

# **Monitoring the Implementation of IDEA**

## **PROCEEDINGS OF THE 2002 NATIONAL MONITORING CONFERENCE**

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*by* **Jennifer Tschantz, Ph.D.**



**National Association  
of  
State Directors  
of  
Special Education**

Prepared by:  
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**February 2003**

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# Monitoring: Proceedings of the 2002 National Monitoring Conference

## Introduction

### Purpose and Background

Since 1992, Project FORUM at the National Association of State Directors of Special Education (NASDSE) has produced several documents on the topic of monitoring (Ahearn, 1992, 1995, 1998, 2000; Tschantz, 2002). Each of these documents includes an analysis of data from a national survey of state monitoring practices<sup>1</sup> and/or an in-depth report of one of the five National Monitoring Conferences. The most recent Project FORUM document summarized findings from the 2001 national survey and reported on the changes states have made in their monitoring practices from 1997 to 2001. This document is a report of the sixth National Monitoring Conference held in Salt Lake City, Utah in October 2002. It was compiled by Project FORUM through its Cooperative Agreement with the U.S. Department of Education Office of Special Education Programs (OSEP).

### Federal Monitoring of States

#### *Continuous Improvement Monitoring Process (CIMP)*

Since 1975, OSEP has monitored state education agencies (SEAs) for their compliance with Part B of IDEA. According to the 23<sup>rd</sup> Annual Report to Congress on the Implementation of IDEA (U.S. Department of Education, 2001), OSEP's accountability work has focused on “. . . improved results for infants, toddlers, children and youth with disabilities without sacrificing any effectiveness in ensuring that the individual rights of children with disabilities and their families are protected” (p. IV-1). Originally termed *program administrative review*, federal monitoring procedures have evolved over the years. The result has been the development and evolution of OSEP's Continuous Improvement Monitoring Process (CIMP). CIMP is built on eight critical themes: (a) continuity; (b) partnership with stakeholders; (c) state accountability; (d) self assessment; (e) data-driven; (f) public process; (g) technical assistance; and (h) evidence of change that improves results for children with disabilities and their families.

CIMP is an on-going process and includes:

- self assessment;
- data collection by OSEP in selected states;
- improvement planning;
- implementation of improvement strategies;

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<sup>1</sup> Three of these national surveys have been conducted and are referred to as *Profiles of State Monitoring Systems 1994, 1997, 2001*, respectively. The 1994 and 1997 surveys were conducted by the Regional Resource Center Network and coincided with the third and fourth National Monitoring Conferences. The 2001 survey was conducted by Regional Resource and Federal Centers Network and the National Early Childhood Technical Assistance System and was intended to coincide with the National Monitoring Conference scheduled for fall 2001. Due to the events of September 11, 2001 this conference was postponed, thus the conference proceedings are reported in this separate document.

- verification and consequences; and
- review and revision of self assessment.

OSEP customizes its monitoring based on the needs of individual states and organizes monitoring around the following four “clusters” for Part B (services for children ages 3 through 21): (a) parent involvement, (b) free appropriate public education in the least restrictive environment, (c) secondary transition and (d) general supervision; and around the following five “clusters” for Part C (services for children ages birth through 2): (a) general supervision, (b) child find and public awareness, (c) early intervention services in natural environments, (d) family-centered systems of services and (e) early childhood transition.

These cluster areas are used to organize the requirements of IDEA that provide the strongest links to improved results for infants, toddlers and students with disabilities. The specific activities conducted during each phase of monitoring are described in the 23<sup>rd</sup> Annual Report (U.S. Department of Education, 2001, pp. IV-1-6).

### *Focused Monitoring*

In addition to CIMP, the use of focused monitoring has been discussed at the federal level in recent years as “. . . a data-driven approach to monitoring characterized by focusing on a small number of carefully chosen priorities that have the greatest impact on improving results for infants, toddlers, children and youth with disabilities” (U.S. Department of Education, October 2001). In 2000, a group of stakeholders met for the first time to begin the development of a focused monitoring model for OSEP to use when monitoring states. Several key elements of focused monitoring have been identified: (a) selection of a limited number of priorities, each supported by measurable indicators; (b) data/evidence-based decision making; (c) technical assistance to states in need of improvement; (d) the use of standard, uniform performance benchmarks when making monitoring decisions; (e) attention to diverse populations; (f) assurance that the state has an effective dispute resolution system; and (g) clear triggers for the initiation of interventions and sanctions. This group of stakeholders developed draft priorities, indicators, benchmarks, thresholds and triggers for focused monitoring. At the time of the sixth National Monitoring Conference, OSEP was looking at how to integrate focused monitoring and CIMP to create a strong accountability system that improves results for infants, toddlers, children and youth with disabilities.

### **State Monitoring of LEAs**

Since its original passage in 1975, the IDEA has held SEAs responsible for monitoring how LEAs provide programs and services for students with disabilities. The following portion of IDEA, as amended in 1997, is the current legislative wording for the state supervisory role:

(11) STATE EDUCATIONAL AGENCY RESPONSIBLE FOR GENERAL SUPERVISION-

- (A) IN GENERAL- The State educational agency is responsible for ensuring that-
- (i) the requirements of this part are met; and

- (ii) all educational programs for children with disabilities in the State, including all such programs administered by any other State or local agency –
    - (I) are under the general supervision of individual in the State who are responsible for educational programs for children with disabilities; and
    - (II) meet the educational standards of the State educational agency.
- [20 U.S.C. Chapter 33, Sec. 1412(a)]

### **Overview of the Conference**

The 2002 National Monitoring Conference was entitled, *Showcasing Quality, Ensuring Compliance, Emphasizing Outcomes: A National Conference Addressing State Monitoring of IDEA*. The overall purpose of the conference was to “share information about effective practices and to address state agency challenges in monitoring local programs providing services under Parts B and C of the IDEA.” The primary focus was state monitoring of local programs. OSEP personnel also participated and provided updates on federal issues, including upcoming changes in federal monitoring. The following topics were highlighted throughout the conference: effective practices in monitoring local programs; state accountability for results; data management approaches and uses; and state collaborative, focused and integrated monitoring.

The conference was planned by the Monitoring Workgroup that included representatives from the Federal Resource Center (FRC), the Regional Resource Centers (RRCs), the National Association of State Directors of Special education (NASDSE), the National Early Childhood Technical Assistance Center (NECTAC) and OSEP. Proposals for conference presentations were solicited from all states, including SEAs and Part C lead agencies. All states were also invited to participate in the *Marketplace of IDEAs*— a sharing activity designed for states to display and describe their individual monitoring activities. Representatives from 49 states and two non-state jurisdictions attended the conference. The session titles and involved states are noted before each session summary below.

### **Session Summaries**

#### **Plenary Sessions**

##### *Improved Outcomes Through Collaborative Monitoring*

*Presenters:* Barbara Schliesser, Director of Special Programs, NE  
Susan Wood, Coordinator, School Support System, RI  
Charlotte Lewis, Program Coordinator, NE  
Andrew Rikli, Program Specialist, NE

Collaboration has been an integral part of both Rhode Island and Nebraska’s monitoring systems. In Nebraska, the Department of Health and Human Services Systems, in conjunction with the Department of Education, is implementing a Part C Quality Improvement Process that monitors special education programs and services. In Rhode Island, the School Support System is a

collaborative process among local school districts and state agencies designed to improve outcomes for students with exceptionalities. This joint session included examples of collaborative activities, lessons learned and changes in local programs as a result of monitoring findings.

Nebraska: Nebraska's Quality Improvement Process of monitoring local programs is built on the principle that the process is a collaborative activity and focuses on compliance with program requirements. The Nebraska Early Development Network is composed of two state agencies—the Department of Education (NDE) and Health and Human Services Systems (NHHSS)—and 29 regions that collaborate to provide services to children with disabilities birth to 3 and their families.

Each region has a local Interagency Coordinating Council, called a Planning Region Team that is made up of a lead agency, services coordination contractor, school district or educational services unit representatives, Head Start, child care providers, social workers, community representatives, clergy and families. School districts or Educational Service Units (ESUs) provide evaluation and education and related services (physical therapy, occupational therapy, speech/language therapy) to children. Medicaid, respite and services coordination support are provided by NHHSS. Nebraska chose a collaborative system of state supervision. A co-led team composed of managers, technical assistants, a family partner and monitors from NDE and NHHSS guide policy and implementation for the more than 500 school districts, 93 counties, and six health and human services areas.

The monitoring system, as well as the Early Development Network, was designed with four principles in mind: (a) local decision making where possible; (b) family choices; (c) compliance; and (d) quality delivery system. The indicators and process were products of discussions by the NDE and NHHSS, OSEP, families and the Early Childhood Interagency Coordinating Council. The indicators and process are used to monitor early intervention, Medicaid waiver programs and family satisfaction.

The monitoring process allows for as much local decision making as possible. Co-leads send a letter to the Planning Region Team introducing the process and consultants contact a local representative to establish the date for a site visit and a list of people who should participate in the orientation session. A Tool Kit and Sample Final Report are given to the team before the orientation session. This provides participants with a list of interview and survey questions and compliance items that will be reviewed. Local participants at the orientation session decide whom to interview and how information from families should be gathered (i.e., survey, home visit, interviews in person or phone or a mix of methods).

Monitoring tools used during the monitoring process are file reviews and surveys. On the file review, indicators are marked *in compliance*, *out of compliance* or *does not apply*. Indicators can also be listed as a strength. Surveys are conducted with the school district, service coordination contract agency, service coordinators, providers, families, etc. and can also be conducted through focus groups or interviews. When the state monitors, surveys, focus groups and interviews are conducted to confirm findings from the file review. Typically, when a file review indicates non-compliance, the surveys are not positive and vice versa. If there is a disconnect between file

reviews and interviews, state monitors go back to find out why. Lessons learned from Nebraska's monitoring process include: it is very time consuming and expensive; overall, it is a good process; and the tools are strong, but more thought is needed on different ways to do business, to bring Parts B and C together.

*Next steps—the NDE-ESU collaboration project.* The purpose of this project is to establish a service delivery system and network to better serve families and children. Many services provided by NDE and ESU overlap. Goals of the project are to reduce duplication, better focus the ESU's efforts and support to schools, and provide opportunity for those closest to the program to provide direct support. Project activities include assistance in continuous improvement review, professional development, conflict resolution, school improvement activities, complaint investigation, parent resources, technology support and support in data collection and analysis. This model of collaborative monitoring occurs through state level interagency cooperation (HHSS and NDE) and through state and local level cooperation (NDE and ESU). Nebraska is still in the process of determining how ESUs will interact with the local planning teams.

