



Maine  
Department of  
Education

# IDEA Part B Annual Performance Report

Performance data, improvement activities  
and implementation on the State  
Performance Plan indicators

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*FFY 2012*

*July 1, 2012*

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## Part B State Annual Performance Report (APR) for FFY 2012

### **Public Posting of the SPP and APR**

The complete copy of Maine's SPP is available on the Maine Department of Education website:  
<http://www.maine.gov/doe/specialed/support/spp/index.html>

At the time of this submission the approved FFY 2011 APR is available to the public on the Maine Department of Education website: <http://www.maine.gov/doe/specialed/support/spp/index.html>

Maine will make available to the public the approved FFY 2012 Annual Performance Report upon completion of the review by OSEP.

Maine chooses not to report data for Indicator 20 with this submission. Maine ensures that, following the receipt of the FFY 2012 SPP/APR Response Table, the APR that the State posts on the Maine Department of Education website will include the OSEP-calculated data for Indicator 20.

## Part B State Annual Performance Report (APR) for FFY2012

### Overview of the Annual Performance Report Development

This Annual Performance Report (APR) is the eighth report of the progress toward the measureable and rigorous targets established in the State Performance Plan (SPP) on December 2, 2005. This APR reports improvement in a number of key indicators of the plan resulting from efforts in multiple program and support areas in the State of Maine.

### Description of Local Educational Agencies in Maine

**Schools** in the State of Maine are organized into School Administrative Units (SAUs) as defined by Maine Statute, 20-A MRSA Section 1 (26):

"School administrative unit" means the state-approved unit of school administration and includes a municipal school unit, school administrative district, community school district, regional school unit or any other municipal or quasi-municipal corporation responsible for operating or constructing public schools, except that it does not include a career and technical education region. Beginning July 1, 2009, "school administrative unit" means the state-approved unit of school administration and includes only the following:

- A. A municipal school unit;
- B. A regional school unit formed pursuant to chapter 103-A;
- C. An alternative organizational structure as approved by the commissioner and approved by the voters;
- D. A school administrative district that does not provide public education for the entire span of kindergarten to grade 12 that has not reorganized as a regional school unit pursuant to chapter 103-A;
- E. A community school district that has not reorganized as a regional school unit pursuant to chapter 103-A;
- F. A municipal or quasi-municipal district responsible for operating public schools that has not reorganized as a regional school unit pursuant to chapter 103-A;
- G. A municipal school unit, school administrative district, community school district, regional school unit or any other quasi-municipal district responsible for operating public schools that forms a part of an alternative organizational structure approved by the commissioner; and
- H. A public charter school authorized under chapter 112 by an entity other than a local school board.

Throughout this APR, the terms SAU, LEA and district will be used interchangeably.

During the 2006-2007 school year LEAs across the State began conversations about developing partnerships with nearby school administrative units and regionalizing to achieve savings without adversely affecting students in the classroom, as required in legislation. Consolidation and conversations about consolidation have been guided in part by the data developed through the SPP process and the communities involved in consolidation activities have addressed educational and financial opportunities to improve services for all children. An expectation of the consolidation process was that LEAs would become larger as communities combine resources and identify with one another. This has helped compensate for Maine's declining enrollment by building larger service areas for the students educated in the newly defined regions. In the past two years, however, several LEAs that had consolidated with others have withdrawn from those consolidated entities. Some withdrawals have been approved by towns that will go into effect July 1, 2014. Additional attempts at withdrawal are expected in the future. Consolidation is likely to remain somewhat fluid for some time.

**Child Development Services (CDS)**, the governmental entity that serves as an Intermediate Educational Unit (IEU) of the Maine Department of Education (Maine DOE), provides all general supervision duties, data and analysis for all of the Part C indicators and the Part B/619 indicators due to the symbiotic nature of CDS' relationship with the Maine DOE, described in state statute: The Maine DOE Commissioner, "shall establish and supervise the state intermediate educational unit. The state intermediate educational unit is established as a body corporate and politic and as a public instrumentality of the State for the purpose of conducting child find activities as provided in 20 United States Code, Section 1412 (a) (3) for children from birth to under 6 years of age, ensuring the provision of early intervention services for eligible

children from birth to under 3 years of age and ensuring a free, appropriate public education for eligible children at least 3 years of age and under 6 years of age.” MRSA 20- A §7209(3)

During FFY 2012 CDS again encountered change. In summer 2012, Cindy Brown was appointed as CDS State Director. The Aroostook and York sites had a change in leadership and interim directors were appointed. Also, the regional site directors at Downeast and Midcoast retired and interim directors were named.

The nine regional site directors meet at least two times a month, at the CDS State IEU located at the MDOE, for Regional Site Leadership Team (RSLT) meeting. The CDS State IEU facilitates the meetings. The meeting agendas include such topics as: procedures; regulations; and problem solving. Regular meetings provide opportunities for regional site directors to support one another and for the CDS State IEU staff to provide updates and technical assistance (TA), and answer any questions regional site directors may have.

The CDS State IEU Leadership Team meets regularly to discuss a variety of topics including fiscal, policy, data, human resource and site performance across all areas. The CDS State IEU Leadership Team is made up of the CDS State Director, Deputy Director, Quality Assurance Director, Data Director, Human Resources Director and Finance Director.

In order to help achieve consistency throughout the nine sites, the Deputy Director and the Quality Assurance Director became Points of Contact (POC) for the regional sites. The basic function of the POC is to be the primary communication link between the regional sites and the state office.

### **Stakeholder Group Activities**

Regional stakeholder agencies have been heavily involved in the development and implementation of technical assistance and professional development to the field. These agencies include Maine Administrators of Services for Children with Disabilities (MADSEC) and Maine Parent Federation (MPF). These agencies have participated in State Personnel Development Grant (SPDG) goal workgroups and partnered with Maine DOE Office of Special Services to provide the professional development to the field.

The State Advisory Panel (SAP) was separated from the combined Part B and Part C advisory panel (MACECD) in the Spring of 2012, with recruitment efforts conducted for gubernatorial appointments for both the Part B State Advisory Panel and the Part C Interagency Coordinating Council by the current Governor (whose term began in January 2011). Up until March 2012, the combined advisory group provided guidance and support to the Maine Department of Education in implementing the State Performance Plan (SPP). Progress on the APR was shared with and reviewed by the full body of this group quarterly. As a group of dedicated volunteers with the best interests of children with disabilities age birth through 20 in mind, they were asked by the Maine Department of Education to look at the documents with a critical eye and assess what needed to be addressed in order to ensure accurate and adequate service delivery to the students receiving special education services in the State of Maine.

The newly appointed Part B advisory board had its first meeting May 15, 2013. During this first year of operation the SAP has received technical assistance from the Northeast Regional Resource Center around the structure of the State Performance Plan and the roles and responsibilities of the SAP. Professional development from Maine DOE Office of Special Services team members to the SAP has been provided regarding department initiatives for the membership to begin thinking about what their priority areas may be. At the time of this writing the SAP has established their leadership and is developing a meeting and communication structure to address the needs of the SAP and Maine DOE. The SAP has had an opportunity to review the SPP and APR and respond with feedback which was incorporated into the draft, as appropriate. This first opportunity for the membership to participate in this activity has further informed the group's discussions regarding focus areas for the future, in particular stakeholder participation in the proposed SSIP.

The Maine Department of Education continues to solicit input and feedback from various stakeholders in the education community. Final copies of the FFY 2012 APR will be posted on the Maine Department of Education website:

<http://www.maine.gov/doe/specialed/support/spp/index.html>

### Technical Assistance

Various national technical assistance centers have been engaged to continue improvement with data system, APR reporting consistency, and improvement actions developed during the Targeting Indicator Improvement activities begun in FFY2010. These agencies include New England Regional Resource Center (NERRC), National Association of State Directors of Special Education (NASDSE), and The National Secondary Transition Technical Assistance Center (NSTTAC).

