Georgia's Student Record is based on student enrollment in a special education program at any time during the school or annual year. Technical assistance from Westat facilitated a reporting practice change. In 2006-07, students were reported consistent with their point-of-exit program status (special education or general education), not their annual special education status. It was felt that this change influenced exiting data. The overall increase in students exiting special education was also attributed to the statewide emphasis on evidence-based curricula and differentiated strategies that were in place for all students in the general education environment. This differentiation facilitated the successful return of students to general education.

Guam

The increase in the number of students graduating with a regular high school diploma was due to new procedures Guam set in 2007 and a deadline on submission of graduate documents. Documents were submitted before the June 30 deadline.

The increase in the number of students in the moved, known to be continuing category was due to students being placed in the wrong category in 2005-06; they were erroneously placed in the dropped out category.

The decrease in the number of students in the dropped out category was due to students being placed in the wrong category in 2005-06; they should have been counted in the moved, known to be continuing category.

The total number exiting decreased due to incorrect counts in categories and new procedures and deadlines set in place.

The state revised an error on the calculation of the exiting age of students.

Hawaii

The increase in the number of students transferred to regular education was likely due to changes in determining the Table 5 requirement of students who were in special education at the start of the reporting period. For 2005-06, the data consisted of students who were in special education on each school's Official Enrollment Count date (various dates between July 1 and September 1) for the new school year. For 2006-07, the data consisted of students who were in special education on July 1.

The increase in the number of students in the reached maximum age category was likely due to changes in determining the Table 5 requirement of students who were in special education at the start of the reporting period. For 2005-06, the data consisted of students who were in special education on each school's Official Enrollment Count date (various

dates between July 1 and September 1) for the new school year. For 2006-07, the data consisted of students who were in special education on July 1.

The decrease in the number of students in the moved, known to be continuing category was likely due to the change in database systems from the former database used exclusively for special education students to the current database that includes records for all students.

The increase in the number of students who dropped out was likely due to changes in determining the Table 5 requirement of students who were in special education at the start of the reporting period. For 2005-06, the data consisted of students who were in special education on each school's Official Enrollment Count date (various dates between July 1 and September 1) for the new school year. For 2006-07, the data consisted of students who were in special education on July 1.

The increase in the total number of students exiting was likely due to changes in determining the Table 5 requirement of students who were in special education at the start of the reporting period. For 2005-06, the data consisted of students who were in special education on each school's Official Enrollment Count date (various dates between July 1 and September 1) for the new school year. For 2006-07, the data consisted of students who were in special education on July 1.

Illinois

Illinois will be resubmitting Table 4 due to missing data.

The state had a decrease in the number of students exiting compared to last year's report because of a change in the reporting period in 2005. Last year's reporting period was from Jan. 1, 2005, through June 30, 2006. Per instructions from OSEP, the state was to also include exit data from Jan. 1, 2005, to June 30, 2005, which had not been reported prior to the change in reporting period.

Per the Illinois School Code, in addition to other course requirements, each pupil entering the ninth grade must successfully complete the following courses to graduate with a regular diploma: three years of language arts; two years of mathematics, one of which may be related to computer technology; one year of science; two years of social studies, of which at least one year must be history of the United States or a combination of history of the United States and American government; and one year chosen from (A) music, (B) art, (C) foreign language, which shall be deemed to include American Sign Language or (D) vocational education. This does not apply to students with disabilities whose course of study is determined by an IEP. Decisions regarding the issuance of a diploma for students with disabilities whose course of study is determined by an IEP are made at the school district level. Course requirements are the same for students with disabilities as they are for students without disabilities with the exception of those determined by an IEP team to be inappropriate.

Graduates included only students who were awarded regular diplomas. Students with GEDs and other nonregular completion certificates were not included. The calculations used to determine graduation rate for all youth with IEPs was a cohort rate. Graduation rate was calculated from the School Report Card data files by using the following formula: graduates/original freshmen + transfer in – transfer out or died. This calculation was done for all students and students with IEPs.

Indiana

The decrease in the number of students who dropped out represented efforts at both the state and local levels to encourage students with disabilities to remain in school. Such efforts included technical assistance, awareness programs, SEA monitoring and personnel development activities geared toward this topic. Also, when the category of moved, not known to be continuing was eliminated, these students were considered dropouts. Local school districts improved their follow-up procedures to identify those students who moved, but are known to continue in special education in order to reduce the number of reported dropouts.

The decrease in the number of students exiting with a certificate or by reaching maximum age was a result of local activities designed to increase the number of students who graduated with a regular diploma. It should be noted that the number of students graduating with a diploma increased.

Kentucky

Kentucky reported significant differences on the exiting data table for transferred to regular education and received a certificate. Beginning with the 2006-07 year, Kentucky's method for collecting these data went from an aggregated count by district to a system of reporting individual student records of those students who exited the program and their basis of exiting. The Kentucky Department of Education (KDE) also implemented a system that required these data to be submitted directly by the director of special education of that district by use of a user ID and password Web-based login application. This required the director to personally handle the data and authorize specific children as exiters as opposed to reporting aggregate numbers that were often difficult to validate.

Still it was difficult for districts to verify when a student who should have been reported was not. KDE staff worked directly with the state's student information system vendor to develop queries to extract these data. This process, however, only returned data if the data were recorded in the system locally throughout the school year. While districts were trained over the last several years on maintaining these data, this was the first time that these data were extracted from the system for this report.