Rhode Island: The Rhode Island Department of Education, Office of Special Needs (RIDE/OSN), is implementing the School Support System (SSS) to improve outcomes for students with disabilities who receive special education services. The SSS evaluates the quality and effectiveness of special education and the extent to which the district (local education agency) meets special education laws and regulations. It emphasizes:

- involving the whole school district, including administrators, special and general educators, students and parents;
- gathering and analyzing information from multiple sources of information;
- visiting all schools, interviewing administrators and staff to focus on the appropriateness of the education for specific special needs students; and
- developing a School Support System Plan for strengthening programs and correcting essential areas in order to improve student performance.

The SSS is an evolving process, currently beginning its second full 5-year cycle. The Office of Special Needs, in conjunction with the Rhode Island Technical Assistance Project, has continuously refined the SSS in order to ensure alignment with the IDEA. The SSS also addresses the Comprehensive Education Strategy and the Rhode Island Student Investment Initiative. These are state general education initiatives designed to close gaps in student performance and prepare students for the 21<sup>st</sup> century. The SSS is designed to align with current standards-based reform efforts and supports the following beliefs and assumptions:

- An assigned category or level of disability does not define the educational needs of students.
- To the maximum extent possible, students with special needs are meaningfully included in the general education program.
- The curricula are based on standards that are sufficiently broad to support the learning needs of all students and include academic and skill areas.

- Individual Education Plans reflect state and local standards for student performance, incorporate varied assessments, and utilize a broad array of accommodations for testing and learning.
- A comprehensive system of professional training must support and encourage the involvement of all personnel in addressing the learning needs of students with the full range of abilities and disabilities.

The SSS integrates multiple sources of information in order to develop a support plan that is directed at increasing student performance and is founded on proven practice. The RIDE/OSN seeks to create collegial and collaborative relationships with school districts, involving the entire district in evaluating the quality of its special education services. As a result, the process delineates the district's strengths and needs, culminating in the development of a plan to improve service delivery. The goal is to implement agreements in a timely and systematic way to get corrective actions instituted in order to assure continuous high performance of all children.

*What If Nothing Works? Are There Practical Sanctions to Ensure IDEA Implementation?*<sup>2</sup>

*Presenters:* W. Alan Coulter, Director, National Center for Special Education

Accountability Monitoring, LSU Health Sciences Center

James Comstock-Galagan, Executive Director, Southern Disability Law Center

Virginia Beridon, State Director of Special Education, LA

Alice Parker, Assistant Superintendent, Special Education Division, Department of Education, CA

Therese Yanan, Attorney, Native American Protection & Advocacy Project

Alan Coulter opened the session by presenting two premises that guide the discussion and use of sanctions to ensure IDEA implementation. *Premise 1:* Most LEAs and service agencies are eager to effectively implement IDEA. Instances of non-compliance can be significantly reduced when requirements are explicit and well-understood and technical assistance/follow-up is provided. However, in some instances, sanctions are necessary to ensure implementation of IDEA. *Premise 2:* Sanctions are needed so everyone understands the seriousness of providing required services. Sanctions are about changing behavior so children receive needed services not so that punishment is applied to particular adults. There is little scientific data on the effectiveness of sanctions related to IDEA.

Therese Yanan discussed the philosophy of sanctions, rewards and sanctions, the protocol for interventions or sanctions and types of interventions and sanctions. Overall, there is a trend toward sanctions—this is a fundamental principle of a focused monitoring system. The President's Commission on Excellence in Special Education report states that sanctions should be a part of any accountability system. Under No Child Left Behind (NCLB), the state plan must include a single, statewide accountability system that ensures that schools are making annual yearly progress, including the use of sanctions and rewards.

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<sup>2</sup> The visual presentation for this session is available online at the special education accountability website: [www.hdc.lsuhsce.edu](http://www.hdc.lsuhsce.edu)

*Rewards and sanctions:* The national stakeholders focused monitoring workgroup has discussed both the use of rewards if states exceed benchmarks and the use of sanctions if benchmarks are not met or if corrective actions are not taken within the established timeline. Examples of rewards include: a letter to the Governor; a national press release or other publicity on success; a plaque; commendation on OSEP's website; banners like those used for Blue Ribbon schools; and documentation and funds for the state to record processes that were used successfully.

*Proposed protocol for interventions or sanctions:*

- Step one—analyze the state's data to determine if there is a legitimate explanation for why the state has not performed as expected. If there is, OSEP will not intervene.
- Step two—if failure is based on the state's refusal to comply, then OSEP will impose a sanction. If failure is not based on a refusal to comply then proceed to next step.
- Step three—OSEP will determine the cause for the failure, which will influence the level of sanction. Technical assistance (TA) or other interventions include assistance from the RRCs or other technical assistance centers, OSEP approval of state improvement plan, detailed technical assistance, assistance from high performing states and provision of data management resources. If there continues to be a failure to improve after TA, then sanctions would be imposed.

*Level and type of sanctions:* The least coercive sanctions discussed by the stakeholders group include targeted resources to focus on capacity building and voluntary performance agreements with timelines outlined. Moderately coercive sanctions include designating the state as high risk and applying special conditions, compliance agreements, issuance of cease and desist order, issuance of conditional approval for state plan, referral to the office of inspector general, and referral to the U.S. Department of Justice. The most coercive sanctions include directing state officials regarding the areas in which funds should be expended, disapproval of a state plan, and partial or complete withholding of federal funds.

Louisiana: Virginia Beridon discussed the process of using sanctions in her state. A continuum of interventions and sanctions has been developed for local districts in non-compliance. Districts that fall into sanction status have been in "focus" for three years in a row (based on Louisiana's three statewide indicators) or whose follow-up visit revealed that all corrective actions had not been completed.

- Level 1—the SEA and LEA collaboratively design a Corrective Action Plan (CAP).
- Level 2—if the CAP did not work, the SEA works with the district to redesign its CAP to more effectively address concerns.
- Level 3—an intensive plan for technical assistance to address non-compliance is developed. This plan must be approved by the local school board and must be published.
- Level 4—the LEA is required to target IDEA funds to address the identified non-compliant findings.
- Level 5—the appointment of a special monitor or management team is required to oversee the corrective action improvement plan.
- Level 6—IDEA Part B funds are released on a conditional basis. The conditions are written into the corrective action improvement plan.
- Level 7—IDEA Part B funds are withheld with approval from the state board of education. There are approximately 80 LEAs in Louisiana.

Currently four school districts are at Level 2 and four are at Level 3. Sanctions are making a difference in Louisiana—there has been an increase in the amount of effort going into improving programs.

California: Alice Parker discussed “Friendly and Not So Friendly Persuasion: California’s Enforcement and Sanctions Options.” California’s system of overall supervision and monitoring includes a balance between self-review and focused monitoring. Technical assistance (TA), corrective actions and sanctions are all used. *Enforcement and sanction* options include: public publishing and dissemination of LEA data summaries; monitoring reports; corrective action plans and monitoring reports; non-approval of local plans; requiring local boards of education to hold public hearings on noncompliance issues; sending letters to boards of trustees with a copy to the district advisory committees; issuing press releases; ordering compensatory services and reimbursement; requesting a writ of mandamus in a state court; granting awards with special conditions (they have to report quarterly); withholding federal Part B dollars (after a hearing with the Superintendent of Public Instruction); and stopping flow of all federal and state dollars. Out of total a 1200 complaints, 96 have required sanctions. NCLB provides for a stronger accountability system for all children. The concern is how to align a systems change with an individual entitlement statute.

Jim Comstock-Galagan discussed the advocates’ views about effective sanctions. There are numerous rules children in schools are expected to follow and with real consequences when they are not followed. However, there are so few consequences for the individuals that run our schools. This is about power, but it should be about equity. The promise of IDEA remains just that. The National Council on Disabilities (NCD) found that not a single state is in compliance. Ask any room full of parents if this is true. The vast majority of people in schools want to do the right thing, but we must do better for children with disabilities. Accountability is needed for school districts and state departments of education. Enforcement has been difficult for SEAs. Educators are not trained to police compliance with the law—they are not comfortable in that role. They are, however, the state police in the education arena and they must do better enforcing the law. Remember, local schools have no difficulty enforcing their rules and imposing sanctions on students. SEAs needs to follow suit—it is one means of ensuring equity for students.

When problems emerge, there is a need for very specific compliance requirements, corrective action goals and enforcement activities (sanctions). *Enforcement activities should include* three levels.

- Level 1—the SEA sends a letter of non-compliance to the LEA, which it must disseminate to all families with children with disabilities. The LEA noncompliance shall be the subject of a public hearing convened by the LEA board of trustees and shall be made a primary consideration in the evaluation of the LEA superintendent and special education coordinator.
- Level 2—when the LEA fails to correct noncompliance within six months, the following sanctions will be imposed: lowering accreditation of that LEA and suspending the certification of responsible administrative officials in the LEA (e.g., superintendent, special education coordinator).

- Level 3—the SEA withholds funds from the LEA or transfers money. These sanctions need to be automatic and mandatory. In order to change behavior, LEAs and top administrative officials must be held accountable for violations of not just rules, but the law.

Focused monitoring holds great promise for students with disabilities because it involves an in-depth analysis of LEAs' performance on key IDEA mandates. Focused monitoring produces sufficient information to support the types of enforcement activities outlined above.

*Monitoring Resources and the Monitoring Best Practices Web Site*

*Presenter: Wayne Ball, Program Specialist, Mountain Plains RRC*

Resources available to states and lead agencies for monitoring and best practices were explained. If children are given the education that they need, monitoring will follow. A lot of what states are doing in monitoring is improving instruction and learning for children. The National Monitoring and Promising Practices website, where exemplary programs are identified, was put together to assist states in these efforts. The website is housed at the FRC (a tour of the website was provided during this session): <http://www.dssc.org/frc/nmpp/index.htm>.

The website includes "Monitoring Profiles." Each state has submitted a profile for Part B monitoring. For Part C monitoring, only about 13 states have submitted one. It would be helpful if more states submitted for Part C. OSEP resources are available through the website, including the CIMP manual. Also there is a link to the OSEP monitoring website which includes self assessments, improvement plans for states, state contacts (find out who your OSEP contact is) and CIMP clusters and indicators. Many states have shared promising practices and monitoring issues via the website. More needs to be added, especially more on promising practices. There also are links to OSEP's technical assistance (TA) network. The Regional Resource Centers (RRCs) are a great resource for states, including training materials. Each RRC has an information specialist.