Maine DOE Office of Special Services contracts with technical assistance and dissemination resources regionally and nationally to provide evidence based practice professional development (EBP PD) to educators, parents and interested parties. Maine requested and received an award (the Enhanced Technical Assistance grant) from NSTTAC to improve indicator B13 compliance.

CDS utilizes technical assistance, professional development and dissemination resources throughout the State to provide scientifically based materials and instruction to educators, parents and interested parties. All contractors providing technical assistance to regional sites in the State are aligned with, and engaging in, the services of national technical assistance centers to provide the most current practice available. All work done by contracted individuals must be consistent with Office of Special Education Programs (OSEP) SPP and APR indicators as well as Maine Unified Special Education Regulations (MUSER).

Additionally, CDS has requested assistance in the areas of eligibility timelines, unmet needs, least restrictive environments, Expanding Inclusive Opportunities, child outcomes, C to B transition, General Supervision System, APR assistance, and data analysis from the Northeast Regional Resource Center (NERRC), the National Early Childhood Technical Assistance Center (NECTAC), OSEP, the Early Childhood Outcomes (ECO) Center, the Early Childhood Technical Assistance (ECTA) Center, and the Data Accountability Center (DAC). CDS State IEU personnel participate in OSEP, NECTAC, ECTA and NERRC teleconferences as frequently as possible.

### Data Systems

#### SAUs

Maine contracted with Infinite Campus to provide a statewide student data management system enhancement to the Maine Education Data Management System (MEDMS). Features and capabilities have significantly improved data reporting ease while providing increased performance, data backups, and integral data validations. This reporting year, data were provided from the enhanced MEDMS for the 2012-13 school year. The data are valid and reliable, and a number of external and internal validations and confirmations ensure complete and correct data entry. The Infinite Campus implementation of MEDMS provides a modern database system and industry standard forms designed to greatly simplify the adaptations of the system to collect needed data. Reports of child count, discipline, assessment performance, personnel, exits, and student demographic information are all compiled from a single data source in the MEDMS Infinite Campus implementation. Additionally, the Infinite Campus implementation is integrated with Maine's Longitudinal Data Grant (CFDA 84.372A) to ensure compatibility of the data system with the State's future requirements and historical data stores.

#### CDS

The Case-e system is a web-based, state-level database that all regional sites access to provide the recording of child specific information relating to demographics, assessments, services, team meetings, Individual Family Service Plans (IFSPs)/Individualized Education Programs (IEPs), insurance information, and billing. Case-e continues to undergo improvements that support ongoing oversight of the interrelationship of the fiscal, data, and monitoring systems, and supports data gathering for the APR. The CDS State IEU with the help of the Maine Office of Information Technology (OIT) has begun to evaluate

the current data system for future needs. OIT designated a project coordinator and in the spring of 2013 began evaluating the needs of the CDS system.

### **General Supervision Activities**

#### ***Improvement and Corrective Action***

The Maine Department of Education Office of Special Services implements a birth to twenty (B-20) General Supervision System to manage and oversee all aspects of effective implementation and integrated monitoring activities. Evaluations and interventions focus on improving infant, toddler and school-age student outcomes. The process is designed to enhance partnerships among the Maine DOE Office of Special Services, Child Development Services (CDS) sites, LEAs, other educational and community agencies, service providers, and parents in implementing Part C and Part B of the Individuals with Disabilities Education Act (IDEA). These partnerships focus on early intervention and special education services and systems that directly impact results for children, and on the development and implementation of improvement strategies to address identified needs.

#### ***Determination Levels of LEAs***

All LEAs receive and review on a yearly basis a letter with their determination status, the rubric “Local Determination Levels Assistance and Enforcement”, and the LEA profile. Data profile designs based on the school year 2011-12 performance and compliance data were developed for each Local Educational Agency (LEA), including CDS sites and School Administrative Units, in the State. The profiles provide indicator-specific performance and compliance data to the LEA and to the public for use in program improvement. The LEA profiles are used as the basis for determinations of LEA program performance. Each indicator is evaluated for level of determination to provide the LEA with measurement-specific feedback on their implementation of IDEA with regard to the SPP indicators. The individual determinations are then used to develop an overall determination with respect to the requirements of the State Performance Plan (SPP) in one of the four required categories: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. These determinations set the level of support and intervention provided and define areas of required action and follow-up. Data profiles for Part B 619 were provided to each CDS regional site. Data profiles for school-aged students are posted on the SPP website:

<http://www.maine.gov/doe/specialed/support/spp/leadeterminations.html>. School year 2012-13 LEA determinations will be reported to the public by June 1, 2014.

#### ***Training and Development***

Department personnel and contractors are involved with targeted technical assistance and professional development activities identified by performance measured on the APR, dispute issues, requests from LEAs and representative organizations, and observations of field activities by Maine DOE personnel. Department personnel and contractors review needs and find solutions either locally or among the national resources. Consistent long distance training is provided to the field on topics of need and interest as a mechanism to disseminate new information and maintain a dialogue of practice among SAU teachers and administrators.

The CDS State Director serves as a member of the State Agency Interdepartmental Early Learning and Development Team (SAIEL). The purpose of SAIEL is to serve as the administrative governance structure between the Department of Education and the Department of Health and Human Services to ensure interagency coordination, streamline decision-making, allocate resources effectively, incorporate findings from the various demonstration projects statewide, and create long term sustainability for its early learning and development reform. More information regarding this collaborative effort can be found at <http://www.maine.gov/doe/saielgroups/>.

The process of improvement in the State continues to evolve. All data profiles, each revision of the SPP and APR, and all technical assistance documentation are posted on web pages on the Maine Department of Education website (beginning at: <http://www.state.me.us/education/speced/spp/index.html>).

### **Summary**

The next page displays a brief summary of indicator performance on Maine's State Performance Plan. The chart compares data presented in the FFY2011 Annual Performance Report, the targets for FFY2012, and indicator performance for FFY2012.

**Federal Fiscal Year 2012 Part B Annual Performance Report  
Summary of Progress toward Maine’s State Performance Plan**

SPP Indicator	FFY2011 Performance				FFY2012 Target				FFY2012 Performance			
<b>1. Graduation Rate</b>	66.02%				≥ 86%				70.12%			
<b>2. Dropout Rate</b>	5.04%				< 2%				5.5%			
<b>3. Assessment</b>	AYP Reading		40%	AYP Reading		≥ 98%	AYP Reading		27.22%	AYP Math		27.22%
	AYP Math			AYP Math			AYP Math					
	Participation Reading				Participation Reading				Participation Reading			
	97%				≥ 98%				97.01%			
	Participation Math				Participation Math				Participation Math			
	96%				≥ 98%				96.93%			
	Proficiency Reading				Proficiency Reading				Proficiency Reading			
	3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined		3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined		3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined	
	34%	16%	32%		≥ 75%	≥ 70%	≥ 74.42%		32.6%	13.8%	30.42%	
	Proficiency Math				Proficiency Math				Proficiency Math			
3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined		3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined		3 <sup>rd</sup> – 8 <sup>th</sup>	HS	Combined		
29%	15%	28%		≥ 78%	≥ 66%	≥ 76.61%		27.53%	13.71%	25.92%		
<b>4. Discipline</b>	0%				0%				0%			
<b>5. LRE (6-21)</b>	Regular Class		55.9%		Regular Class		≥ 65%		Regular Class		55.69%	
	Self-Contained		10.6%		Self-Contained		< 9%		Self-Contained		10.8%	
	Separate		3.3%		Separate		< 3.1%		Separate		3.29%	
<b>6. LRE (3-5)</b>	Regular Early Childhood Program				Regular Early Childhood Program				Regular Early Childhood Program			
	CDS		School-Age		CDS		School-Age		CDS		School-Age	
	52.9%		99.1%		≥ 53%		≥ 99.2%		54.1%		99.36%	
	Separate				Separate				Separate			
	CDS		School-Age		CDS		School-Age		CDS		School-Age	
12.6%		0.8%		< 12.5%		< 0.8%		11.22%		0.64%		
<b>7. Developmental Outcomes (children age 3-5)</b>		A	B	C		A	B	C		A	B	C
	1	51%	61%	59%	1	≥ 64%	≥ 67%	≥ 59%	1	46%	65%	57%
	2	40%	36%	57%	2	≥ 38%	≥ 36%	≥ 52%	2	33%	35%	51%
<b>8. Parent Involvement</b>	88%				≥ 91%				93.9%			
<b>9. Disproportionality in Special Education</b>	0%				0%				0%			
<b>10. Disproportionality in Disability</b>	0%				0%				0%			
<b>11. Timeliness</b>	86.4%				100%				86.02%			
<b>12. Transition, age 3</b>	95%				100%				99.63%			
<b>13. Transition, age 16</b>	60.4%				100%				36%			
<b>14. Post-school outcomes</b>	17.40%	62.90%	68.60%		≥ 25%	≥ 76.6%	≥ 82.3%		23.16%	48%	82.64%	
<b>15. Compliance Monitoring</b>	83.93%				100%				86.54%			
<b>16. Complaints</b>	100%				100%				Indicator Discontinued			
<b>17. Hearings</b>	100%				100%				Indicator Discontinued			
<b>18. Resolution Sessions</b>	50%				≥ 58%				36.36%			
<b>19. Mediations</b>	69%				≥ 85%				66.67%			
<b>20. Reporting</b>	95%				100%				TBD			