Transferred to regular education is a different type of exiting from the other as this basis of exiting is NOT exiting the school or district. As a result, the coding for this type of exiting was different and was also located in a different section of the program. Exiting

data in general are captured by the program for all students as they exit the district or school. However, transferring to the regular education program is a special education-only exiting and is collected in the special education module of the program, which probably contributed to some inconsistent data entry. Half of the difference reported was in two districts. For the 2007-08 school year, it appeared that those two districts increased their numbers significantly with the overall total of transferred to regular education much closer to the total reported in 2005-06 than in 2006-07.

With respect to the increase in the category received a certificate, Kentucky changed the definition of this category to include GEDs. Previously a GED awarded through the school-operated program was reported as a graduate. Beginning with the 2006-07 school year, these students were reported as receiving a certificate. Preliminary totals for the 2007-08 exiters with a certificate seemed consistent with the 2006-07 data. With data from only two districts outstanding, the total for 2007-08 was only six students more than 2006-07 in this category.

Louisiana

The decrease in the number of students who exited in the category moved, known to be continuing was due to the high number of students in this category last year as a result of Hurricanes Katrina and Rita. Fewer students left the state this year compared to last year.

An increase in the number of students who dropped out was due to the accurate identification of students as dropouts this year. Last year, many students were assumed to be displaced because of hurricanes Katrina and Rita. This year, it was easier to identify the students who dropped out.

Massachusetts

The differences in the computed totals for Section C: Race/Ethnicity by Basis of Exit and those computed in total exiting for Section B were due to those numbers being a count of multi-racial students under each disability, age and basis of exit count. Since Section C allows only for the reporting of five specific race/ethnicity categories, which do not include multi-racial, those students were counted in the totals but not in Section C to provide a more accurate count of students by race/ethnicity category, as opposed to an estimated count. The counts for the multi-racial students that could not be input into Section C by basis of exit are as follows:

Graduated with a regular high school diploma—66
Received a certificate —8
Reached maximum age—6
Moved, known to be continuing—68
Dropped out—51

In 2006-07, the variable to collect student enrollment status at time of data collection was expanded from having 8 data coding options to having 21 data coding options. This

expansion of coding options, plus an overall increase in the number of students enrolled in special education from 2005-06 to 2006-07, may have accounted for the increase in students in specific categories exiting from special education from 2005-06 to 2006-07.

The decrease seen in the number of students transferring to regular education can be attributed to the fact that, with increased data coding options, LEAs are finding more accurate possibilities for reporting their student data. For example, students who were previously coded as transferred to regular education, might have been coded as moved, known to continue or dropped out.

Previously, there was only one coding option for students who received a certificate. In 2006-07, there were two options for this category, and one included students who completed grade 12 and a district-approved program. In the past, those students might have been reported as dropped out.

In 2006-07, the students who were coded as transferred to an in-state public school and did not re-enroll, graduate or earn a GED before Oct. 1, 2007, were counted as dropouts, whereas in previous years, the state only counted students who were coded as dropouts. State-assigned identification numbers were used to identify students. If a student made a status change over the school year, such as being reported in October as a transfer to an in-state public school, but then being reported in March as transferred to an in-state private school, the student was removed from the count. The state hoped that next year districts will better understand their coding options and the number of reported dropouts will once again decrease.

Michigan

For the 2005-06 school year, Michigan began collecting exit data using the Single Record Student Database (SRSD), maintained by the Center for Educational Performance and Information (CEPI). This is the second year in which the SRSD was used to collect and report on the exit status of students with disabilities. Therefore, the small changes in the exit data reflected, to some degree, a stabilization of the data, as districts better understood and utilized the SRSD to report their data.

In addition, in 2005-06, one large school district reported only 236 students as exiting (in the category returned to general education). The district reported no other students in any of the other exit categories (e.g., graduated, dropped out, etc.). This resulted in increased targeted technical assistance provided to that and other districts on how to properly and completely report their exit data. As a result, the school district properly reported on the exit status of its students for the 2006-07 school year. This helped to explain the increases in the percentage of students in the state who graduated and dropped out and the decreases in the number of students transferring to regular education and who moved out of the district.

Finally, because of broader implementation of interventions, schools have placed increased emphasis on properly re-evaluating students for special education programs

and/or services. It is likely that these interventions helped school districts to better evaluate students for special education programs and/or services, based on a review of their academic progress. These improved evaluations helped to explain changes in the percentage of students who transferred to regular education and the percentage of students who moved, but are known to be continuing.

Michigan had zero deaf-blind students to report.

Micronesia

Data verification indicated that the Federated States of Micronesia (FSM) LEAs improved tracking of mainstreamed students. Reviews of IEPs were more timely and consistently conducted.

One of the FSM LEAs, Pohnpei State, reported 618 exit data differently from its Local Performance Plan (LPP) data that were reflected in the FSM SPP/APR due to OSEP on Feb. 1, 2008. The discrepancy resulted from the criteria FSM used to collect dropout data. For the SPP/APR, FSM reported students who dropped out from grades 9 through 12. In the 618 data reports, FSM reported students who dropped out in all grades. Pohnpei reported a total of 20 students dropped out. Only six were reported in the state's LPP because they were enrolled in grades 9 through 12 during the reporting period. Seven students who dropped out were in grades lower than ninth. Seven students were reported as moved, not known to continue, which is no longer a category, so these students were counted under Pohnpei's dropout count.

Mississippi

Mississippi has experienced movement between the coastal school districts and the rest of the state since Hurricane Katrina.

A greater emphasis was placed on the state graduation and drop-out data, thus making users more aware of their data and reporting responsibilities.

Nebraska

The decrease in children transferring to regular education seems to be an anomaly; Nebraska did not expect this to be a trend issue. The increase in the dropped out category possibly was linked to reporting training that was conducted in Nebraska. Many school districts reported their dropouts in the fall to prevent reporting students who re-enrolled in the fall. Taking into account the returners, the number of dropouts decreased somewhat.