Make this information available to your local school systems. A lot is known about promising practices but this information needs to get out to the local schools. If proper instruction and learning are provided, monitoring will take care of itself.

## **OSEP Plenary Sessions**

*Lunch Address*

*Presenter: Stephanie Lee, Director, OSEP*

The title of this conference, *Showcasing Quality, Ensuring Compliance, and Emphasizing Outcomes*, covers three very important themes as we work together to improve outcomes for children with disabilities. With the passage of NCLB, we are focusing on accountability for results, reflecting the President's view that every child counts. Schools should be held accountable for all children. Accountability for results is one of four components of NCLB and will also impact the reauthorization of IDEA. Accountability for results was also part of the President's Commission on Excellence in Special Education report. The Commission's report discussed federal monitoring on the implementation of IDEA and recommended changing the

monitoring process to focus on performance and results. There is a need for continuous improvement related to compliance findings, encouraged flexibility and innovation, and a shift in the focus of monitoring from one on process to one on results. Through CIMP, OSEP has been moving to a focus on results since 1997. Monitoring must be a process to ensure accountability and services that result in outcomes. In your role, this shift will create challenges.

OSEP monitoring themes that could be incorporated into state monitoring include:

- *Working in a collaborative manner versus an adversarial one.* Critical to this collaboration is supporting state efforts to have steering committees that include a diverse group of stakeholders as well as encouraging internal collaboration (e.g., Part B and C within states and between general and special education).
- *Data-based decision making.* A variety of data sources must be used and must be applied in a structured fashion.
- *Importance of technical assistance resources and supporting improvement efforts.* Available resources include OSEP's technical assistance and dissemination projects, resources on specific topics (e.g., accessing the general education curriculum, transition and due process), personnel preparation grants and general supervision enhancement grants. The TA network is designed to get research to states and then we count on the states to get the information to local school districts.
- *Accountability and enforcement.* This includes declaring a state as a high-risk grantee, identifying persistent non-compliance and developing compliance agreements. OSEP staff will provide more information on accountability and enforcement in later sessions at this conference.

OSEP is pleased with its partnership with the National Focused Monitoring Workgroup. Although its written products do not represent the position of the Department of Education, the Workgroup has had a positive impact. Focused monitoring does not replace CIMP; rather it strengthens our monitoring by focusing on those indicators that have the strongest link to improving outcomes for children and families.

### *CIMP Monitoring: Lessons Learned<sup>3</sup>*

*Presenters:* Ruth Ryder, Division Director, Monitoring and State Improvement Planning (MSIP), OSEP

Rorie Lackey, Assistant Director for Special Education, NV

Gene Lenz, Senior Director of Special Education, TX

Anne Lucas, Coordinator, Infant and Toddler Connection of VA

Marilyn Pearson, Assistant Director for Special Education, MT

Ruth Ryder introduced the panel of state staff. Each of these states shared its experiences with CIMP by responding to the following questions:

1. What were your expectations going into the CIMP self assessment or improvement planning session?
2. What were the strengths of the process?

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<sup>3</sup> The visual presentation from this session is available online at the National Monitoring and Best Practices Website (look for the National Monitoring Conference link) at: <http://www.dssc.org/frc/MonitorConf.htm>

3. What were the challenges of the process? What resources were needed to address these challenges?
4. What didn't work as well as expected? What would you do differently?
5. What are the next steps for your state's program?

Virginia's Part C Experience - *Expectations of CIMP*: CIMP was an additional time-consuming task, but also a positive means for improving systems of services. *Strengths of the Process*: The focus on self assessment and data-driven decision making enhanced the state's existing process of systems improvement. CIMP built on the local monitoring process and developed linkages and interrelationships. The logic model analysis assisted in focusing on results, not just quick fixes. TA from Mid-South RRC and NECTAC was helpful.

*Challenges of the Process*: Timing was a challenge. Virginia did not have an opportunity to integrate CIMP with the existing state improvement process. Previous improvement efforts were put on hold and there were perceptions that the previous work was not important. The logic model training was conducted after the self assessment. *What To Do Differently*: Introduce the logic model up front. Provide sufficient lead-time to states to ensure a carefully planned approach to initiating self assessment, including time to integrate existing systems improvement efforts.

Montana's Part B Experience - *Strengths of the Process*: The involvement of stakeholders in decision making was a strength. The state continues to use the advisory panel as the steering committee. It reviews improvement plan activities and progress. The state structured the process and, as a result, had ownership of the design and strategies used. Other strengths included designing improvement strategies tailored to the state, data-informed decision making, and partnerships with Part C and other agencies.

*Challenges of the Process* included access and availability of data. There were data elements required for the self assessment that were not collected. Another challenge was the validity and reliability of data. Procedures for verification of data were not in place for all data, like it is for child count. Other challenges included time constraints and funding. There was not enough time to gather and analyze all the data wanted. There were not enough resources to address all areas in improvement plan. *Resources Used to Address Challenges* include RRC, OSEP, state staff and Montana's CSPD/SIG. (Fortunately, the SIG was approved following development of the State Improvement Plan. The SIG has been instrumental in providing the funding to implement improvement strategies identified in the State Improvement Plan.)

*Next Steps* include improving the quality of data; identifying additional data elements needed to assist in self assessment and review of progress on performance indicators; conducting a self assessment (not waiting for notification from OSEP, this is a continuous process); refreshing the Improvement Plan; and linking key indicators from the state to the local level.

Nevada's Part B Experience - *What Worked*: Quality facilitation—having someone knowledgeable about the special education system at the state and national levels, with the ability to help individuals understand how to use data to make decisions and the skills to help groups reach consensus. Stakeholder involvement—leadership roles were created for the PTI

director and State Advisory Committee chairman as steering committee co-chairs. Other strengths included using cluster area teams and steering committee membership from essential groups; public input through surveys and focus groups; and a focus on partnerships to reach results.

*Challenges:* Show me the data—districts did not necessarily have data the state needed. Timing is everything—often felt as if they were chasing moving targets and waiting for feedback from OSEP. Solutions are not always in the state’s hands and do not come easy given high standards (underscored by NCLB) and mixed priorities. *Hindsight is 20/20:* People get burned out—the same people may be asked too often to serve the cause. Traveling to meetings takes time and causes anxiety for some people. Technology needs to be used effectively while preserving quality interpersonal dynamics. Using data may require a shift in thinking. *What's Next?* Planning is only the first step—“we’ve got our marching orders, now let’s march”. The state’s ongoing process will continue to be evaluated. Improvement strategies have been developed and now the state needs to implement them.

Texas’ Part B Experience - Expectations: Texas was ready for change and CIMP served as the catalyst. Improvement was the goal. Federal monitoring with a purpose made it positive. *Strengths of the Process:* The process can be customized to meet an individual state’s needs. *Challenges:* There were challenges with some of the indicators – many of them were confusing. Questions at public meetings were very broad. The process is time- and staff- intensive. Outsourcing public meeting facilitation and steering committee facilitation was positive for the process however, effort had to be made to keep staff involved with and owning the process.

*What would you do differently?* States must spend quality time with the steering committee to teach them the system. Begin immediately; you can’t start early enough. All of us collectively are swimming in data, but we are not swimming in information with which to make decisions. Remain focused. *Next Steps:* Texas has already started the second round of public meetings and is waiting for OSEP’s report. The Texas Continuous Improvement Process includes an Improvement Planning Committee, the Texas Steering Committee and a system of continuous review. The steering committee members have been asked to serve on separate improvement committees, focused on specific areas. This has broadened involvement and the number of experts on those topics. The process has been integrated into everything the state is doing now. *Words of Wisdom:* Perspective is what allows us to step back and see the entire forest . . .the big picture is important!

#### *Focused Monitoring: A Novel Approach*

*Presenters:* Ruth Ryder, Division Director, MSIP, OSEP  
Larry Wexler, Deputy Director, MSIP, OSEP  
Therese Yanan, Attorney, Native American Protection & Advocacy Project  
John Copenhaver, Co-Director, Mountain Plains RRC  
Tal Black, Associate Director, NECTAC

Ruth Ryder briefly described the National Monitoring Stakeholder Group and representatives from that group discussed focused monitoring.

Larry Wexler outlined the historical perspective on federal monitoring. In 1998, OSEP supported a meeting of stakeholders, including technical assistance providers, Department of Education staff, SEA staff, parents and advocates to discuss how to make monitoring focus on improving outcomes. The result was a continuous improvement approach with six principles for monitoring: partnership with stakeholders; self assessment; data used to drive decisions; extensive public input; OSEP providing TA as needed; and improvement planning focused on outcomes rather than process.

The Department took this information and developed and implemented CIMP. Based on input from SEAs, advocacy groups and the Commission's report, and given OSEP's limited resources, there is now a move toward focused monitoring. The National Monitoring Stakeholders Group convened a series of meetings. From these meetings the following emerged: agreement on a concept of focused monitoring; monitoring based on data-driven decisions; and a better understanding of what data are available and in what format. The group developed draft priorities, indicators, benchmarks (used to determine non-compliance), thresholds and triggers (used to determine when to initiate action). OSEP is now looking at how focused monitoring and CIMP come together to create the best system for kids.

Therese Yanan shared her experiences as a member of the National Monitoring Stakeholder Group and the New Mexico Stakeholder Group. The great thing about the stakeholder group is the level of collaboration. It increases the level of understanding about challenges faced by individuals. Collaboration also increased understanding about the amount of data collected and the amount not being used—which is one benefit of focused monitoring. The reality that there was more agreement than disagreement within the stakeholder group was a surprise.

It helps to understand each other's perspective and to be clear on the role of the stakeholder group. The focus of each meeting needs to be clear and it is critical to establish a time when the group will meet again. E-mail and websites can be helpful to communicate this information. This process is time consuming. It takes time to build relationships and see the impact of the process.

Parents and advocates know it's going to take time before anything happens. If people understand where they are and where they are going, it is helpful. Educators need to understand that parents feel like they don't have a lot of time and results are important.

Advocates and parents feel like they are giving up something being part of a focused monitoring stakeholder group (e.g., selecting three indicators when you have a number of issues/concerns). The education system has historically been out of compliance and children are not being served. All parents have to hold onto is the process that IDEA requires. If the monitoring system changes without improving education for students with disabilities, then parents and advocates are going to have a more difficult time trusting schools and educators.