**Public Reporting**

Section 616(b)(2)(C)(ii)(I) of IDEA requires each state to report annually to the public on the performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan. The following table is posted online with the APR and serves as public reporting; and it includes the target and performance of each LEA program for Indicators B6, B7, B8, B11 and B12 in FFY 2012 for children aged 3-5:

CDS Regional Sites	B6 Target		B7a Target SS1 & SS2:		B7b Target SS1 & SS2:		B7c Target SS1 & SS2:		B8 Target	B11 Target	B12 Target
	53%	12.5 %	64%	38%	67%	36%	59%	52%	91%	100%	100%
<b>Aroostook County</b>	69%	16%	64%	41%	67%	53%	69%	65%	95%	76%	100%
<b>CDS Reach</b>	44%	3%	28%	20%	52%	31%	53%	53%	97%	88%	100%
<b>CDS First Step</b>	54%	23%	58%	49%	80%	47%	56%	61%	98%	74%	98%
<b>Two Rivers</b>	45%	13%	50%	56%	70%	50%	67%	60%	94%	97%	100%
<b>Midcoast Regional CDS</b>	89%	2%	50%	29%	65%	32%	52%	46%	98%	89%	100%
<b>Opportunities</b>	35%	27%	30%	14%	52%	5%	50%	19%	95%	67%	100%
<b>Project PEDS</b>	61%	2%	15%	24%	50%	18%	47%	29%	100%	98%	100%
<b>Child Development Services Downeast</b>	66%	5%	66%	33%	50%	27%	44%	31%	96%	86%	100%
<b>York County</b>	50%	15%	60%	21%	78%	29%	74%	56%	93%	76%	100%
<b>State Totals</b>	<b>54%</b>	<b>11%</b>	<b>46%</b>	<b>33%</b>	<b>65%</b>	<b>35%</b>	<b>57%</b>	<b>51%</b>	<b>96%</b>	<b>85%</b>	<b>100%</b> <b>99.63%</b>

Data for indicators B-6, B-7, B-8, B-11, B-12, and B-14 for FFY 2011 are located on the FFY 2011 Part B APR on the Maine DOE website:

<http://www.maine.gov/doe/specialed/support/spp/index.html>

Data for indicators B-1, B-2, B-3, B-4, and B-5 are located in the Education Data Warehouse at the link:

[http://dw.education.maine.gov/DirectoryManager/Web/Maine\\_report/MaineLanding.aspx](http://dw.education.maine.gov/DirectoryManager/Web/Maine_report/MaineLanding.aspx)

Data on compliance indicators (B-9, B-10, B-11, B-13, and B-15) are provided to each district using a data profile that also is the basis of each district’s annual determination. For FFY 2012 data will be posted by June 1, 2014 on the Maine DOE website:

<http://www.maine.gov/doe/specialed/support/spp/index.html>

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

**Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

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

**Measurement:**

Data and calculations of graduation rate for students with disabilities are the same data and calculation as used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA).

The calculation method essentially asks: of the students who enter 9th grade in a given year (the “cohort”), what percentage of them received a diploma in four years or less? The formula accounts for students who transfer in and out, die, or emigrate over four years.

**Maine determines the graduation rate as follows:**

$$\left[ \frac{\text{On-time graduates by year } x}{[(\text{first time 9}^{\text{th}} \text{ graders in year } x-4) + (\text{Transfers-In}) - (\text{Transfers-Out})]} \right] \times 100$$

**This rate includes "Other Completers" as well as regular graduates in the denominator.**

**Graduation Rate for 2011-2012 School Year:**

Total On-time Graduates 2011/12	2008/09	Total Transfers-in	Total Transfers-out	Graduation Rate
<b>1856</b>	<b>2782</b>	<b>1278</b>	<b>1413</b>	<b>70.12%</b>

**Percent = [1856/(2782+1278-1413)]\*100 = 70.12%**

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<i>FFY 2012</i>	86%

**Actual Target Data for FFY2012:**

FFY2011 Performance	FFY2012 Target	FFY2012 Performance
66.02%	86%	<b>70.12%</b>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage, if the State did not meet its target, that occurred for FFY2012:**

Graduation rate for FFY 2012 improved from the rate reported in FFY 2011. The FFY 2012 rate did not meet the target.

Calculations and data for the 2011-12 graduates are the same as those used for reporting under Title I of the Elementary and Secondary Education Act (ESEA). Starting in 2008-09, Maine moved to the new federally-required method for calculating the graduation rate known as the Adjusted Cohort Graduation Rate, or ACGR, which shows the percentage of students who entered 9th grade and graduated within four years. The purpose of the federal requirement is to use the same method across states and to provide more consistency in reporting and comparisons across states. While this method is valuable for comparing schools and is an important piece of data, it does not tell a complete story. In particular, it does not reflect the students who graduate from high school in five or six years. It also does not include students who earn a GED.

For the graduation rate for the class of 2012, Maine compared the number of students who entered 9th grade for the first time four years earlier in the fall of 2008 and received a “regular” diploma upon their 2012 graduation. For this calculation the denominator contains the cohort of all first time ninth graders from four years earlier plus all transfers into this cohort minus all transfers out (e.g., death, moving to another state). The numerator contains only “regular” diploma recipients from the four year cohort.

Graduation rates have remained fairly static across the six year period of the SPP. Changes across the six years in the definition of a “regular” diploma and the requirements for counting students as graduates may have had an impact on performance.

To help schools and districts successfully support students with disabilities during high school and in the transition to post-secondary life, the Maine DOE Office of Special Services applied for and was selected to receive intensive technical assistance from the National Secondary Transition Technical Assistance Center (NSTTAC) in FFY 2012. Technical assistance from NSTTAC has focused on providing evidence based practice professional development (EBP PD) to the field around post-secondary transition practices. The focus was on the creation and implementation of effective postsecondary transition plans. The grant extends into FFY 2013, during which time the State will continue to provide statewide EBP PD to the field with the input of stakeholders on the implementation team. This initiative aims to build capacity in the field around the connection of staying in school to successful postsecondary transition plans and other predictors of in-school success.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

**Indicator 2:** Percent of youth with IEPs dropping out of high school.

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

**Measurement:**  
 Data and calculations of the dropout rate for students with disabilities are the same data and calculations formerly used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA). Those data are no longer reported in the ESEA Consolidated State Performance Report, but are reported here in the same manner as previously reported to maintain comparability to past reported data.