Nevada

The interplay among these exit categories is complex. In order to understand the decrease in regular diploma graduates, the state noted that overall there were nearly 100 fewer

children reported as exiting during 2006-07 than in 2005-06, and 55 of those exiting students moved from the category of children with disabilities to students without disabilities (the transferred to regular education category). So in general, the count of children with disabilities exiting the system was lower in 2006-07 than in 2005-06, and of those, quite a large number were in the regular education population. If they had stayed in the special education population, they likely would have been among those who graduated with a regular diploma.

Regarding the number who dropped out, this number fluctuates from year to year depending upon the job market (principally in Washoe and Clark Counties where there are low-skill employment opportunities for students who do not have regular high school diplomas). Nevada's school districts increased their program options for students with disabilities in high school (including after-school and weekend programs) in an attempt to reduce dropouts, but Nevada has a high-stakes high-school graduation examination, and this fact combined with job opportunities created challenges for districts trying to keep students with disabilities in school.

New Hampshire

The decrease in the number of students exiting was due to a reduction in the number of students found eligible for special education.

New Jersey

Due to issues associated with K-8 grade districts reporting exiters (i.e., graduates), the state opted to exclude all K-8 district totals from its queries and counts to ensure that it captured a more accurate aggregate number of exiters ages 14 to 21 from secondary schools. The state will continue to follow this procedure for future exit report counts.

New York

Most of the increase in the number of certificates granted was in New York City Public Schools (+192). The rest of the increase was in eight school districts.

The number of students with disabilities who died during the 2006-07 school year decreased by 24. The state would like to see these data decrease to 0. No school district reported an increase or decrease of more than two.

New York State reported high school equivalency (GED) diplomas in the certificate category as per the June 13, 2007, email memo from Westat.

Revised data were submitted in spring 2008, upon completion of reasonability checks and verification procedures.

Palau

There were more students who exited this current report compared to the last report due to many reasons. Six students exited to a regular education setting because they no longer needed special education services. Five students graduated with a certificate; last reporting period, no students exited with a certificate. Because Palau's special education count is really small, a single number is usually a percentage change. Palau mainstreams its special education students into the regular education environment; some students graduate from that program.

Pennsylvania

Due to the extensive efforts to improve the performance of students with disabilities, Pennsylvania successfully saw an increase in the number of students who were able to return to the regular education program. The only certificate available in Pennsylvania is the GED that is offered in correctional facilities for all incarcerated inmates. The reported numbers reflect those students with disabilities who opted to obtain their GED while incarcerated. This does not prohibit the student with a disability from returning to receive a regular education diploma in Pennsylvania. This reflected the efforts of the Department to implement edit checks to ensure greater accuracy in reporting. Upon examination of its data, the state determined that although the total number of students with disabilities graduating with a regular education diploma increased, the percentage of students with disabilities graduating with a diploma decreased by 3 percent. The 3 percent decrease in the proportion of students who graduated with a regular diploma was an unintended consequence of the offset by the increase in students who reached maximum age this year. Students reached maximum age but did not receive a regular education diploma due to their inability to complete their IEP goals, which was often a function of the severity of the student's disability. The state noted that as a proportion the increase balanced out the graduated with a regular diploma category.

Pennsylvania implemented initiatives to promote graduation; for certain ethnicity groups, the state saw improved percentages.

Pennsylvania continued to work with specific ethnicity groups on improved graduation and decreased dropout rates. For other disability groups, the state saw an increased adjustment in the dropout numbers; the state believed this was due to its stringent edit checks for accuracy in large urban areas.

South Carolina

Each category of exit reasons showed a significant increase for the 2006-07 year in comparison to the previous year's data due to several contributing factors.

A large number of districts and agencies implemented and utilized the new state software program during the reporting period and were able to collect and report on the exit data

through this program. This process facilitated increased tracking of exit data, which resulted in increased accuracy of reporting.

Districts and agencies that failed to report by the specified deadline were provided technical assistance to ensure the completion and submission of the report information. All districts and agencies ultimately submitted exit data, which increased the numbers reflected in the state reporting for 2006-07.

Intensive monitoring and technical assistance were provided to individual districts and agencies that had inaccuracies or inconsistencies in their reported data. These groups were required to submit data corrections.

Section E was initially completed incorrectly by the majority of districts as they misunderstood the wording and entered zeros in the No column.

Districts stated they had no LEP students and had therefore entered zeros. In many cases, it required several attempts to clarify the question before they understood and completed it correctly. Rewording of these columns from Yes/No to something such as LEP/Not LEP might help with this issue.

Tennessee

The percentages calculated on Page 20 of the DTS form were incorrect due to an error in the formula in the locked cells on the page. The percentages on Page 20 were the calculations for gender not LEP status (match those on Page 18).

Vermont

Data were submitted in pre-suppressed format in accordance with Vermont Department of Education policy, could not be subject to analysis, and therefore were excluded from these tables

West Virginia

The exit data were reviewed and verified correct. The significant change in students transferred to regular education occurred primarily in the speech or language disorders and other health impairments categories. This was consistent with an overall trend in the state in reduction of numbers of special education students. While research is needed to explore the reasons for reduction, increased opportunities for support for all students within the general education classroom through co-teaching and differentiated instruction initiatives promoted by the West Virginia Department of Education provided incentives to reevaluate and declassify students with mild disabilities who were receiving a minimal amount of services. Accountability disincentives under the *No Child Left Behind Act (NCLB)* also may have contributed to declassification.