John Copenhaver discussed some of the promises and challenges of the focused monitoring Part B priorities and indicators. There are six priority areas for Part B focused monitoring: (a) effective state supervision; (b) meaningful and effective family involvement; (c) development and performance of outcomes for children and youth with disabilities; (d) inclusion of children

and youth with disabilities in typical community and school setting with their non-disabled peers with needed supports; (e) effective transitions; and (f) enhanced social, emotional and academic development for children and youth with disabilities through the use of positive behavior supports and strategies and improved school climate.

*Positive Aspects of Focused Monitoring* include the limited number of indicators, the focus on critical aspects of the regulations and the use of data and information. Focus priorities become the content and CIMP is the process. Priority-indicator-benchmark-trigger makes sense. The concept of triggers has promise if data issues can be solved. Focused monitoring allows limited resources to focus on priority issues and aligns focus priority indicators with CIMP cluster areas.

*Challenges:* Data are not available on many indicators. Data on some indicators are collected from other sources but are not consistent from state to state. Some indicators are interpreted differently according to state policy and procedures (e.g., graduation rate). Maintaining stakeholder involvement is difficult. Terminology is open to different interpretations. Comparing states on certain indicators will be a challenge.

*Data Issues:* In many cases we are comparing apples and oranges. For example, states have different methods for determining graduation and dropout rates (some states count students working toward a GED while others do not). If the data are not clear, there are problems. Data are currently collected for only 7 of the 26 Part B focused monitoring indicators.

*Greatest Challenge:* If not careful, focused monitoring will become top-down, clinical and OSEP driven, similar to the old compliance model. The best from CIMP and focus monitoring can be combined, retaining stakeholder involvement and state accountability. *Greatest Promise:* Focused monitoring can enhance the attention to those issues that are aligned with positive results for children with disabilities. This is a huge promise. CIMP cluster areas and focus priority areas need to be bridged and measurable indicators that make sense need to be developed.

*Conclusion:* This is an opportunity to combine the best from CIMP and focused monitoring. CIMP encourages stakeholder involvement and state/LEA ownership of the process and focus monitoring provides direction on the issues most important for showing results for children with disabilities. Care must be taken not to create a complicated and bureaucratic process like the old compliance model.

Tal Black discussed five focus priorities for Part C in the proposed focused monitoring of IDEA: (a) effective state supervision of child find; (b) meaningful and effective family involvement; (c) development and performance of outcomes for infants and toddlers with disabilities and their families; (d) embedding early intervention services in families' daily routines and typically occurring community activities; and (e) effective transitions for infants and toddlers with disabilities (transition to Part B). While key indicators have been proposed for each priority area, some as yet lack the data necessary to set meaningful benchmarks and triggers.

There are some unique challenges in applying focused monitoring to Part C, such as:

1. How can the discretion provided to, and exercised by, the states under the Part C legislation be reconciled with the need for consistent data across states?
2. What are the fundamental outcomes for children that Part C should be achieving and what would be viable measures for whether or not those outcomes are being achieved?
3. What are fundamental outcomes for family members, especially parents and care givers, that Part C should be achieving and what would be viable measures for whether or not those outcomes are being achieved?
4. Given the relatively brief amount of time children and families may spend in the Part C program what is reasonable to expect of Part C's early intervention?

The application of the focused monitoring approach to Part C offers a two-way challenge. Part C is challenged by the need to provide meaningful and reliable data in order to determine if expectations are being met. Focused monitoring is challenged by the uniquenesses of the Part C program within IDEA. But Part C is facing a fundamental accountability challenge and there is important work to be done. It has been 16 years since Part C (then Part H) was signed into law. Accountability questions concerning Part C are going to be asked and answered by someone. If we, in the Part C program, find those questions and answers to be inappropriate or unfair, but have contributed nothing substantial to the accountability dialogue, then we would have no one to blame but ourselves. In that sense, focused monitoring may be just the accountability wake up call Part C needs.

### **Breakout Sessions:**

*Quality Assurance Information System: Electronic Database for Tracking Compliance, Complaints and More*

*Presenters:* Rebecca Cort, Coordinator Statewide Special Education Quality Assurance, NY

Daniel Johnson, Upstate Coordinator, Special Education Quality Assurance, NY

This session described New York's statewide electronic database (QAIS) for recording, tracking and generating reports regarding monitoring reviews, complaints and other compliance issues. This regionally based system records and tracks information relative to: (a) all types of monitoring reviews; (b) 60-day complaint investigations; and (c) information on key performance indicators related to classification, LRE placement and disproportionate representation. These data are used to prioritize districts for monitoring, identify the level of review districts will receive, identify regional and statewide issues for targeting technical assistance (TA) and to track timely completion of monitoring, TA and other compliance activities. Examples were shared of how district level reports/profiles can be generated and some of the system's current problems (e.g., the need for a faster and bigger platform) were discussed. Other strengths of the system identified were the ability for regional and state staff to generate regional profiles of compliance issues in order to identify, compare and contrast prevalent compliance issues statewide. Resources are then targeted based on these results. The presenters noted they are working toward a system that will allow submission of monitoring reports directly from the field once the system is upgraded.

*Defining Roles and Responsibilities of State and School Level Steering Committees*  
*Presenter: John Copenhaver, Director MPRRC*

The IDEA was last reauthorized in 1997. Shortly after the reauthorization, OSEP encouraged state education agencies (SEAs) and Part C lead agencies to assemble a representative group of stakeholders from throughout the state to assist in developing an IDEA implementation plan that would outline how the SEA lead agency was intending to implement the new law and regulations.

This approach of planning and empowerment was extremely successful. The next year, OSEP pioneered its new CIMP. States were encouraged to utilize a “Steering Committee” to assist the SEA lead agency in conducting a self assessment and to be involved with improvement planning. The steering committees were made up of stakeholders and consumers of special education from throughout the states. Many states utilized their State Special Education Advisory Panel and Interagency Coordinating Council as their steering committee membership. Again, OSEP received positive feedback to this approach. Federal monitoring was moving from an “expert model” to an “empowerment model.”

As states began to revamp their own systems, most evolved into processes very similar to the OSEP model. Many states encouraged local school districts to assemble steering committees to conduct school district self assessments and improvement plans. As the focus monitoring becomes part of the continuous improvement process, steering committees at the state and local levels remain extremely important.

There are many benefits for the SEA lead agency when utilizing school district steering committees as part of the improvement and monitoring process, including: providing an opportunity for input from consumers and stakeholders; giving the educators and parents (those in a better position than the SEA lead agency) the opportunity to identify deficiencies and strengths; offering another data flow to the State steering committee; allowing improvement and monitoring to be more meaningful, with a sense of ownership; providing more opportunities for the SEA lead agency to provide technical assistance; and seeking involvement from general education and other consumers.

The challenges include: deciding the steering committee membership; establishing meeting times/locations that are beneficial for all members; determining a funding source for steering committee activities; providing orientation and understanding of the process; finding enough members for very small school districts; and finding individuals with expertise in data collection.

Suggested members for school district steering committees include: parents of children with disabilities; students with disabilities; special education teacher(s); related service providers; paraeducators; Title I staff; school principal; special education director; general education teacher(s); private school representative; and Part C/preschool representative.

The following are “lessons learned” from a SEA lead agency as it implemented a continuous improvement and/or focus monitoring approach with the utilization of local school district steering committees.

<b>DO</b>	<b>DON'T</b>
<ul style="list-style-type: none"> <li>• Provide orientation to steering committee members on their roles and responsibilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Create a complicated and bureaucratic self-assessment process.</li> </ul>
<ul style="list-style-type: none"> <li>• Establish a balance of membership between general and special education.</li> </ul>	<ul style="list-style-type: none"> <li>• Expect all local steering committees to be the same. Value school membership differences.</li> </ul>
<ul style="list-style-type: none"> <li>• Develop a data flow from the school steering committee to the state steering committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Expect a lot of data to be available at the local level.</li> </ul>
<ul style="list-style-type: none"> <li>• Involve individuals who represent the culture of the community.</li> </ul>	<ul style="list-style-type: none"> <li>• Treat urban and rural school districts the same.</li> </ul>

Factors that seem to create successful school district steering committees include:

- empowering parents and other stakeholders with information about the process;
- providing a user-friendly and comprehensive orientation;
- explaining roles and responsibilities of each stakeholder group;
- providing incentives (travel expenses, child care, lunch, refreshments, acknowledgment);
- describing the difference between “advisory” and “advocacy;”
- implementing a consensus-building process;
- involving representation from cultural groups in the state/community;
- engaging and keeping informed key SEA/LA or school district administration;
- providing a three ring binder of materials for each member;
- using a trained facilitator; and
- including a data person.

*Regional Self Assessment to Continuous Quality Improvement: New Hampshire’s Part C Quality System*

*Presenters:* Carolyn Stiles, Part C Program, NH

Jenny Todd, Intake Coordinator, Moore Center Services, Inc., NH

Carolyn Stiles presented an overview of the values of New Hampshire’s self assessment for local monitoring of Part C and the Part C system structure, including use of a collaborative partnership approach to monitoring. Regional teams make decisions on improvement needs and the central focus is on responsive family-centered services. Data are used for decision making and regional data and information align with the statewide CIMP. *System structure:* The Part C lead agency is New Hampshire’s Department of Health and Human Services, which contracts for Part C services with 12 area agencies. Area agencies contract with 23 local programs.

The regional self-assessment process includes:

- a regional team with all stakeholder groups represented;
- three surveys (family, service provider, community provider);
- data gathering;
- identification of regional strengths and areas in need of improvement; and

- development of an action plan for improvement.

Jenny Todd shared her region's experience with this process. Based on recommendations from the state, her region pulled together a team that included service providers, an early intervention director, community partners, service coordinators and parents. They sent out 200 surveys to parents, 80 to community partners and 16 to service providers. They analyzed survey data, came up with some goals and developed an action plan. Going through the process the second year was so much easier and smoother than the first year. Having technical assistance available from the state was very important throughout the process. Also, during the second year, surveys were on disk, which was helpful in terms of analyzing data. A regional improvement plan was written based on results of the self-assessment process. It is helpful at the local level to be able to do these. No major surprises with the process were reported. Overall it was very positive.

Carolyn Stiles closed the session by sharing a lesson learned—limit the number of questions on the parent survey. New Hampshire attempted to do this, but when the team solicited a group to reduce the number, no one could really remove any questions. There is a need to focus on transition to Part B. Problems emerged around data and data collection. They did not take into account the differences in software used throughout the state. New Hampshire has five different sources of information and the hope is to consolidate the data. This will enable a comparison of data and regions.