The number of students with IEPs dropping out of high school divided by the number of students with IEPs enrolled in high school.

Percent = [(# students with IEPs recorded as dropouts) ÷ (# students with IEPs secondary enrollment)] times 100

**Percent = (561 / 10201) \* 100 = 5.5%**

FFY	Measurable and Rigorous Target
FFY 2012	2.0%

**Actual Target Data for FFY2012:**

FFY2011 Performance	FFY2012 Target	FFY2012 Performance
5.04%	2.0%	5.5%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage, if the State did not meet its target, that occurred for FFY2012:**

The dropout rate for FFY2012 increased from the rate reported in FFY2011. The FFY2012 rate did not meet the target.

The data include dropout and enrollment counts for the 2011-12 school year for all public high schools in the State. Dropouts numbered 561 among 10,201 secondary students with IEPs, for a dropout rate of 5.5% using the calculation methods presented in the measurement description above and in the SPP.

Activities completed to improve graduation and dropout rates were discussed in Indicator 1. **Although Maine has vigorously implemented improvement activities related to dropout rate, the professional**

development has not yet impacted patterns of dropout. More time is needed for the professional development to affect patterns of improved dropout rate.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

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

- A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP/AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

**Measurement:**

A. AMO percent = [(# of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AMO targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size)] times 100.  
 AMO percent = **(43 / 158) \* 100 = 27.22%**

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.  
 Math = **(15,788 / 16,288) \* 100 = 96.93%**  
 Reading = **(15,801 / 16,208) \* 100 = 97.01%**  
**Note:** Included in the number of children with IEPs, but not in the participating students, are those students absent on the dates of administration.

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level, modified and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned, and calculated separately for reading and math)]. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

Subject	Grades 3 through 8	High School	All students with IEPs
Math	(3,840/13,950)*100 = 27.53	(252/1,838)*100 = 13.71	<b>(4,092/15,788)*100 = 25.92</b>
Reading	(4,554/13,968)*100 = 32.6	(253/1,833)*100 = 13.8	<b>(4,807/15,801)*100 = 30.42</b>

Actual Target Data for FFY2012:

FFY2011 Performance		FFY2012 Target		FFY2012 Performance	
AMO AYP Reading	40%	AMO AYP Reading	98%	AMO Reading	27.22%
AMO AYP Math		AMO AYP Math		AMO Math	
Participation Reading		Participation Reading		Participation Reading	
97% 96.6%		98%		97.01%	
Participation Math		Participation Math		Participation Math	
96% 96.46%		98%		96.93%	
Proficiency Reading		Proficiency Reading		Proficiency Reading	
3 <sup>rd</sup> – 8 <sup>th</sup>	HS	3 <sup>rd</sup> – 8 <sup>th</sup>	HS	3 <sup>rd</sup> – 8 <sup>th</sup>	HS
34%	16%	75%	70%	32.60%	13.80%
Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)		Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)		Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)	
32%		74.42%		30.42%	
Proficiency Math		Proficiency Math		Proficiency Math	
3 <sup>rd</sup> – 8 <sup>th</sup>	HS	3 <sup>rd</sup> – 8 <sup>th</sup>	HS	3 <sup>rd</sup> – 8 <sup>th</sup>	HS
29%	15%	78%	66%	27.53%	13.71%
Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)		Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)		Combined (3 <sup>rd</sup> –8 <sup>th</sup> & HS)	
28%		76.61%		25.92%	

Public reports of assessment results are located at the Maine DOE Data Warehouse at the following website:

[http://dw.education.maine.gov/DirectoryManager/web/Maine\\_report/DTHome.aspx](http://dw.education.maine.gov/DirectoryManager/web/Maine_report/DTHome.aspx)

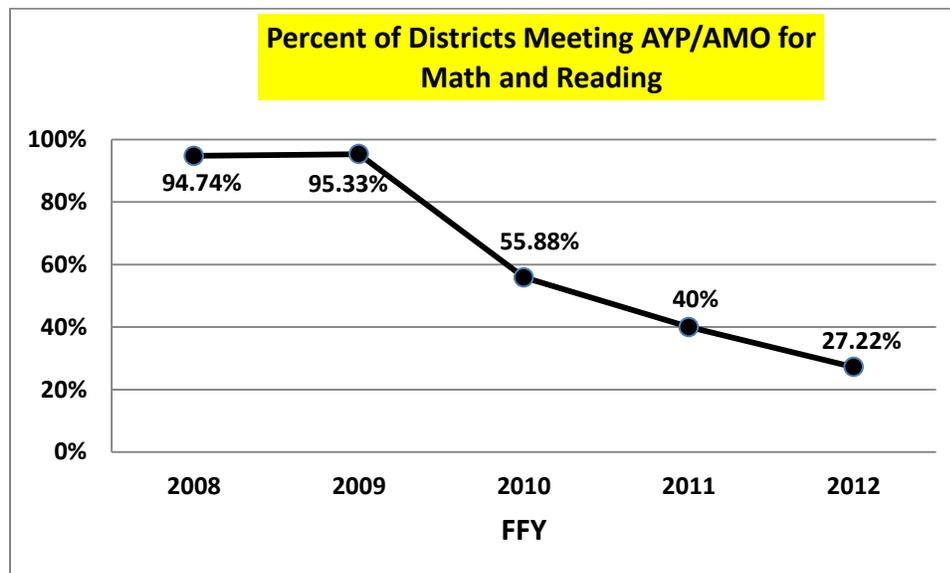
Actual Target Data for FFY2012:

- A. **Percent of the LEAs with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AMO targets for the disability subgroup.**

Annual Measurable Objectives (AMO) were calculated is calculated annually for all schools (not districts) with student populations larger than 41. Determination of AMO of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AMO targets for the disability subgroup is was accomplished by verifying that ALL eligible schools in the district meet AMO for BOTH reading and math performance for students with disabilities. In order to meet the AMO target for the subgroup, the district must have met ESEA benchmarks in BOTH reading and math in elementary, middle and high schools in the district. Targets and target data are therefore to be reported overall (reading and math), not separately for reading and math. The SPP targets have been adjusted to meet these requirements. Performance did not meet the target in FFY2012. Because the percentage decreased in FFY 2012 compared to FFY 2011 it appears that there was slippage. However, because Maine moved from reporting AYP to reporting AMO FFY 2012 performance cannot be compared to FFY 2011 performance.

Year	Total Number of districts	Number of districts Meeting the “n” size	Number of districts that meet the minimum “n” size and met AMO for FFY2012	Percent of districts
FFY2012 (2012-2013)	230	158	43	27.22%

The percentage of districts meeting AMO targets for math and reading has decreased for the third year in a row:



**B. Participation rate for children with IEPs.**

Participation rates are below target for math and reading, but both rates have improved slightly from those of FFY2011. Reading participation increased from 96.6% to 97.01%, and math participation increased from 96.46% to 96.93%.

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

The reading proficiency rate for students with IEPs is below target. Overall reading proficiency is 30.42%, indicating slippage from last year’s rate of 31.31%. Slippage from the FFY2011 reading proficiency rates has occurred for grades 3-8 and for high school students. Last year’s reading proficiency rate was an improvement from that of the previous year for students in grades 3-8, but reading proficiency for high school students has slipped both years. The table below shows reading proficiency rates across 5 years.