Both increased rigor in West Virginia's requirements for graduating with a regular diploma (requiring an increased number of higher level mathematics credits) and policy requiring students taking alternate assessment on the state's new alternate academic achievement standards to be working toward a modified diploma likely contributed to the increase in students graduating with the modified diploma (certificate). The increase occurred primarily with students with mental impairments, who previously might have received a regular diploma.

Wisconsin

The 2006-07 school year was the second year of collecting exiting data using a new data collection system. As the data collection system was still relatively new, some changes to the data from one year to the next were expected. The state continued to provide training in the reporting of exiting data using this new data collection system. For the 2006-07 school year, the state also changed its exiting reporting period to align with the required exiting reporting period of July 1 to June 30. This may have resulted in some students being reported as exiting two years in a row.

Wyoming

The state could not attribute the decreased number of students dropping out, returning to regular education and graduating to any policy changes. Wyoming is a very small state, and just a few students can make a huge difference in percentages of change. The state will monitor this trend and analyze this information over several years so that it can reduce the variation small numbers of students might be playing in this scenario.

Wyoming implemented a system that assigns each student in Wyoming a unique, student identification number. The state believed that this system improved data reporting in all areas and therefore attributed the change in its exit information to the state's having a better system for tracking students.

The state attributed its increased exit count as a result of its increased child count. With more children enrolled each year, the state expected to see more children exiting.

The state attributed its increased number of children exiting in the category completion of IFSP prior to maximum age to better training of service coordinators in the definition of exit reasons. In 2005, 12 percent of the state's children exited with this reason; in 2006, 16 percent exited with this reason. There was a corresponding 3 percent drop in the number of students exiting in the withdrawal by parent category. The state surmised that service coordinators were previously exiting children who had reached developmentally appropriate levels with the reason withdrawal by parent rather than the correct reason completed IFSP prior to maximum age.

The state attributed the increase in the number of students exiting in the categories Part B eligible, moved out of state and attempts to contact unsuccessful to an increase in the child count. The percentages of children exiting in these categories remained fairly stable.

The state attributed the increase in the number of students exiting in the category exit to other program to its service coordinators doing a better job in transitioning children, including linking families to other programs when a child was not eligible for Part B. Over the past three years, the state hired four Technical Assistance Coordinators to work regionally with service coordinators, and a big part of their job was to train and mentor service coordinators in transition.

The state attributed the increase in the number of Hispanic students who exited to the migratory nature of its Hispanic population. The Hispanic populations tend to be concentrated in the Eastern Panhandle of the state and are often migrant workers, which means they exit more than other families. The 28 Hispanic children who exited were in the categories moved out of state, could not be contacted and withdrawn by parent

The state attributed the increase in the number of white (not Hispanic) students to the increase in child count; the percentage remained stable.

Wyoming was in its second year of the implementation of unique student identifiers (WISER #) during the 2006-07 school year, and this project allowed the department and districts to do a better job of tracking students as they moved throughout the state. Additionally with the elimination of the moved, not known to be continuing category, districts were more diligent about keeping track of students throughout the state education system.

Tables 5-1 Through 5-19, IDEA Part B Discipline 2006-07

Alabama

The decrease in the number of unilateral removals for drugs and weapons was attributed to the increased use of school-wide positive behavior supports.

Alaska

Alaska estimated 83 ethnicities in Section 3a., 15 in 3b., 15 in Section 4a., and 1 in 4b. Alaska estimated 117 ethnicities in Section 5a., 25 in 5b., 74 in 5c., and 18 in 5d.

The file did not include multi-racial students in the ethnicity counts.

The number of students who were subject to disciplinary removal by disability did not match the number of students who were reported by race/ethnicity because, per OSEP's request, the multiracial students were excluded from the ethnicity (Part B) sections of these reports.

Arkansas

The number of children unilaterally removed increased by 84.21 percent due to adding removals for bodily injuries per the reporting requirements for the 2006-07 school year.

Arizona

The data were revised due to many late PEA submissions and corrections after the November 1 due date.

Bureau of Indian Education

The BIE data system was not in place to collect services during expulsion as requested. These data will be collected for future reporting.

California

The California Department of Education (CDE) reported that 28,699 students in grades kindergarten through 12 were subject to expulsion.

The data gathered by CDE about students in general education could not be disaggregated by whether students received services during expulsion. The data also could not be disaggregated by students with and without disabilities.

The figures in Row 1 are derived from the California Special Education Management Information System, an individual student data record system. The students reported in Row 1 are included in the CDE total.

Colorado

Colorado identified LEAs that had a significant change in the following areas and asked them to review their data: children unilaterally removed, removals for drugs, removals for weapons and children removed by a hearing officer.

The increase in the number of unilateral removals for the 2006-07 reporting period was due to the change in data requirements. The 2005-06 discipline report covered children unilaterally removed to an interim alternative education setting (IAES) for more than 10 days. In contrast, the 2006-07 report contained the number of children who were subject to unilateral removal by school personnel totaling less than 10 days AND more than 10 days. Since this was a larger group of students, the numbers naturally increased. The state's largest district offered to compare its numbers for 2005-06 and 2006-07 using the 2005-06 criteria for both years, and the numbers for the two years were comparable.

Colorado's total education discipline data system includes all children. The state has a separate data system for children with disabilities. To determine the number of children without disabilities who were expelled, the state subtracted the number of children with disabilities who were expelled from the total number of expulsions collected through the total education discipline data system. Colorado's discipline data collection for all students does not collect data on whether children receive services during expulsion.

Connecticut

The 2006-2007 discipline data collection contained data categories that were not comparable to prior years. Therefore, 2005-06 data were not available for these categories.