*Looking Back and Moving Forward – Utah's New Special Education Monitoring Process*

*Presenters:* Karen Kowalski, Monitoring Specialist, UT

Margaret Lubke de Arce, Research Assistant Professor, Utah State University

Utah has revised their procedure for monitoring special education programs to closely model OSEP's Continuous Improvement Monitoring Process. The presenters walked participants through a review of Utah's previous monitoring system and presented a preview of their vision for a new system. The new approach is focused on improving efficiency through digitalization and use of a decision-making logic model. The new system intends to look for results in quality of procedures as well as actual student outcomes. School districts conduct a self assessment of programs to identify strengths, compliance issues and areas for improvement. An SEA team validates findings and an improvement plan is developed for compliance and student outcome issues. Utah will implement a focused monitoring approach, using strategies with the greatest potential to improve results for children, while at the same time keeping important procedural elements.

*Applying a Logic Model to Local Data in Monitoring for Better Outcomes for Children and Families*

*Presenters:* Jeff Harlow, Director of Social Science Research Center, Old Dominion University, VA

Anne Lucas, Coordinator, VA Part C

Mary Anne White, MIMS Coordinator, VA Part C

Virginia's Infant and Toddler Connection developed a logic model approach to its Monitoring and Improvement Measurement System (MIMS), to build capacity in local systems to produce

“meaningful plans for improvement.” Challenged by decentralization, introducing logic model thinking has been a successful approach to actively engage the state’s 40 local Interagency Coordinating Councils (ICCs) in processes yielding results-driven plans for improvement (plans).

MIMS is dynamic and changing in response to state and federal priorities, CIMP initiatives, changes in Part C (federal and state) and improvements suggested through monitoring implementation. Virginia provides consultants for each of its MIMS and TA components. These staff members have separate responsibilities, but also specific connections that ensure local council assistance is consistent, continuous and aligned with self assessment and local plans. Supporting these is the increasing integration of Virginia’s multiple automated data systems so that local entities can retrieve and use the data necessary for sound decision making.

The logic model approach enables local entities to focus on results and simultaneously ensure system elements are in place. It serves as an analysis tool, which guides identifying, ranking and strategizing issues and actions for the plans. The MIMS cycle begins with self-assessment planning and conducting, state team review and visit, development of the local plan and follow-up. Recent changes based on experience and feedback include: increased TA during local self assessment; re-timed self-assessment submissions and on-site visits to increase data currency; added training and tools to improve communication; and 30 percent fewer MIMS indicators.

Just three years old, several impacts of the MIMS have been cited by localities and state Part C personnel, including collaborative working relationships, system approaches and issues, increased consistency in information and greater responsiveness to local needs. “MIMS is not an event, it’s a culture.”

*Making Functional Sense of Web-Based Data: Another Step Toward Better Outcomes for Children and Families*

*Presenters:* Jeff Harlow, Director of Social Science Research Center, Old Dominion University, VA  
Anne Lucas, Coordinator, VA Part C

Virginia’s Infant and Toddler Connection developed the Infant and Toddler Online Tracking System (ITOTS), a web-based data system that currently stores and reports individual child intake data and will soon store and report service coordination and service delivery data. ITOTS was developed for three main purposes: (1) to increase the accuracy and completeness of data submitted by localities; (2) to ensure that accurate data are available to state and local decision makers in a timely fashion; and (3) to enhance service coordination functions. The first phase of ITOTS includes all federally required data and intake data collected at or before Individualized Family Service Plan (IFSP) meeting. Standardized and customized reports can be generated at the state and local level. The second phase of ITOTS will add three general functions: (1) capturing and reporting data related to the entire service delivery system; (2) providing online management tools to support the service coordination function; and (3) assisting providers with compliance. The data elements will include service units expected; service units delivered; service unit cost; amount billed for service unit; amount reimbursed; all relevant dates; and procedural safeguard milestones.

ITOTS is a source for relevant, accurate and timely data at the individual family level that is useful for both MIMS (Virginia's Part C monitoring model) and CIMP monitoring. It provides a point-in-time picture of how the locality is performing in regard to each family, and aggregated data at the local and state level. It will facilitate comparisons over time at the individual, local and state level. A data system is currently being developed to integrate multiple data sources (including ITOTS) to develop electronic profiles for each locality. This integrated system will serve as a tool for the state in ensuring local accountability, determining local access and management of resources, determining local need from additional funds, and in providing profile and aggregated data for MIMS and CIMP. Additionally, this integrated system will verify and complement local MIMS data, organize state level aggregate data for CIMP, enhance state level improvement planning, evaluate the effectiveness of state improvement planning strategies, and assist in managing finances and resources.

*The West Virginia Continuous Improvement Monitoring Process: Planting a System's Change*

*Presenters:* Kay Johnston, Coordinator, Office of Special Education, WV

Jim Parker, Coordinator, Office of Special Education, WV

Judy Robertson, Coordinator, Office of Special Education, WV

The presenters provided an overview of West Virginia's monitoring process over the past two years and a description of the state context and school demographics. Prior to 2000, monitoring was compliance oriented, with no accountability component for student results. There was little involvement of LEAs in decision making for corrective actions. LEAs were also trapped in the conundrum of too many IEP violations.

*Timeline of the change process:* In 1999-2000 the SEA developed a self assessment based on OSEP's model. In Spring 2000, extensive training was conducted. In Summer 2000, the SEA provided technical assistance on the self assessment process. In September 2000, self assessments from each LEA were due. For 2000-2003, validation of self assessments has been incorporated into on-site monitoring visits. Progress reports on plans are due each November.

West Virginia's current monitoring system includes the following characteristics: (a) increased accountability for student results; (b) all schools visited; (c) increased accountability at the school level; (d) LEAs involved in the process through self assessment and improvement planning; and (e) on-going evaluation and continuous improvement. There are five components of the monitoring process: self assessment; data analysis by the Office of Special Education; on-site review; improvement planning; and the monitoring report. The monitoring instrument has 10 self-assessment standards and 40 indicators.

Monitoring information in West Virginia has been used in developing the recent OSEP self assessment, professional development activities, the state strategic planning process, unified school plans, tying discretionary grants from the SEA to CIMP, and in developing the Biennial Performance Report.

*Focused Monitoring Part I: Context, Data Management, Sample Analyses and LEA Profiles*

*Presenters:* W. Alan Coulter, Director, National Center for Special Education

Accountability Monitoring, LSU Health Sciences Center

Mary Hudler, Assistant to the Director of Special Education, CA

Eileen Amy, Administrator, Bureau of Instructional Support and Community Services, FL

Virginia Beridon, Director of Special Education, LA

Trudy Potts, Director of Focused Monitoring, NM

Chris Drouin, Special Education Consultant, CA

Lalit Roy, Special Education Section Chief, CA

Karen Denbroeder, Program Supervisor, Bureau of Instructional Support and Community Services, FL

Denise Stewart, Consultant, FL

Batya Elbaum, Research Assistant Professor, University of Miami, FL

Liz Leger, State Coordinator for Focus Monitoring, LA

Donnalee Ammons, Monitoring Consultant, LA

Alan Coulter began the session with a definition of focused monitoring and an overview of the three focused monitoring presentations. The purpose of these sessions was to provide information about the activities of four states (CA, FL, LA, and NM) implementing focused monitoring. The visual presentation from these sessions is available online at the special education accountability website: <http://www.hdc.lsuhscc.edu/> (Click on National Monitoring Conference in Salt Lake City). This first session focused on data, data management and individual system profiles.

Louisiana: Louisiana moved toward a focused monitoring approach for several reasons: previous monitoring had not brought about change and was not focused on improving student outcomes; the federal emphasis on performance outcomes in the general education curriculum; and a statewide accountability initiative. Due to a court order, Louisiana had a special education data system in place prior to starting focused monitoring. The state also has a student information system for general education and collects statewide achievement data. The data are entered into a data management system from the local level to the state level. Performance Profiles of each school system are disseminated annually. The profiles include 12 data elements related to student outcomes, chosen by the state stakeholders group. Three of the data elements are chosen as “focus indicators” for ranking the school systems each year.

Florida: The context for changing monitoring in Florida included dissatisfaction with the “old” process, limited resources, a desire for a meaningful system that supports improved student results and the need to connect with the State Improvement Process. Florida’s focused monitoring triggers were developed based on guidance from a stakeholder workgroup. They include regular class participation, dropout rate for students with disabilities, graduation with a standard diploma and participation in assessments. Florida’s LEA profiles are used for continuous and focused monitoring. LEA profile features were described and data quality issues were discussed.

California: Based on a desire to develop a monitoring approach that was more outcome-focused, a stakeholder group developed key performance indicators (now 10). These indicators are used to inform all monitoring and technical assistance activities. Twice a year data are entered into the California Special Education Management Information System (CASEMIS) for all children with an IEP or IFSP. This is not just a data system, but also an infrastructure where other data elements can be added. The flow of data to and from CASEMIS was discussed as well as the selection of districts for monitoring. California is currently developing benchmarks and targets for the key performance indicators.

New Mexico: The goal of New Mexico's current approach to monitoring is to help the system better enable students with disabilities to benefit from, and make progress in, their educational programs. New Mexico has an accountability data system (ADS) to gather data from all school districts. A stakeholder group developed key performance indicators and discussed data that needs to be collected. Each year a stakeholder group chooses focused indicators and there is the potential for these indicators to change every year. For 2002-2003, the indicators are: least restrictive environment; evaluation/identification of specific learning disabilities; student performance; and test participation. Based on these indicators, LEAs are designated for monitoring purposes as *focus* LEAs, *random* LEAs, or *continuous improvement* LEAs.

*A Statewide Quality Improvement Monitoring System of Municipalities and Providers of Early Intervention*

*Presenters:* Denise Berletic, Health Program Administrator, Early Intervention, NY  
Mary Lou Clifford, Public Health Program Nurse, Early Intervention, NY

The New York State Department of Health, Early Intervention Program conducts quality improvement monitoring reviews of municipalities administering local early intervention programs (58) and providers of early intervention services. The state contracts out monitoring responsibilities. Fourteen municipalities, 60 provider agencies and 120 individual providers are monitored each quarter. A data system is being developed to automate scheduling, collect data during the review process, produce the reports and provide data to the state. Review tools are programmed into this system and teams can enter their findings while on site.