Reading Proficiency Percentages: FFY 2008-2012					
	2008	2009	2010	2011	2012
<b>Grades 3-8</b>	34.65%	30.94%	31.34%	33.67%	32.60%
<b>High School</b>	14.83%	14.85%	17.30%	15.81%	13.80%
<b>All Students</b>	32.03%	27.03%	29.71%	31.31%	<b>30.42%</b>

The math proficiency rate for students with IEPs is below target. Overall math proficiency is 25.92%, indicating slippage from last year's rate of 27.71%. Slippage from the FFY2011 math proficiency rates has occurred for grades 3-8 and for high school students. The table below shows math proficiency rates across 5 years.

<b>Math Proficiency Percentages: FFY 2008-2012</b>					
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Grades 3-8</b>	31.45%	28.96%	27.85%	29.42%	27.53%
<b>High School</b>	11.47%	13.23%	14.88%	14.62%	13.71%
<b>All Students</b>	28.81%	26.91%	29.71%	27.71%	<b>25.92%</b>

#### **Discussion of Data:**

Data presented for participation and performance in this indicator are the same as formerly reported in the 618 data table 6, submitted this year via EDFacts (file specifications N004, N175, N178, N185, and N188). These data are validated during the initial reporting stages of the AMO process: counts of students are checked against the reported attending population on the tested date and confirmed by the Superintendent of the district; and scores are confirmed by Measured Progress, a contractor with the Maine Department of Education.

In August 2013 Maine received approval for an accountability waiver under ESEA. Subgroup targets were calculated for each school and subgroup individually. The minimum n-size of sub groups was also decreased from 20 to 10. In order for schools to make Annual Measurable Objectives in 2012-13, they had to meet targets based on the methodology outlined in Maine's ESEA waiver application. Additionally, the high school graduation rate requirement was raised to 90%. As a result of increased academic requirements and the increase in the number of schools reviewed, several schools did not meet the attendance, graduation, or achievement requirements this year for the first time.

Maine has joined New Hampshire, Rhode Island and Vermont in the yearly development and administration of the New England Common Assessment Program (NECAP). This assessment is used by participating states to meet No Child Left Behind Act requirements for testing reading and math once each year from grade 3 through grade 8. The states also include a writing assessment administered at grades 5 and 8. The first NECAP administration in Maine began in October 2009. NECAP assesses the learning of NECAP Grade Level Expectations (GLEs), which are located at the NECAP Standards webpage (<http://www.maine.gov/education/necap/index.html>). NECAP is designed to assess learning from the prior year (teaching year) at the beginning of the next school year (testing year). Therefore, grades 2-7 reading and math are assessed at the beginning of grades 3-8. Maine's personalized alternate assessment program (PAAP) is now provided for students in grades 2-7 to align with this testing schedule.

#### **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage, if the State did not meet its target, that occurred for FFY2012:**

Maine did not meet the rigorous and measurable targets for this indicator. **Because the percentage decreased in FFY 2012 compared to FFY 2011 it appears that there was slippage. However, because Maine moved from reporting AYP to reporting AMO FFY 2012 performance cannot be compared to FFY 2011 performance.** Slippage is seen in proficiency rates at all grade levels with a notable drop at grade

eleven. Significant decrease is seen in the percent of the districts with a disability subgroup of more than 41 students that meet AMO.

The three-year decline for Indicator 3-A in AMO can be explained by a combination of two factors:

- 1) the significant yearly increases in academic targets that districts were required to meet to make adequate yearly progress required under NCLB, and
- 2) the changes in methodology for subgroup targets for Maine's approved ESEA waiver.

The targets are the percent of students who must be proficient in reading and in math. In order for schools to make Adequate Yearly Progress in 2011-12, they had to meet the following targets in 2010-11 testing:

- Reading, grades 3-8: 75 percent of students must be proficient (up 9 percentage points from the previous year)
- Reading, grade 11: 78 percent of students must be proficient (up 7 percentage points)
- Math, grades 3-8: 70 percent of students must be proficient (up 10 percentage points)
- Math, grade 11: 66 percent of students must be proficient (up 12 percentage points)

Schools also had to show a participation level in accountability testing of at least 95 percent in each category and average daily attendance of at least 93 percent in grades 3 through 8 for all subgroups, up one percentage point from last year. For high schools, a graduation rate of 83 percent or greater was required.

Changes include the use of a differentiated accountability system. Each category now has a comprehensive and structured way of measuring progress. Indicator 3-A outcomes Annual measurable objectives (AMO) have been changed from a common AMO AYP for all subgroups to one that is individualized and based on new and individualized trajectories (AMO). AYP that included targets and safe harbor provisions used in previous years has now been replaced with AMOs and new individualized subgroup trajectories. In addition, the "n" size has been lowered, and safe harbor has been removed, impacting a school's ability to show growth. For more information on Maine's ESEA waiver please go to the Maine DOE website at: <http://maine.gov/doe/accountability/>.

Title IA works directly with school staff to review the participation and performance rates of all students, which includes students with IEPs. For schools experiencing challenges with participation rates, Title IA reviews current practices, provides technical assistance related to best practices, and works with the CIPS schools to create a plan for success. In order to help schools improve math and reading performance, Title IA starts by teaching staff how to conduct a review of annual assessment data, looking at gap analysis and trends. Title IA then assists the school in conducting a needs assessment and exploring root causes for poor performance.

During the Local Entitlement Applications process, LEAs are asked to implement plans on three performance indicators where statistically significant differences exist in identification for special education services, identification by disability, and placement in the least restrictive environment. The plans must address how the LEA expects to address the identification discrepancy, what steps will be taken to change procedures, practices or policies within the LEA to improve alignment with state averages, and how they will report the results.

### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

## Part B State Annual Performance Report (APR) for FFY 2012

## Monitoring Priority: FAPE in the LRE

## Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

**Measurement:**

A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100 =  $[(0)/(230)] * 100 = 0\%$

**State's definition of significant discrepancy and minimum n for indicator 4A:**

The following decision rules are used to determine if there is a significant discrepancy in the rates of suspensions/expulsions of children with disabilities:

- The district has to have a minimum of 10 students enrolled, with IEPs;
- The number of students, with an IEP, suspended or expelled has to be greater than 1 student;
- For districts meeting the conditions above, a district has a significant discrepancy when its suspension/expulsion rate for students with disabilities is more than 3 standard deviations above the State's suspension/expulsion rate for **all students with disabilities**.

Maine measures the rate of suspension and expulsion for all students with disabilities using a simple rate formula:

FFY 2012 Percent = [(number of students with disabilities suspended or expelled for more than 10 days) divided by the (number of students with disabilities)] times 100 =  $[(87)/(28401)] * 100 = 0.31\%$

B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100. =  $[(0)/(230)] * 100 = 0$

**State's definition of significant discrepancy and minimum n for Indicator 4B:**

The following decision rules are used to determine if there is a significant discrepancy in the rate of suspensions/expulsions of children with disabilities by race or ethnicity:

- The district has to have a minimum of 10 students enrolled, with IEPs, of any race/ethnicity;
  - The number of students, with an IEP, suspended or expelled has to be greater than 1 student with an IEP of any race/ethnicity;
  - For districts meeting the conditions above, a district has a significant discrepancy when its suspension/expulsion rate for students with disabilities of any race or ethnicity is more than 3 standard deviations above the State’s suspension/expulsion rate for **all students** with disabilities.
- Maine measures the rate of suspension and expulsion for all students with disabilities using a simple rate formula:  
 FFY 2012 Percent = [(number of students with disabilities suspended or expelled for more than 10 days) divided by the (number of students with disabilities)] times 100 =  
**[(87)/(28401)]\*100 = 0.31%**