Two of the three areas of greater or less than 10 percent were due to small numbers of students. The only true flag noted in the report was the increase in the number of children removed by a hearing officer (going from 17 to 5) which was accredited to districts having fewer removals by special education hearing officers to interim alternative education settings on likely injury as asked by column 2.

Florida

Florida saw a significant decline in the number of students with disabilities being unilaterally removed by school personnel for weapon offenses from school year 2005-06 to school year 2006-07. This may have been a positive result of consistent and sustained zero tolerance policies in schools and school districts around the state. Another factor may have been increased adoption of school-wide positive discipline programs by schools.

Georgia

The suspension and expulsion data reported in Table 5 for the 2006-07 school year accurately reflected the information reported to Georgia Department of Education by local school systems in the Student Record Discipline File with the Discipline Action Code – Assigned to Other Alternative School by Administrative Law Judge. No known variables influenced the year-to-year fluctuation in data.

Per the Eden Submission System guidance, students reported as multi-racial were not included in line totals on pages 5, 7 and 8.

The increase in out-of-school suspensions/expulsions totaling greater than 10 days reflected clarification provided by Westat defining a permanent change in placement.

Students with changes in placement that did not extend beyond the period of disciplinary action were included in this total.

Guam

The increase in the number of students unilaterally removed and removed for drugs may have been caused by very overcrowded high schools and serious drug problems in 2006. Guam has an on-going challenge to improve the discipline data collection component of its Public School System's data system.

<u>Hawaii</u>

After meeting and consulting with various personnel, it was decided that the data for removals (IAES) would be obtained during the verification process. As the state verifies the suspension data with districts and schools, they will be asked to verify their data and identify any removals that might have mistakenly been inputted as suspensions and report it.

As soon as the state can get the report published through its technical support branch, it will initiate the verification process.

Idaho

The data were collected at the school level rather than at the district level, as was the previous practice. The state believed the data were more accurate than in past years because they were collected closer to the source.

Additional training was held for school building staff members prior to and throughout the reporting process. The state identified a common misperception that after an administrator decided a student would not be allowed to return to his/her regular setting due to an incident, if the IEP team met to discuss the IAES, then the removal was an IEP

team decision and was not reported. The correction of several of these misconceptions resulted in an increased number of students reported as unilaterally removed.

Also in some larger districts, a classroom exists only for students with serious behavior incidents, whether or not they have a disability. The state discovered that some districts did not reporting incidents that resulted in a unilateral decision to place students in that classroom

The state will continue statewide training to improve staff understanding of the data definitions to ensure accurate reporting. Terms of specific interest are those reporting serious bodily injury and hearing officer decision.

Section 6, Students Subject to Expulsion: The present staff was unaware of this data field and therefore these data were not collected during the 2006-07 school year

Illinois

Given the late notice from the U.S. Department of Education of substantial changes to *IDEA* Table 5, Part B, and the cost of implementing statewide system changes, Illinois was unable to implement these changes in time to collect 2006-07 discipline data through the Illinois Student Information System.

Thus, Illinois was required to revert to the previous data collection mechanism for the 2006-07 discipline data. Illinois worked to refine the Illinois Student Information System to collect these required data elements for future years and implemented the technical changes necessary to collect these data. However, given the concern voiced by LEAs regarding reporting student-level discipline data in relation to the *Family Education Rights and Privacy Act (FERPA)*, Illinois was currently studying methods to comply with both federal reporting requirements and *FERPA* regulations.

Kentucky

The number reported in Section A. Table 1 was larger this year than in prior years. While the additional category of likely injury resulted in some of this increase over the prior year, the numbers for unilateral removals by school personnel for drugs or weapons also increased significantly. Since its inception, the discipline data collection has been problematic for local districts to collect and report. With this year's report, districts began reporting to the state student-level discipline data. As a result, the review of individual child-level data appeared to have identified a larger number of this type of unilateral removal. Still, for statewide totals, the numbers were quite small. A total of 72 students of a child count that exceeded 108,000 children with disabilities were subject to this type of removal.

The number of out-of-school suspensions totaling greater than 10 days showed a slight decline of just over 10 percent. It is believed that this drop was partially attributed to reporting of data in indicator 4 A of the SPP and APR. Districts also have to report this

type of removal data in the Kentucky Compliance Monitoring Process (KCMP) and explain reasons for significant discrepancies in these removals by race. As a result, the total number of these students decreased just over 10 percent over the 2005-06 school year.

Louisiana

The total number of students who were unilaterally removed increased because of the additional category serious bodily injury. There was not a significant change in the number of students who were removed for drugs or weapons. There were no removals based on a hearing officer determination.

Maine

Table 5 was completed using available data. The state was in the process of moving its database from the Office of Drug and Alcohol to the Department of Education (DOE). The database was an incidence reporting database and was converted to a student/incidence reporting database using Maine Department of Education unique student identifier codes

It was intended that, the next reporting period, the state would have all data elements in the DOE data system enabling it to complete all data requests on Table 5.

Massachusetts

In Section B of this table, there were instances for which computed totals did not match Section A computed totals. The reason for this was that in the column totals for Section B, all students, including those listed as belonging to more than one racial category, were included in the column totals, although there were no spaces in which to enter the number of students belonging to each category but listed as multi-racial.

In 2006-07, Massachusetts attributed the increases in the number of children unilaterally removed for disciplinary reasons and number of children removed by a hearing officer as well as decreases in removals for drugs and weapons to more accurate and complete reporting at the district level. Definitions of student removals varied from district to district as each district strove to provide services to its students based on the resources available to it. The state continued to work on having districts develop more systematic definitions for student removals in order to achieve more accurate data reporting in the future.