Pre-review procedures include the following: telephone surveys with parents; surveys of counties and providers; self assessment by provider/municipality prior to on-site visit; and review of parent survey data, previous monitoring reports and corrective action plans (CAP). On-site review procedures include entrance interview, observation of facility, review of child records and additional documentation, staff interviews and exit interviews. Review tools have several purposes: (a) to gather data from various sources; (b) to include interactions with providers, municipalities and parents to assess practices; and (c) to ensure compliance with the state's early intervention program regulations. The post review activities include drafting a monitoring report and developing a CAP. The provider/municipality has 30 days to respond to the draft report. The state will provide assistance in developing the CAP if needed. Once the CAP is accepted and all comments received, the report will be finalized and made public.

*The North Carolina Continuous Improvement Monitoring System (CIMS)*

*Presenters:* Mark Gupton, Monitoring Consultant, Exceptional Children's Division, NC

Ira Wolfe, Monitoring Consultant, Exceptional Children's Division, NC

Bobbie Grammer, Monitoring Consultant, Exceptional Children's Division, NC

This session provided an overview of North Carolina's multifaceted process for monitoring program compliance, student outcomes and quality educational practices. The five phases of North Carolina's revamped monitoring process (modeled on OSEP's CIMP) were discussed:

1. self assessment;
2. validation data collection;
3. continuous improvement planning and implementation;
4. verification; and
5. continuous self-directed improvement and focused review.

The system incorporates features of North Carolina's former program compliance audit system allowing for verification of child counts and expenditures, teacher certification and other compliance requirements. Presenters shared the history of the new system's development including stakeholder input, pilot testing in seven districts in 1999 and creation of a related data management system (currently in process). This system also incorporates a significant focus on student outcomes, including review of the data on participation and performance on assessments, suspension/expulsion, graduation and dropout rates and post-school outcomes. The session closed with discussion of issues and next steps (the presenter noted that there are school systems entering phase three) including, on-going motivation of stakeholders and evaluation and refinement of the system following full completion of the five-year cycle.

*Florida's Early Intervention Program: Continuous Improvement Monitoring Process*

*Presenter:* Renee Jenkins, Operations Review Specialist, Department of Children's Health, FL (Part C)

Last year, Florida's Early Intervention program piloted a new Continuous Improvement Monitoring Process, designed to make monitoring more responsive to outcomes for children and families. Program requirements have been grouped into 15 components that are ranked according to those more directly related to positive outcomes. These components are the basis of monitoring. All 16 local programs develop a community plan incorporating the 15 components. Monitoring includes two levels—a desk review and a comprehensive on-site review. During monitoring, an EXCEL program is used that allows monitors to record whether or not a program is in compliance with the 15 components. A report is developed from this information that serves as the beginning of a corrective action plan. The state works with local programs to develop an approvable corrective action plan and a specific technical assistance plan. Every non-compliant issue does not receive a TA plan, only those that are persistent concerns.

After monitoring, local and state data are analyzed to clarify identified issues, develop new data elements, update policies and revise training and technical assistance. For example, the state has developed a policy on the natural environments service delivery model, conducted statewide

dispute resolution training and developed strategies to reduce service coordinator caseloads. Incentives are included in the new monitoring process and are based on overall compliance, compliance by components and most improved performance. Consequences are natural consequences and include targeted site visits, written performance agreements, annual quality assurance reviews and cancellation of contracts. The monitoring process is ongoing and is evaluated by monitoring results, examining data trends and surveying monitoring participants.

*Focused Monitoring Part 2: Continuous Role of Stakeholders, Types and Selection of LEAs, and Remaining Data Issues*

*Presenters:* W. Alan Coulter, Director, National Center for Special Education  
Accountability Monitoring, LSU Health Sciences Center  
Mary Hudler, Assistant to the Director of Special Education, CA  
Eileen Amy, Administrator, Bureau of Instructional Support and Community  
Services, FL  
Virginia Beridon, Director of Special Education, LA  
Trudy Potts, Director of Focused Monitoring, NM  
Chris Drouin, Special Education Consultant, CA  
Lalit Roy, Special Education Section Chief, CA  
Karen Denbroeder, Program Supervisor, Bureau of Instructional Support and  
Community Services, FL  
Denise Stewart, Consultant, FL  
Batya Elbaum, Research Assistant Professor, University of Miami, FL  
Liz Leger, State Coordinator for Focus Monitoring, LA  
Donnalee Ammons, Monitoring Consultant, LA

Alan Coulter began the second of three sessions on focused monitoring by providing a definition of focused monitoring and an overview of the three focused monitoring presentations. The purpose of the three sessions was to provide information about the activities of four states (CA, FL, LA, and NM) that are implementing focused monitoring. The visual presentation from these sessions is available online at the special education accountability website: [www.hdc.lsuhs.edu](http://www.hdc.lsuhs.edu). This second session focused on the continuous role of stakeholders, type and selection of LEAs and remaining data issues.

California uses key performance indicators and other data to customize and focus LEA monitoring. LEAs are required to design a method for obtaining parent input. The SEA specifies minimum questions to be addressed, a minimum level of participation and the need for special language groups, etc. LEAs may obtain parent input via focus groups, parent input meeting and/or surveys.

New Mexico has a diverse stakeholder group. This group has met since 2001, developed key performance indicators and selected four “focus” indicators—least restrictive environment, evaluation/identification of specific learning disabilities, student performance and test participation. Based on the four focus indicators, LEAs fall into one of three groups for monitoring purposes—random, focused, or continuous improvement. The process for determining how LEAs are categorized was discussed.

Louisiana stakeholders play an important role in Louisiana's focused monitoring process. They select the key indicators, decide on the tools to be used in the process and select sites to receive monitoring visits. Louisiana has learned that teamwork is the best approach. This year's key indicators are high school diploma rate, placement settings and assessment participation and performance. The state is divided into four population groups; the LEA that scores lowest on the indicators in each group receives a monitoring visit. Additionally, 10 percent of the LEAs are chosen randomly for a visit. Exemplary systems are also visited (those that receive top scores in their population group).

Florida obtain input from stakeholders (including parents, teachers and students) via workgroups, surveys/questionnaires and interviews. A monitoring workgroup with diverse representation helped develop the new monitoring system. They developed the following four key data indicators: percentage of students with disabilities in the regular education classroom, graduating with a regular diploma and participating in state assessment; and dropout rate for students with disabilities. Monitoring processes include focused, random, or self- assessment/continuous improvement. Continuous evaluation information will change over time. Key principles for stakeholder participation in the monitoring process include using multiple methods and data sources.

*Using Data Analysis to Enhance the Monitoring Process*

*Presenters:* Pamela Baker, Manager, Division of Accountability Development and Support, TX

Lisa Gregg, Program Specialist, Division of Accountability Development and Support, TX

Texas has over 1,200 school districts and charter schools. Responsibilities for special education are distributed throughout the SEA rather than located in one division. Monitoring across programs is conducted by the Department of Quality, Compliance and Accountability Reviews. The Texas Education Agency (TEA) has established good communication and collaboration strategies to effectively integrate requirements within the state's systems. TEA is in the process of expanding this collaboration across departments within TEA. For example, the state's agency-wide monitoring system is in the process of compiling data from a variety of TEA departments (e.g., financial audits and child nutrition) and soon all monitoring data will become part of the state's new automated reporting system. This automation will significantly increase the efficiency and accuracy in both gathering and reporting district data.

The TEA analyzes a district's status based on its results in the statewide assessment system, the Special Education Data Analysis System, special education complaints and due process hearings. The Special Education Data Analysis System currently considers 12 elements in district performance (e.g., federal and state risk factors, performance on the state assessment system and dropout rate). Complaints and due process hearings are tracked and analyzed by the state's Division of Complaints and the Division of Legal Services and data are provided to the Department of Quality, Compliance, and Accountability Reviews to be included in the selection process for monitoring. District visits may be made for the following reasons: compliance on-site reviews, corrective action reviews, non-public facility reviews (when a district wants to place a student in such a facility) and other special investigations.

Common components for all on-site visits include establishing monitoring criteria, gathering data, data analysis, decision making and feedback. Compliance is judged on approximately 350 items that target systemic issues, child-specific findings and corrective actions. Assessing quality and effectiveness occur through input from roundtables of district staff and parents, campus visits, case studies and staff interviews.

The yearly demand for 200 on-site visits exceeds the capacity of the permanent staff (5 FTE), so additional support is outsourced (35 contracted monitors) and the Texas Schools Improvement Initiative provides peer reviewers. An innovative on-line training for these reviewers has proven successful and resource efficient. The TEA cannot provide technical assistance under state law; this function resides with the Regional Educational Service Centers, whose staff members participate in the monitoring training provided by the state. Other resources for districts in the monitoring process are maintained on the Department's website. The Automated District Effectiveness and Compliance Reporting System will be a comprehensive tool in the near future to help the TEA use data and computers to make the monitoring system more accurate and efficient.

*Exploring the Relationship Between Monitoring Local Early Intervention and Preschool Programs and Providing Technical Assistance*

*Presenters:* Tal Black, Associate Director, NECTAC  
Renee Jenkins, Part C Program, FL  
Anne Lucas, Part C Coordinator, VA  
Maria Synodi, Section 619 Coordinator, CT  
Carolyn Stiles, Part C Program, NH

Representatives from four states described the focus of their monitoring and TA, with the ultimate goal of sustaining the quality of local programs.

Florida: The Department of Health, the Part C lead agency, contracts with 16 local programs, which, in turn subcontract with direct service providers. The monitoring system includes an annual desk review of 15 components. Each program receives a comprehensive on-site review at least every three years. Florida's technical assistance system is designed to promote effective systems change and improve the quality, compliance and results of services and supports. The TA liaison works with other lead agency staff to devise a compliance and quality improvement TA plan. The plan describes the recipients, methods of TA and timelines. The TA system contains tracking and evaluation components for continuous review and improvement.

New Hampshire: The Part C program is located in the Department of Health and Human Services. The state agency contracts with 12 area agencies, which in turn subcontract with 23 local programs. The state's continuous quality improvement process begins with regional self assessment of data collected through local programs, followed by analysis of those data by regional teams and development of an improvement plan that is submitted to the state. TA is based on needs identified through the self assessment and compliance monitoring phases, provided to individual programs and statewide, from a variety of sources, such as professional groups, trainings, focused TA by Part C state staff, etc.

Virginia: The Part C system is decentralized, with nine state agencies and 40 local Interagency Coordinating Councils (ICCs). Common elements in the state's monitoring and TA systems are: focus on results; data-driven decision making; locally-driven process; and building local capacity. The monitoring system contains self assessments, state verification reviews and logic model analyses to develop Plans of Improvement. TA is provided during all stages and consultants from both the monitoring and TA sections coordinate to ensure integrated and systems-focused local plans. Maintaining relationships between the TA and monitoring components continues to present challenges, but the systems are positively regarded by local entities and state staff. Focused monitoring considerations are being discussed for 2004.