**Actual Target Data for FFY 2012:**

<b>Indicator 4 subpart</b>	<b>FFY2011 Performance</b>	<b>FFY2012 Target</b>	<b>FFY2012 Performance</b>
<b>A</b>	The number of districts with significant discrepancies = <b>0</b> Rate of suspensions and expulsions for greater than 10 days = 0.09%	<i>The number of districts with significant discrepancies = 0</i> <i>Rate of suspensions and expulsions for greater than 10 days = 1.55%</i>	<b>The number of districts with significant discrepancies = 0</b> <b>Rate of suspensions and expulsions for greater than 10 days = 0.31%</b>
<b>B</b>	The number of districts with significant discrepancies by race or ethnicity = <b>0</b> The number of districts that have significant discrepancies, by race or ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards = <b>0</b>	<i>The number of districts with significant discrepancies by race or ethnicity = 0</i> <i>The number of districts that have significant discrepancies, by race or ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards = 0</i>	The number of districts with significant discrepancies by race or ethnicity = <b>0</b> The number of districts that have significant discrepancies, by race or ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards = <b>0</b>

As described below, only 16 districts met the minimum n-size requirements described above for these indicators. There were 214 districts excluded from the calculations because they did not meet the requirements. As permitted by OSEP, Maine chose to include the total number of districts in the State in the denominator.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage, if the State did not meet its target, that occurred for FFY 2012:**

**Evaluation of data for Indicator 4A:** Data from the 2011-2012 report of children with disabilities subject to disciplinary removal were examined to determine if significant discrepancies were occurring in the rates of long-term (>10 days) suspensions and expulsions. At that point in time, the districts in the State were configured as 230 entities. Each district was evaluated against the three criteria for significant discrepancies. Out of 230 districts, only 16 had more than one student suspended or expelled for more than 10 days. None of the districts exhibited a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days.

**Evaluation of data for Indicator 4B:** Data were further disaggregated by race and ethnicity. Each district was evaluated against the three criteria for significant discrepancies. Out of 230 districts, only 16 had more than one student suspended or expelled for more than 10 days. None of the districts exhibited a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days by race or ethnicity.

If a district had exhibited a significant discrepancy, Maine would have reviewed policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. If the State had (through the review of policies, practices, and procedures) identified policies, practices, or procedures that do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, it would have revised (or required the affected district(s) to revise) policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA.

Performance met the targets for this indicator. No district exceeded the limit for significant discrepancy for rates of suspension/expulsion overall, or by ethnicity. The rate of suspension/expulsion of students with disability continues to be below the target.

**Correction of FFY 2011 Findings of Noncompliance:**

Maine did not identify noncompliance in FFY 2011 as a result of the review required by 34 CFR §300.170(b).

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Maine met the compliance target of 0 districts with significant discrepancies, and rate of suspensions and expulsions for greater than 10 days equal or less than 1.55%, and therefore is not required to discuss improvement activities.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

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

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

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

**Measurement:**

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100 = **[(15816) / (28401)] \* 100 = 55.69**
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100= **[(3068) / (28401)] \* 100 = 10.8**
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100= **[(934) / (28401)] \* 100 = 3.29**

Data used in the calculations above were submitted in the February 2013 child count data in 618 data Table 3 (EDFacts Files C002, 089) for children ages 6 through 20. Maine does not serve children beyond the age of 20.

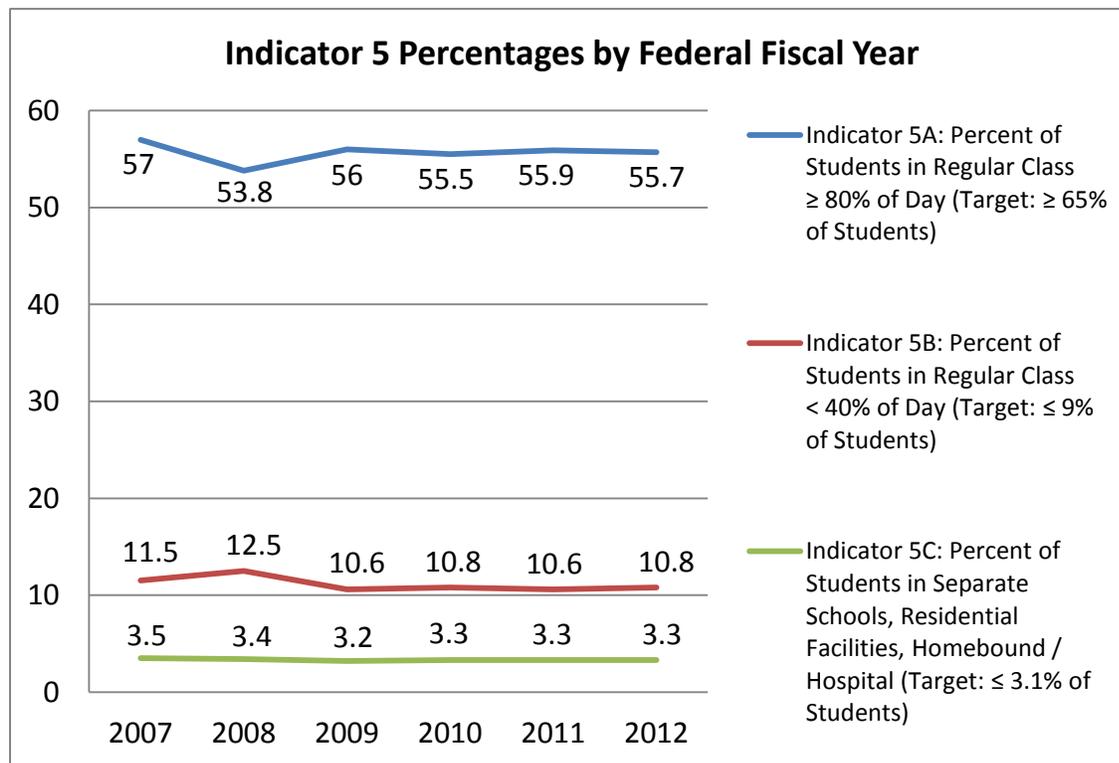
**Actual Target Data for FFY2012:**

	<b>FFY2011 Performance</b>	<b>FFY2012 Target</b>	<b>FFY2012 Performance</b>
A	<b>55.9%</b>	65%	<b>55.69%</b>
B	<b>10.6%</b>	9%	<b>10.8%</b>
C	<b>3.3%</b>	3.1%	<b>3.29%</b>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

The percent of children served in the regular classroom, the percent of children served in self-contained placements, and the percent of children served in public or private separate schools, residential placements, or homebound or hospital placements did not meet the targets.

In FFY 2012, the percent of children served inside the regular class 80% or more of the day (5A) decreased by 0.21 percentage points from FFY 2011. The percent of children served inside the regular class less than 40% of the day (5B) shows an increase of 0.20 percentage points. The percent of children served in separate schools, residential facilities or homebound/hospital placements (5C) shows a slight decrease of 0.01 percentage points. All percentages have remained relatively stable for six years (see plot below).



The State Personnel Development Grant’s statewide approach via the Bi-directional Convergent EBP PD Model has had significant impact. Four of the State Personnel Development Grant (SPDG) goals, *Goal 1, Objective 4: Increase the qualifications of personnel serving children with autism, Goal 2: Improving least restrictive environment (LRE) rates, Goal 3: Increase educators’ knowledge and instructional usage of the Maine Revised Learning Results, including Common Core State Standards and Goal 5: Effective transition planning* link to least restrictive practices within the general education and special education settings resulting in access to general education and improved outcomes for children with disabilities. LRE counts and data collected throughout these SPDG activities will be analyzed to determine the correlation of SPDG activities and improved percent of children served in the regular classroom, the percent of children served in self-contained placements, and the percent of children served in public or private separate schools, residential placements, or homebound or hospital placements in the LRE.