Michigan

Michigan received formal notification in August of 2006 from OSEP of new data elements states were required to report for the 2006-07 school year. More specifically, states were required to report the number of in-school and out-of-school suspensions of 1

day or more, number of removals for serious bodily injury, and the number of children removed for 10 days or less.

In Michigan, discipline data for students with disabilities are collected from the Single Record Student Database (SRSD), maintained by the Center for Educational Performance and Information (CEPI). The CEPI requires at least one calendar year to design and begin collecting new data elements. New fields must be designed and approved by all applicable agencies. In addition, the CEPI must work with over 30 software vendors across the state to design new fields in their data collection systems and to develop data transmission platforms that will enable data to be sent to the SRSD.

Finally, Michigan needed to develop technical assistance documents and trainings to help field personnel learn and utilize the new fields. Therefore, Michigan was unable to collect data on the new fields approved in August of 2006 until the 2007-08 school year. New fields were added to the SRSD, enabling Michigan to provide these data for the 2007-08 school year beginning with the Nov. 1, 2008, submission.

The Michigan Department of Education (MDE) was doing follow-up verifications with districts that reported no educational services were provided to 42 students with disabilities.

Micronesia

Data were not available for Section E. Number 6, item #2 Children without Disabilities, Grades K-12. The state will collect the data and submit a revised report.

Minnesota

Page 7 Column 3A - 166 records w/ no race indicated; Column 3B - 19 records w/ no race indicated; Column 4A - 35 records w/ no race indicated; Column 4B - 2 records w/ no race indicated

Page 8 - Column A - 421 records w/ no race indicated; Column B - 41 records w/ no race indicated; Column C - 144 records w/ no race indicated; Column D - 22 records w/ no race indicated

Mississippi

Mississippi added new discipline codes to its data collection system and then the SQL was updated to pull the data from the database. Summer training for the LEAs emphasized the need to report accurate data, which resulted in an increase of incidents reported.

After receiving the new Table 5, the state updated the codes to pull data from the database. Summer training emphasized the need to report accurate data, which resulted in an increase of incidents reported. For element 6.1.A, the state did not have that data element so put the information under 6.1.B.

Missouri

Discipline policies vary from district to district and are under district control. Due to the local control of discipline policies it was not known if the changes in reporting from the previous year in several categories was due to actual changes in the types of discipline incidents or the policy dealing with the incidents.

New Jersey

This report was been revised and was being resubmitted. NJOSEP obtains its data from a department-wide discipline database that was redesigned recently. As a result, the queries used to obtain the data submitted on Oct. 22, 2007, did not access all the required fields. A discrepancy was noticed when NJOSEP began its data analysis of Indicator 4A for the APR that is due Feb.1, 2008. The queries were re-written and re-run.

This report was revised again and was resubmitted. In examining data provided, NJOSEP re-ran queries for Section A columns 1B, 1C, and 1D and discovered that data were being pulled from an incorrect field. A correction was made, and the appropriate columns were adjusted to reflect this change. Please also note that the state placed -9 in the columns for Number of Removals for Serious Bodily Injury for this reporting year. The ability to collect these data was not integrated into the state's discipline database system during the 2006-07 reporting period. It has since been included, and data are currently being collected for the 2007-08 reporting cycle. The state will be able to report figures for next year's 2007-08 disciplinary report.

The increase in the number of unilateral removals to an interim alternative setting based on a hearing officer determination regarding likely injury from 2005-06 to 2006-07 seemed seem to be an unusually higher increase than from prior years, but it still followed a consistent trend of increased year-to-year numbers. The state rechecked figures and concluded that the increase was accurate. The state will closely examine the 2007-08 numbers to assess the characteristics of this trend.

The state was not entirely certain why there was a decrease of 17 students (34.69 percent) in the total number of unilateral removals. The data were accurate. While the decrease suggested, perhaps, a fortunate trend in the lower number of students removed, the lowered number was not clearly attributable to anything specific. The state was optimistic that the improved numbers would continue in a consistent trend for years to come. The state will pay particular attention during next year's data collection to see if this trend continues.

During past reporting cycles, the number of removals for drugs constituted a sizable portion of the children unilaterally removed. For this reason, with the decreased numbers of overall students removed as explained above, it is not surprising to us to see this number also decrease substantially (from 26 in 2005-06 to 6 in 2006-07 for a -76.92 percent decrease). Again, next year, it will be important for the state to examine how and if this trend continues.

Children Removed by Hearing Officer (2):

The increase in the number of children removed by a hearing officer, from 9 in 2005-06 to 44 in 2006-07 for a 388.89 percent increase appeared to be unusual, and the state was not quite sure if it was a year-to-year anomaly or reflective of a larger more troubling trend. While the state did not believe the stark change was due to error, it will continue to examine the data to discern whether the increased numbers in this category reflected changes or larger problems that may need to be addressed. An examination of the data in this category next year will assist us greatly in our final determination.

New York

The number of removals for drugs decreased from 217 to 180. This decrease took place in just a couple of school districts.

The number of children removed by hearing officers decreased from 125 to 108. Most of this decrease occurred in three school districts.

Revised data were submitted in spring 2008, upon completion of all reasonability checks and verification procedures.

North Carolina

The discipline data collection for 2006-07 went through several changes with the system, the staff and the validation formula used at the state level. North Carolina was also in the middle of streamlining its entire federal data collection process to ensure cleaner, more reliable data. The state intended to have the ability to accurately measure the change percentage from the prior year's data after the 2007-08 end-of-year submission, with the exception of the students with bodily injury category, which will be submitted from North Carolina for the first time as a separate category.