Connecticut: The state has six regions and 158 LEAs. Each region is monitored at least once every six years. All LEAs in the region are monitored and receive either a site visit or a portfolio review (i.e., desk audit, but no site visit). Decisions regarding site visits are based on a set of triggers. Occasionally a LEA is selected that is not in the region being monitored due to concern, for example, about data or complaints. Monitoring results and data are linked to CSPD, SIG, general supervision, TA and training initiatives. The state is introducing focused monitoring. The predominance of focused monitoring on issues for older students (e.g., transition, dropout and graduation) may contribute to less visibility for the preschool population. "If we don't ask for 3-5 data, the population potentially loses importance;" hence the description of the state's preschool program as the "golden gate between two pieces of land." The Part B 619 program provides facilitation/connection between Part C and entering Part B school-age programs.

Tal Black asked the panel of states to describe the benefits and challenges of maintaining close relationships between monitoring and TA. Benefits included improved effects of targeting assistance to monitoring issues, improved systemic outcomes and improved accuracy and consistency. Challenges ranged from dueling priorities, alternating "hats," inadequate time and variety in expertise. Further information and details on state early childhood TA systems can be found on the NECTAC website, <http://www.nectac.org/topics/statetasys/statetasys.asp>.

#### *Tools for Accountability and Monitoring*

*Presenter: Jean Taylor, Quality Assurance Coordinator, ID*

Idaho has focused on increasing monitoring efficiency and motivating districts to produce systemic change by matching similar districts, setting equitable goals and rewarding improved outcomes for students. In the past three years the state has moved toward an outcome-based process and more focused monitoring with a strong emphasis on the use of data. This has allowed for better allocation of resources in a large state with a small DOE staff. It also has provided an incentive for districts to begin using the data they report to the SEA.

*Tools for Accountability and Monitoring*: Districts report data annually to the state special education director, district superintendent and the public via the state's website. Goals on indicators are established by matching similar districts. A monitoring decision matrix is used that outlines areas of possible concern and areas where more information is needed. District self-evaluation is conducted one year before state monitoring. Districts develop a plan for improving results. A tiered monitoring approach is used with three options: full review, focused review or mini review.

Advantages of this new process include partnership between the state and districts in meeting goals, fair expectations, improved outcomes for kids, allocation of resources to areas of greatest need in the state and change of focus from process to outcomes.

*Kansas Continuous Improvement Monitoring: Documenting Data-Driven Decision Making in Kansas Schools*

*Presenters:* Carol Dermeyer, Coordinator, Student Support Services Team, KS  
Nancy Gray, Education Program Consultant, KS  
Deb Chappell, Technical Assistance Project Coordinator, KS  
Crystal Davis, Program Evaluations Specialist, KS  
Kevin Davis, Program Evaluations Specialist, KS

During the Kansas Continuous Improvement Monitoring (CIM) cycle, local agencies engage in data collection, data analysis, improvement planning, implementation of improvement strategies and progress monitoring. Guidance for these activities is provided in the Kansas CIM Workbook and self-assessment document. It is the expectation that CIM will enhance program improvement and result in better services and supports for students with exceptionalities, allowing them full access, participation and progress in the general curriculum.

The CIM Self Assessment is the summary of each LEA's compliance with special education laws and regulations. It documents the effectiveness of each LEA's special education and related services based on student performance and outcomes. The self assessment contains 66 indicators that each LEA must address during the first year of its CIM cycle. These indicators can be sorted by both the type of data they require and the topics they address. For each indicator, the LEA gathers the appropriate data, analyzes it and then determines its level of performance using a performance level rubric. Indicators are ranked as strength, meets requirements, needs improvement or non-compliant. The self-assessment process is driven by data—performance data, survey data, observation data and data from review of student files. LEAs identify improvement strategies for indicators needing improvement or those that are non-compliant. Data are reported annually to document whether they are showing improvement.

LEAs receive support and technical assistance throughout the CIM process from a CIM facilitator, technical support staff, process overview training, an on-site visit team member training and legal requirements database training. Upon completion of the self assessment, each LEA is encouraged to align its Continuous Improvement Application (CIA) with any CIM indicators identified as needing improvement or being non-compliant.

*Focused Monitoring Part 3: On-Site Processes, Report Writing, and Corrective Actions*

*Presenters:* W. Alan Coulter, Director, National Center for Special Education  
Accountability Monitoring, LSU Health Sciences Center  
Mary Hudler, Assistant to the Director of Special Education, CA  
Eileen Amy, Administrator, Bureau of Instructional Support and Community  
Services, FL  
Virginia Beridon, Director of Special Education, LA  
Trudy Potts, Director of Focused Monitoring, NM

Chris Drouin, Special Education Consultant, CA  
Lalit Roy, Special Education Section Chief, CA  
Karen Denbroeder, Program Supervisor, Bureau of Instructional Support and  
Community Services, FL  
Denise Stewart, Consultant, FL  
Batya Elbaum, Research Assistant Professor, University of Miami, FL  
Liz Leger, State Coordinator for Focus Monitoring, LA  
Donnalee Ammons, Monitoring Consultant, LA

Alan Coulter began with a definition of focused monitoring and an overview of the three focused monitoring sessions. This third session provided information about the activities of four states (CA, FL, LA and NM) implementing focused monitoring. The visual presentation from these sessions is available online at the special education accountability website: [www.hdc.lsuhs.edu](http://www.hdc.lsuhs.edu). (Click on National Monitoring Conference in Salt Lake City.) This third session focused on the on-site process, report writing and corrective actions.

Florida: Prior to going onsite, information is gathered through parent, teacher and student surveys; review of student records and district forms; and a pre-staffing for the SEA staff. On site, the team conducts individual interviews; holds parent, teacher and student focus groups; and conducts student case studies and classroom observations. Activities take place at the district and school level. Reports always address staff knowledge and training, stakeholder opinion and the factors associated with the four key indicator “triggers.” A system improvement plan is developed based on the key issues determined by the monitoring team.

Louisiana: The pre-staffing includes all members of the monitoring team, which does not include any SEA staff. Peers from other districts, parents and university personnel conduct the on-site visit. During the visit, the team can change the direction of the investigation based on what is learned and discussed at daily debriefings. At the end of the visit, the team must arrive at consensus if there is a finding of systemic non-compliance. The team leader conducts a brief exit meeting. Reports are delivered to the LEA within 60 days. The corrective action plan includes timelines and personnel responsible for items on the plan. The LEA must provide “evidence of change.” Contact with the SEA during this time is ongoing. A follow-up visit by the team leader is made one year later.

California: In preparing for a focused monitoring visit in California, data from the key performance indicators for the LEA are compiled and reviewed along with the results of parent focus groups and surveys. Elements reviewed include on-site, self-reviews, findings, corrective actions and tracking information. Standard and customized on-site and self-reviews are conducted. Compliance includes both procedural guarantees and educational benefits. A new review component is being used this year to determine if services are reasonably planned to result in education benefit for students.

New Mexico: The selection of LEAs to monitor in New Mexico is based on performance on the indicators and the type of LEA (focused, random, or continuous improvement). The on-site team does not include SEA staff. The team leader is a retired educator, with three to five members who are peers from other districts and one to two members who are parents. The visits range

from three to five days, including a parent information meeting on day one. The rest of the visit includes interviews, file reviews and classroom observations. The report is drafted and revised by the team leader and edited and finalized at the SEA. A systemic finding of non-compliance must be corroborated by two to three sources. The SEA determines "evidence of change" measures. The LEA then drafts its improvement plan with guidance from the SEA. The SEA must also approve the plan. Ongoing assistance is provided with a follow up visit by the SEA consultant one year later.

### **Post-Conference Plenary:**

*OSEP Monitoring: Continuous, Results-Oriented and Focused*

*Presenters:* Ruth Ryder, Division Director, Monitoring and State Improvement Planning, OSEP

Larry Wexler, Deputy Director, Monitoring and State Improvement Planning, OSEP

Sarah Willis, Part C, Monitoring and State Improvement Planning, OSEP

The visual presentation from this session is available online at the National Monitoring and Best Practices Website (look for the National Monitoring Conference link) at:

<http://www.dssc.org/frc/nmpp/index.htm>.

This session provided information on the direction OSEP monitoring is moving—the next phases of CIMP. This is the transition year and MSIP will review what the monitoring process means for OSEP and the states.

OSEP's monitoring process has evolved over time. Many changes have been made based on input from the national monitoring stakeholder group, including:

- *public awareness and involvement*— monitoring has become a more open process, with steering committees playing a central role;
- *focus*— monitoring is moving from compliance to a results focus;
- *scope of OSEP data collection*—data collection has become more focused on critical areas;
- *accountability*—has shifted to the states;
- *improvement*—the monitoring focus has moved from process to improvement for students;
- *technical assistance and support*—the RRCs and NECTAC have moved toward a more holistic approach to providing TA and support; and
- *consequences*—have shifted from corrective action plans (compliance-oriented) to improvement plans (results-focused).

Future changes in OSEP monitoring will include involving communities and the public more in the process; focusing on critical outcomes and indicators; using a structured process to select states for OSEP intervention; providing purposeful integration of technical assistance to states; and using predictable rewards and sanctions. The current challenge is how to take the best of CIMP and best of focused monitoring and develop an evidence-based, effective, timely and transparent federal monitoring process.

The best of CIMP includes:

- steering committee involvement;
- use of self assessment (evidence-based) to determine areas needing improvement;
- use of improvement plans to guide change activities;
- states taking ownership and accountability for improvement; and
- focusing on results for children and families as well as compliance.

The best of focused monitoring includes:

- critical outcome and indicator data used to focus improvement activities;
- data and information made public (similar to CIMP);
- evidence-based information used to allocate OSEP resources;
- clear, predictable triggers used for determining interventions and sanctions; and
- OSEP providing support to states in need of improvement.

In order to meet this challenge, OSEP has conducted a cross walk of the CIMP cluster components and indicators, focused monitoring priority areas and indicators and GPRA objectives and indicators, resulting in a simplified set of child and family outcomes and indicators. Additionally, characteristics of effective state systems have been developed (these will be rolling out soon) and OSEP leverage points for change have been identified. Bringing together CIMP and focused monitoring, a model has emerged that has three main components: (a) identification—state selection for intervention; (b) analysis—a closer look behind the data/drill down; and (c) improvement—planning and implementing to leverage change.