During FFY 2012 Maine has been implementing the SPDG *Goal 2: Improving least restrictive environment (LRE) rates*. The Goal 2 Implementation Team, made up of community and education stakeholders, has participated in the development of a LRE Facilitated Discussion and Calculation tool to assist schools in using evidence-based practices (EBP) for LRE decision making at IEP team meetings. LEAs were identified as requiring intensive technical assistance (TA) based on not meeting the state target (65%) and being 1.5 standard deviations below the Maine LEA average for students in a regular classroom 80% of the time or more, or not meeting the state target (9%) and being 1.5 standard deviations above the Maine LEA average for students in a regular classroom 40% of the time or less. This process identified sixteen (16) LEAs that will be required to participate in evidence-based practice professional development (EBP PD) provided during the 2013-14 school year to review and analyze their LRE decision making processes through the usage of the developed LRE tool. All Maine LEAs will be invited to participate in professional development and the tool will be available for their use. Evidence collected from all LEAs on the effectiveness of the professional development process and the tool itself will be used by the Implementation Team to ascertain the impact on the outcomes for children with disabilities.

Through the SPDG *Goal 1, Objective 4: Increase the qualifications of personnel serving children ages birth to 20, with autism by promoting the use of evidence-based practices work*, Maine will continue to embed and integrate LRE evidence-based practices in its professional development to provide for newly certified special educator initiatives. Fifteen (15) LEA teams will receive professional development during Stage II EBP PD throughout the 2013-14 school year in the areas of data collection, implementation of evidence-based practices, and measurement of outcomes for children with Autism Spectrum Disorders and student access to general education and Maine's Revised Learning Results through the implementation of school-wide LRE practices. Autism Spectrum Disorders is one of the top four most challenging disabilities for Maine LEAs to provide services inside the regular class 80% or more of the day. The evidence-based practices used throughout the SPDG sponsored EBP PD complements LEAs' PBIS and RTI initiatives, hence creating a universally designed learning environment for all children in the general education setting. Maine's Bi-directional Convergent EBP PD model is designed to promote capacity building and sustainability at the state, regional and LEA level through leader teams. The Maine Autism Leader teams establish and implement proactive and positive programming with fidelity for children with Autism Spectrum Disorders. To date, seventeen (17) LEAs have completed the first year of training, and are disseminating evidence-based practices and serve as leaders throughout their region as well as their own LEA. During the 2013-14 school year, an additional fifteen (15) teams will receive the first year of training while the initial seventeen teams take part in a second year of training in evidence-based practice to serve as coaches/mentors at the regional and local level.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

**Indicator 6:** Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

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

**Measurement:**

A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Note: The numerator (# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) are those children reported in the February 2013 618 data submission as “the child attends a Regular Early Childhood Program at least 10 hours per week” (row A1) and “the child attends a Regular Early Childhood Program less than 10 hours per week” (row B1). Data were submitted via ED Facts in accordance with specification N089.

**CDS: [(852+527)/2549]\*100 = 54.1%**

**School: [(1236+0)/1244]\*100 = 99.36%**

B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Note: The numerator (# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) are those children reported in the February 2013 618 data submission as “Separate Class” (row C1), “Separate School” (row C2), and “Residential Facility” (row C3). Data were submitted via ED Facts in accordance with specification N089.

**CDS: [(257+28+1)/2549]\*100 = 11.22%**

**School: [(0+8+0)/1244]\*100 = 0.64%**

FFY2011 Performance			FFY2012 Target			FFY2012 Performance		
	6A	6B		6A	6B		6A	6B
<b>CDS</b>	52.9%	12.6%	<b>CDS</b>	≥ 53%	<12.5%	<b>CDS</b>	54.1%	11.22%
<b>School</b>	99.1%	0.8%	<b>School</b>	≥ 99.2%	< 0.8%	<b>School</b>	99.36%	0.64%

**Overview of Issue/Description of System or Process:**

As noted in the measurement description above, the data for this indicator are taken from specific elements of the ED*Facts* data submission N089 – Children with Disabilities (IDEA) Early Childhood. Those data were reported February 2013.

**Discussion of Data for FFY 2012 (2012-13):**

Children age 3 through 5 are educated in two separate systems in Maine. Child Development Services (CDS) provides early childhood services for children aged three up to school-aged five using a variety of placements within Maine’s Early Care and Education System. Once school-age five children are transitioned to kindergarten, they receive their education in schools. Because the environments establish settings and schedules that are significantly different from one another, Maine set targets for the two environments separately.

The data are aligned with the 12/1/12 child count data.

**CDS Public Reporting of APR Data (Part B 619):**

Site	A%	B%
Aroostook County	69%	16%
CDS Reach	44%	3%
CDS First Step	54%	23%
Two Rivers	45%	13%
Midcoast Regional CDS	89%	2%
Opportunities	35%	27%
Project PEDS	61%	2%
Child Development Services Downeast	66%	5%
York County	50%	15%
<b>State Total</b>	<b>54%</b>	<b>11%</b>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:**

Pursuant to OSEP Memo 14-2, Maine is not required to report on progress/slippage or improvement activities for this indicator for FFY 2012 because the State has met its target.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 (if applicable):**

Improvement activities have been reviewed and no changes have been made.

## Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

**Indicator 7:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

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

**Measurement:**

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):**

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

**Measurement for Summary Statement 1:**

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c)] times 100.

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

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

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

**Measurable and Rigorous Target Data and Actual Target Data for FFY 2012:**

Targets and Actual Data for Preschool Children Exiting in FFY 2012

Summary Statements	Actual FFY 2011 (% of children)	Actual FFY 2012 (% of children)	Target FFY 2012 (% children)
<b>Outcome A: Positive social-emotional skills (including social relationships)</b>			
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program. Formula: $c+d / a+b+c+d$	51%	46%	64%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Formula: $d+e / a+b+c+d+e$	40%	33%	38%
<b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>			
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program. Formula: $c+d / a+b+c+d$	61%	65%	67%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Formula: $d+e / a+b+c+d+e$	36%	35%	36%
<b>Outcome C: Use of appropriate behaviors to meet their needs</b>			
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program.	59%	57%	59%

Formula: $c+d / a+b+c+d$			
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Formula: $d+e / a+b+c+d+e$	<b>57%</b>	<b>51%</b>	<b>52%</b>

Progress Data for Preschool Children FFY 2012

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	<b>18</b>	<b>4%</b>
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	<b>185</b>	<b>40%</b>
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	<b>106</b>	<b>23%</b>
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	<b>70</b>	<b>15%</b>
e. Percent of children who maintained functioning at a level comparable to same-aged peers	<b>82</b>	<b>18%</b>
<b>Total</b>	<b>N= 461</b>	<b>100%</b>
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	<b>12</b>	<b>3%</b>
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	<b>134</b>	<b>29%</b>
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	<b>153</b>	<b>33%</b>
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	<b>114</b>	<b>25%</b>
e. Percent of children who maintained functioning at a level comparable to same-aged peers	<b>49</b>	<b>11%</b>
<b>Total</b>	<b>N= 462</b>	<b>100%</b>
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children

a. Percent of children who did not improve functioning	9	2%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	127	28%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	89	19%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	89	19%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	146	32%
<b>Total</b>	<b>N= 460</b>	<b>100%</b>

Data were collected from the State Child Outcome Summary Form (COSF) database for the reporting period of July 1, 2012 through June 30, 2013. Maine uses the ECO Child Outcomes Summary Form. COSF Data exclude children with service for less than six months, those missing entry or exit dates, children with no information about progress at exit, and situations where entry and exit data generated impossible progress category combinations. Findings are made based on these data.