The changes in the state's discipline data can be explained by the increase in the number of exceptional children being served in North Carolina between 2005-06 and 2006-07. Also, the state was working to make sure that all of its data were only collected from the most authoritative source and believed that its data had become more accurate.

North Dakota

North Dakota's discipline data were amended to reflect the outcomes of the review of our congruency study of data based on EDEN and DAN's submissions. North Dakota's EDEN coordinator and special education data manager established criteria for cleaning discipline data annually and then defining specific incidence code definitions for pulling the discipline data.

Northern Marianas

After reviewing the submitted tables, the state realized that it had to correct an error on its 2005-06 data submission. The numbers for 2005-06 1A, 1B and 1C needed to be corrected. The state did not have any students who were unilaterally removed for drugs and weapons. The 2006-07 Discipline data were accurate.

The CNMI revised Table 5 due to correctly report 14 students who were incorrectly reported in Column 1A, 1b, and 1C.

The disciplinary actions were in-house suspensions. (Betelnut is not accepted in the school campuses and is not considered a drug.)

The state reviewed its numbers and believed they matched. There might have been an error with the calculations on that page.

Oklahoma

According to Oklahoma School Law, there is no such thing as an expulsion. Therefore, no general education or special education students were expelled. The state improved its data collection for this area in that its LEAs provided data on the number of times and the number of days for each type of disciplinary action. The OSDE-SES chooses the information necessary to report from what the LEAs provide. The state recently received guidance from DANS/Westat and EDEN regarding how to calculate and where to include any suspensions that were between 0.5 and 1.0, and those between 1.0 and 1.9.

Pennsylvania

The decrease in the number of students ages 3 through 21 removed for drugs (11.91 decrease) reflected the efforts of school districts to more proactively address issues regarding drugs within the school system. This number will fluctuate from year to year.

The increase in the number of students ages 3 through 21 removed by a hearing officer (3,200.00 increase) was a typographical error and should have reflected four removals. The state corrected this error.

South Carolina

Discipline data showed a significant decrease in all areas related to unilateral removals and removal by a hearing officer for the 2006-07 year in comparison to previous year's data due to several contributing factors.

Intensive monitoring and technical assistance were provided to individual districts and agencies that had questionable data, inaccuracies and/or inconsistencies in their reported data. During consultation and provision of technical assistance, which was provided on an individual district and agency basis, review and clarification of the definitions for

children unilaterally removed and children removed by hearing officer were given. It was evident there had been a previous lack of understanding regarding these terms. Districts and agencies were required to send corrections and/or resubmissions of Table 5 data for all errors.

Initial data in this report for Section E regarding students expelled with and without services reflected discrepancies between districts in the classification of an expulsion. Some districts did not consider students as expelled if they were provided services and classified them as homebound/home based. They were therefore not reported in Section E. Some districts considered students sent to alternative school as expelled with services while others did not. South Carolina provided guidance and established guidelines regarding these issues that will result in consistent reporting between districts next year. Districts had difficulty understanding the difference between a district hearing officer and an impartial hearing officer. They also had difficulty understanding the definition of a unilateral removal to an IAES. Individual consultation and instruction was provided to districts, which may have resulted in a decrease in numbers reported in these areas from previous years.

Tennessee

Due to changes in its State Data Warehouse procedures for the Tennessee Department of Education, the state experienced significant delays in getting general education comparison data for Page 15 of this report.

Texas

The following codes were included in the count of Section A. 1.D. Number of Removals for Bodily Injury:

- 1. Murder, capital murder, criminal attempt to commit murder, or capital murder—Texas Education Code (TEC) §37.007(a)(2)(C);
- 2. Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against a school district employee or volunteer—TEC §37.007(d);
- 3. Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against someone other than a school district employee or volunteer—TEC §37.007(a)(2)(A).

The following codes were used in the count of 2. Removal by Hearing Officer:

1. Continuation of the district's disciplinary alternative education program (DAEP) placement from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district);

2. Continuation of the district's expulsion with placement to juvenile justice alternative education program from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district).

Vermont

Data were submitted in pre-suppressed format in accordance with Vermont Department of Education policy, could not be subject to analysis and therefore were excluded from these tables.

The Vermont Department of Education has a policy of suppressing any data count of 10 or less, which has the potential to be personally identifiable. Please note that the Commissioner of Education, Richard Cate, has instituted a policy requiring suppression of any student counts less than 11 in any data submission from the department. This table was suppressed accordingly.

Wisconsin

The data were verified, and all counts were as reported.

There was increase in the percentage of children unilaterally removed by school personnel to an IAES. These removals are incident specific, so changes in numbers from year-to-year can be expected. The state also implemented a new discipline data collection system for the 2006-07 school year. Considerable training was provided in the reporting of data using this new system. Overall a very low percentage of students with disabilities are unilaterally removed each year.

Tables 7-1 Through 7-4, IDEA Part B Dispute Resolution 2006-07

American Samoa

Although there were no written complaints for this reporting period, there were informal complaints voiced by telephone or in person that were dealt in a very professional manner through consultation and consideration of both parties. Issues were resolved and led to better understanding of both parties to find ways to work collaboratively to improve services.

Arkansas

Section 3.3 includes two resolution sessions and four hearing request that were withdrawn or dismissed.

Arizona

The state could not account for hearing requests that were withdrawn.

Hawaii

Mediation requests were fewer than 10 statewide. OSEP informed Hawaii that any data less than 10 were too small for analysis and therefore should be submitted but not considered for analysis. Activities were aligned to improve participation in mediation.