*Identification:* OSEP will be using rank order data. This is primarily the 618 data (used for the Annual Report to Congress) and some Biennial Performance Report (BPR) data. OSEP also wants to eventually use data that are not yet available (e.g., data on family capacity, family involvement and post school outcomes). Specifically for Part B, OSEP will use 618 data on exiting and educational environments. Specifically for Part C, OSEP will use data on identification and settings.

*Analysis:* Once a state is identified for intervention, OSEP will work with the state to go deeper into the data, breaking information down by race/ethnicity, disability, region, etc. In addition, data will be examined from the self assessment, improvement plan and public input.

*Improvement:* OSEP will work with states to develop an aggressive evidence-based improvement plan. The plan must include timelines and benchmarks to measure improvement. OSEP will review and approve the plan. If there is improvement, then the state will continue to work on improvement activities. If the state does not meet the benchmarks or timelines, then OSEP will further analyze the problem (e.g., Were strategies implemented? Are there political reasons progress was not made? Were strategies ineffective? ).

Using 1999-2000 data and the priorities, indicators, benchmarks and triggers developed by the national monitoring stakeholders group, Sarah Willis gave a practical example of how this process would work for Part C. Larry Wexler gave a practical example of how this process would work for Part B. *Priorities* are key elements of IDEA. *Indicators* measure whether a priority has been met. *Benchmarks* are the level of expected state performance relative to the

indicators. *Triggers* are used to determine when OSEP would intervene. Based on trigger levels states are placed in one of four categories:

Category 1 — meeting or exceeding the benchmarks

Category 2 — below benchmarks, but should be able to meet benchmarks relatively quickly

Category 3 — significantly below benchmarks, needs intervention to meet benchmarks

Category 4 — critically below benchmarks, needs intensive intervention to meet benchmarks

#### Part C example:

Priority — all infants and toddlers are appropriately identified

Indicator — the percentage of infants and toddlers with IFSPs

Benchmark — at least 2% of infants and toddlers have IFSPs

Category 1 — at least 2% of infants and toddlers have IFSPs (22 states)

Category 2 — less than 2% but more than 1.75% of infants and toddlers have IFSPs (9 states and PR)

Category 3 — less than 1.75% but more than 1.5% of all infants and toddlers have IFSPs (5 states)

Category 4 — less than 1.5% of infants and toddlers have IFSPs (14 states and DC)

OSEP will intervene with states falling into Category 4. OSEP will work with these states to go deeper into the data, conducting a “drill down.” For this indicator, OSEP would look at the state’s eligibility definition, trend data, whether children with IFSPs represent the state population (race/ethnicity, income, rural/urban, migrant, etc.), how well child find is coordinated with other state agencies, referral sources and public awareness materials.

#### Part B example:

Priority — inclusion of children and youth with disabilities in typical community and school settings with their nondisabled peers with needed supports

Indicator — percentage of children with disabilities outside regular education class less than 20% of the school day; percentage of children outside regular education class greater than 60% of the school day; percentage of children in separate school/facility.

Benchmark — 90% of children with disabilities will be educated in general education classes for 80% or more of the school day

OSEP will intervene with states falling into Category 4. In the drill down, OSEP will look at more recent data, trend data, factors that might skew data (e.g. large population centers), race/ethnicity, state policies and procedures around an issue. Developing a data infrastructure is critical to this process. The purpose of the “drill down” is to focus state monitoring efforts, identify problems and develop improvement strategies.

Ruth Ryder presented several remaining challenges to this process, including:

- lack of data for some priorities;
- accuracy of data—there are no real time data, so the best data available will be used (Westat will work with states to ensure the data are as accurate as can be);
- limited technical assistance resources—funds are not available to work with every state;

OSEP would like to put more money in Part D;

- implementation of a results-oriented system within a process-oriented law (e.g., there is nothing in the law that says states must serve two percent of infants and toddlers or that graduation rates should be at a certain level).

Participants broke into small groups by RRC regions to generate questions regarding this new monitoring approach. Each group was asked to bring their top questions to the larger group for discussion. Below is a summary of the large group question and answer session.

Q: Why doesn't OSEP collect gender data?

A: OSEP does not have the authority to do so. At the time of reauthorization, OSEP will provide input on additional data it would like to collect.

Q: LRE is a process not an outcome; can this be taken into account?

A: LRE data are viewed as a proxy for participation in the general education curriculum. It is also part of a civil rights requirement. As better performance data are collected, OSEP hopes to cross walk LRE data in states with performance data.

Q: There are a number of questions about graduation and dropout data—each state has different definitions and requirements, how can OSEP compare data across states?

A: In order to try and address this concern, general education graduation rates were used and states were ranked based on their difference between general and special education graduation rates. Another problem is that this is a moving target because graduation requirements change. Remember these rankings do not put a state out of compliance; rather it is a catalyst for OSEP to take a closer look at what is going on.

Q: Is there any movement toward common definitions of benchmarks, triggers, etc.?

A: OSEP hopes that definitions will be developed as part of the work of the new national monitoring center.

Q: What is the research base for setting the Part C child find benchmark at two percent of infants and toddlers with IFSPs?

A: The two percent was established as a GPRA indicator and was based on CDC (Centers for Disease Control) data. The CDC tracks diagnoses and has found that 1.5 percent of this population, at a minimum, is diagnosed with a specific condition or syndrome. Depending on a state's definitions, at least another .5 percent would be identified. This information is not available in writing.

Q: If there is a focus on the number of children served in Part C, where should the funding come from?

A: For this particular indicator, finance is not considered as part of the “drill down” because when a state draws down funds it ensures that child find will happen. Funding may be a factor for other issues (e.g. state funding formula encouraging more restrictive placements).

Q: Are there specific indicators for Section 619?

A: Section 619 issues fall into both B and C indicators. During “drill downs,” OSEP will look at

issues in common. For example, if Part C transition data does not look good, OSEP will look at both Part C and 619 information. Many of the Part B indicators apply to 619 and they will be looked at in that way.

Q: To what extent has OSEP ensured research efforts are coordinated with expected outcomes?

A: A next step regarding child and family outcome data is have one of the OSEP research projects take a look at these issues.

Q: What if OSEP picks different priority areas than the state chooses?

A: This would be a concern if the state has low performance in an area and has not chosen it as part of their improvement plan. OSEP would then want to take a look at why the concern is not being addressed.

Q: How does OSEP take into account where states are in their improvement planning?

A: OSEP views the process as continuous—no state will ever be done with improvement planning. If a state is low performing in an area, OSEP will do a drill down to see what's being done in improvement planning and address concerns.

Q: Is there a maximum number of areas that a state could be targeted for intervention?

A: The number of areas is limited to two for Part B.

Q: Is OSEP looking at trend data?

A: OSEP asked Westat to run trend data and these data will be considered.

Q: Considering the differences across states, how can states be ranked?

A: The whole point of focused monitoring is to focus resources. OSEP must identify states that need the most help. In order to this, comparisons are made across states, but trend data are used in the drill down.

Q: What is the intent of using BPR data?

A: NCEO is doing an analysis of some BPR data—participation and performance on assessment. The Center's staff has developed a way to rank this information, but OSEP recognizes that states are new at reporting these data. There is a department-wide group working to develop a single data collection for all programs in the department. This is in the very early stages. OSEP will continue to collect Section 618 data and would like to add performance data to the requirement. Then the BPR would be more an analysis than a report.

Q: What sanctions and rewards will OSEP use?

A: Sanctions will include designating a state as high risk; conditional grant approval; compliance agreements; cease and desist orders; withholding funds in part or in whole. Rewards include recognition as the primary reward (e.g., a letter to the governor and notice on the OSEP website). OSEP does not have the authority to attach money, but perhaps might consider awarding a small grant so the state could mentor other states or produce documents.

Q: How does focused monitoring affect what SEAs hold LEAs accountable for? Will states be cited for not monitoring districts if only focused monitoring is used?

A: OSEP does not have authority to tell states how to monitor (e.g., if a state visits/monitors every program every five years). If OSEP found a district that had a lot of problems and the state had not identified it, OSEP would look at the system to find out why that happened.

According to Ruth Ryder, 2001 data will be available soon and a rank ordering will be done. This information should be sent to the states in January, 2003.

Transition to this new process will include:

- aligning Part C Annual Performance Reports and Part B BPRs with CIMP self assessment and improvement plan reporting;
- validating child and family outcomes and indicators;
- identifying high-risk indicators;
- clarifying vocabulary (triggers, outcomes, etc);
- sending data out to states for review;
- developing technical assistance resources with OSEP's Research to Practice Division;
- defining roles for OSEP, RRCs and NECTAC, the Monitoring Center, and other OSEP-funded technical assistance centers;
- revising and issuing a new monitoring manual (hopefully by next summer);
- conducting summer institutes in 2003; and
- developing a communication plan with states and the public.

Additional items to note:

- 2002 grant award letters will go up on OSEP's website soon.
- There are plans to do collaborative monitoring in conjunction with NCLB and Vocational Rehabilitation Act.
- A third party evaluation of state monitoring is under consideration, including how it has been impacted by OSEP's monitoring (i.e., how has OSEP's general supervision of states impacted states' general supervision of LEAs).

In closing, remember change is like a curve in road, it is not a problem unless you forget to turn. We are all going to learn how to do this together.

### **Concluding Remarks**

Presentations at the Sixth National Monitoring Conference illustrate the ever-evolving monitoring practices at both the state and federal level. Presentations by OSEP staff provided an overview of the upcoming changes in OSEP monitoring, namely the integration of CIMP and focused monitoring. With regards to the development of a federal focused monitoring model, the work of the national stakeholders group was shared in several presentations.

State-level presentations portrayed state monitoring systems that have successfully incorporated elements of OSEP's CIMP, including the use of steering committees and stakeholders, data-based decision making, the use of self-assessment tools, integrating technical assistance and monitoring, and accountability (development of indicators and outcome measures). With the strong emphasis on accountability, data issues were the primary focus in several presentations and were discussed in several others. Data topics discussed included data collection,

development of data systems, data management, use of data, and concerns with the accuracy and reliability of data.

Since the last National Monitoring Conference in 1999, several resources have emerged that provide information specifically about monitoring in special education. These include:

National Monitoring and Promising Practices Website

<http://www.dssc.org/frc/nmpp/index.htm>.

OSEP Monitoring Website (U.S. Department of Education)

<http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>

National Center for Special Education Accountability Monitoring website

[www.hdc.lsuhs.edu](http://www.hdc.lsuhs.edu) (click on Special Education Accountability Consortium)

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