Louisiana

Written, signed complaints and hearing requests decreased due to the use of other informal, alternative dispute resolution practices. Expedited hearing requests decreased due to the decrease in hearing requests.

Maine

Conditional formatting and/or formulae at G32 and G41 indicated errors that appear to be invalid. For G32, settlement agreement at C34 + fully adjudicated at C35 + resolved without hearing should equal the total. For G 41, the six expedited hearing requests were resolved without a hearing.

Maryland

OSEP did not provide instruction for completing line 2.1 of Section B, and this line, in the past, was left blank; however, for this 618 submission, the state completed the line to indicate the total number of mediation requests.

Written Signed Complaints:

- Maryland attributes a 20.37% decrease in the number of written, signed complaints to the use of early dispute resolution.
- Maryland attributes a 15.22% decrease in the number of complaints with reports issued to the use of early dispute resolution causing to fewer complaints being filed.
- Maryland attributes a 14.61% decrease in the total number of complaint investigation reports issued as a result of fewer complaints being filed. Although fewer complaints were filed, 100% of reports were issued within the required timeline.

Mediation Requests:

Maryland attributes a 13.92% decrease in the number of mediations not held (including pending) to fewer mediations being requested and more mediations being conducted.

Massachusetts

The difficulties with arriving at accurate numbers for written, signed complaints had to do with the inadequacies, as well as lack of user-friendliness of Remedy's Action Request System, the Massachusetts Department of Education's current complaint-tracking software. New software will be phased in over the next couple of years to improve tracking and help provide more reliable reports when complaints fall into more than one category, have more than one closure code, or cross programs; the use of tracking categories that better match the lines used in Table 7 is also desirable.

For Section A line (1), due to these problems with the state's data system, it was unable to identify the status of 17 cases, and therefore changed its previously reported written, signed complaints total from 400 to 383. On review, it was found that the number for line 1.1 was most accurately reported as 236; it was previously reported as 256 because of the difficulty in identifying the status of 20 cases (the status of 3 have since been identified).

The number for line 1.1(b) should have been 179, not 193. This followed from the fact that the total number of reports within extended timelines should have been reported as 36, not 22.

The number for line 1.1(c) should have been 36, not 22. In originally reporting these data, Program Quality Assurance staff used a software report with an incomplete universe of reports with extended timelines.

The number for line 1.2 should have been 107, not 104. In originally reporting these data PQA staff overlooked three complaints in a category of complaints described by closure code 4, impossible to proceed, which should have been added into the number for this line. (The number for this line was totaled from various complaint categories.)

Data reported in fields 3.1, 3.1a, 4.1, 4.1a are considered unreliable because there was no reliable mechanism for the Bureau of Special Education Appeals (BSEA) to assess how many resolution meetings were actually held or how many resolution meetings resulted in settlement agreements. While at first blush it would appear that simply were both (1) the

number of LEA hearing requests and (2) the number of mediations related to due process, from the total number of hearing requests would yield the correct number, there are too many variables which such process does not consider—e.g., the number of cases in which parties opted for mediation after an unsuccessful resolution meeting rather than in lieu of a resolution session; the number of cases in which the resolution session was waived by both parties; the number of cases in which parties opted for settlement conferences vs. resolution meetings; the number of mediations related to due process that were triggered by an LEA initiated hearing request; the number of cases wherein the LEA constructively waived the right to hold a resolution session by allowing more than 15 days to elapse after receiving hearing request; etc.

The BSEA launched a form that was to be submitted by parties who were withdrawing a hearing request as a result of a settlement agreement reached at a resolution session. The numbers provided in these fields represented the number of such forms the BSEA received during the reporting period. However, there was no way to ensure that each party whose case was resolved via a settlement agreement in fact submitted such a form.

(Note that in addition, the BSEA attempted to call parties directly to gather these data but the process similarly did not yield consistent, reliable results.)

Michigan

As of June 30, 2007, there were 19 pending cases. As of October 29, 2007, there were six pending cases.

Proper documentation consists of a signed, written extension agreed to by all vested parties. In Michigan, there were six fully adjudicated hearings between July 1, 2006, and June 30, 2007. In one case, all parties agreed to an extension, but this agreement was not documented in writing. Therefore, a change in Section C. (3.2) (b) Decisions within extended timeline, was necessary.

Micronesia

Verification of data indicated no complaints or due process requests were filed. A system was in place but no complaints or due process hearing requests were filed.

<u>Nebraska</u>

A hearing was received on June 22, 2007 so no resolution was finalized before the end of the reporting period.

New Jersey

This table was revised and will be resubmitted. The New Jersey Office of Special Education Programs obtained its data regarding fully adjudicated due process hearings from the NJ Office of Administrative Law. A check of that database was conducted and

revealed a discrepancy in the calculation of the timelines for completion of fully adjudicated due process hearings. Changes were made to Section C of Table 7 and revised data were submitted.

New York

One outstanding hearing was still being heard at the request of both parties.

Oregon

Oregon was unable to collect data on the number of students with and without disabilities who received educational services during expulsions for the 2006-07 school year. This was due to the lack of sufficient time to make the necessary changes to the data collection system. The data will be collected for the 2007-08 school year and beyond.

Virginia

Seventeen mediation requests were withdrawn; 4 pending, (3.3) pending = 13.

Washington

Of the mediations not held, 54 were either cases where one party refused/declined to mediation, or one or both parties withdrew their requests, or they were unable to get a mediation scheduled. An additional four were pending at the end of the reporting cycle. For hearings, including expedited hearings in cells 3 and 4, many parties reached agreements outside of the resolution timeline.

West Virginia

One due process hearing was pending at the end of 2006-07.