**Public Reporting of APR data:**

Site	Outcome A		Outcome B		Outcome C	
	SS 1	SS 2	SS 1	SS 2	SS 1	SS 2
Aroostook County	64%	41%	67%	53%	69%	65%
CDS Reach	28%	20%	52%	31%	53%	53%
CDS First Step	58%	49%	80%	47%	56%	61%
Two Rivers	50%	56%	70%	50%	67%	60%
Midcoast Regional CDS	50%	29%	65%	32%	52%	46%
Opportunities	30%	14%	52%	5%	50%	19%
Project PEDS	15%	24%	50%	18%	47%	29%
Child Development Services Downeast	66%	33%	50%	27%	44%	31%
York County	60%	21%	78%	29%	74%	56%
<b>State Total</b>	<b>46%</b>	<b>33%</b>	<b>65%</b>	<b>35%</b>	<b>57%</b>	<b>51%</b>

For all Outcomes (A, B, and C) Summary Statements 1 and 2 the data demonstrate that the targets were not met and there has been slippage from FFY 2011, with the exception of Outcome B Summary Statement 1. A 4% improvement is evidenced for this outcome Compared to FFY 2010, Outcome B Summary Statement 1 and 2 and Outcome C Summary Statement 2 have increased.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

A variety of activities has occurred at both the state and regional site level to ensure children demonstrate improved outcomes.

Activities initiated or required by the CDS State IEU included:

- Updated COSF Q&A document and COSF form were distributed to all regional sites.
- Each COSF submitted to the CDS State IEU is reviewed by the Quality Assurance Director when entered into the COSF database. If there are errors the forms are sent back to the case manager to fix.
- Possible future activities:

- Training will occur with regional site staff and directors on the COSF process and submission requirements.
- Reports will be run every six months to determine which children should have entry and exit COSFs to assist in raising the number of children assessed.
- Each regional site will be required to identify a Part C and Part B person to coordinate COSFs sent to the CDS State IEU and those that are sent back to the regional site for correction. Focused training will happen with this group of individuals.
- After attending the Improving Data, Improving Outcome Conference in September 2013; Maine will access TA to explore incorporating the COSF into the IFSP/IEP.

Activities completed by regional sites:

- Case managers are using progress reports to aid in determining if children are making process or not.
- One regional site has the Part B team leader review all of the COSFs prior to sending them to the CDS State IEU.

The CDS State IEU is aware of the slippage. Data demonstrates fewer children exiting Part B than the actual number of children that exited. The CDS State IEU is in the process of determining how to ensure all children have outcome data submitted upon entry in and exit of the Part B 619 program. The CDS State IEU is aware of the slippage. Data demonstrates less children exiting Part B than the actual number of children that exited. Therefore, the total number of children reported on is lower, resulting in slippage. The CDS State IEU is in the process of determining how to ensure all children have outcome data submitted upon entry and exit of Part B 619.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 (if applicable):**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: FAPE in the LRE**

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

**Measurement:**

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.  $[(652 + 89) / (676 + 113)] * 100 = 93.9\%$

Note: A total 676 Part B 619 survey responses were received with 652 favorable. A total of 113 Part B school-aged survey responses were received with 89 favorable.

**Actual Target Data for FFY2012:**

FFY2011 Performance	FFY2012 Target	FFY2012 Performance
88%	91%	93.9%

Part B 619 data were collected in the spring of 2013. All families of children receiving services through the nine regional sites (Part C and 619) received a parent survey via a telephone call. 2943 Part B (619) families were contacted to complete the survey and 676 responded, yielding a response rate of 23%. This response rate is significantly higher than last year's CDS response rate of 9%. In reviewing the data, the CDS State IEU has determined the response group is representative of the CDS system.

Surveys		
Contact	Responded	%
2943	676	23

**Public Reporting of Part B 619 APR Data:**

Site	%
Aroostook County	95%
CDS Reach	97%
CDS First Step	98%
Two Rivers	94%
Midcoast Regional CDS	98%
Opportunities	95%
Project PEDS	100%
Child Development Services Downeast	96%
York County	93%
<b>State Total</b>	<b>96%</b>

## Part B (5-20)

In FFY 2012 Maine DOE staff mailed surveys by first class mail to parents of students with disabilities in LEAs; 3,024 survey invitations were mailed to parents of Part B school-aged children. For school-age children, a total of 113 responses was received, for a response rate of 3.74%. The data were electronically captured from each of the surveys. The percentage of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities was 78.76%.

An analysis of respondent representation by gender and race/ethnicity was performed. The data collected are representative of the populations in Maine school districts overall. The percentage of students of each gender and ethnicity/race represented in the survey responses are within 3% of the corresponding percentages in the statewide population of students with disabilities.

### **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:**

Pursuant to OSEP Memo 14-2, Maine is not required to report on progress/slippage or improvement activities for this indicator for FFY 2012 because the state has met its target.

### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: Disproportionality**

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

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

**Measurement:**

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100= **[(0)/(230)]\*100 = 0**

**State’s definition of “disproportionate representation.”**

Disproportionate representation is defined as a statistically significant difference between the identification rates of students with disabilities by ethnic proportion and the ethnic proportional representation overall within the district. A statistically significant difference is defined as representation three times the standard deviation estimate higher or lower than the district proportion for the specific subgroup population. See the SPP for this indicator for a detailed description of the analysis of disproportionate representation.

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012 reporting period, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

**Actual Target Data for FFY2012:**

<b>FFY2011 Performance</b>	<b>FFY2012 Target</b>	<b>FFY2012 Performance</b>
0% of districts have disproportionate representation	0% of districts have <i>disproportionate representation</i>	<b>0% of districts have disproportionate representation</b>

**Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification**

Year	Total Number of Districts	Districts that met minimum “n”	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2012 (2011-2012) - 20123	230	198	0	0	0%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

Maine’s examination of disproportionate representation includes all districts with greater than 10 students in ANY of the seven racial and ethnic groups (American Indian, Native Hawaiian or other Pacific Islander, Asian, Black, Caucasian, Hispanic or Latino, and two or more races) for each disability. Thirty-two districts were excluded from analysis because they did not meet the State-established minimum “n” size requirement. Maine chose to include all districts in the denominator for this indicator.

No districts exhibited disproportionate representation that was statistically significant; therefore, there was no review to determine if disproportionate representation was the result of inappropriate identification.

District profiles used as the basis for annual district determinations include a compliance measure for disproportionate representation in special education identification and related services by race and ethnicity. For the purposes of determinations, noncompliance with this (or any compliance indicator) results in a maximum overall determination of Needs Assistance.

**Correction of FFY 2011 Findings of Noncompliance:**

There were no findings of noncompliance in FFY 2011 related to this indicator. Maine’s actual target data were 0%.

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

Statement from the Response Table	State’s Response
In its FFY 2012 APR, the State must report the number of districts that did not meet the State-established minimum “n” size requirement.	Thirty-two districts were excluded from analysis because they did not meet the State-established minimum “n” size requirement.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Maine met the compliance target of 0% disproportionate representation, and therefore is not required to discuss improvement activities.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority: Disproportionality**

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

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

**Measurement:**

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100= **[(0)/(230)]\*100 = 0**

**Include State’s definition of “disproportionate representation.”**

Disproportionate representation is defined as a statistically significant difference between the identification rates of students with disabilities by ethnic proportion and the ethnic proportional representation overall within the district. A statistically significant difference is defined as three times the standard deviation estimate for the specific subgroup population. See the SPP for this indicator for a detailed description of the analysis of disproportionate representation.

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

**Actual Target Data for FFY2012:**

<b>FFY2011 Performance</b>	<b>FFY2012 Target</b>	<b>FFY2012 Performance</b>
0% of districts have disproportionate representation	0% of districts have <i>disproportionate representation</i>	<b>0% of districts have disproportionate representation</b>

**Districts with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability**

Year	Total Number of Districts	Districts that met minimum “n”	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2012 (20142 20123)	230	6	0	0	0%

categories that was the Result of Inappropriate Identification

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

Maine’s examination of disproportionate representation includes all districts with greater than 10 students in ANY of the seven racial and ethnic groups (American Indian, Native Hawaiian or other Pacific Islander, Asian, Black, Caucasian, Hispanic or Latino, and two or more races) for each disability category. For FFY2012, six districts in the State meet the minimum population requirements for disproportionality assessments of specific disability categories. There were 224 districts excluded from analysis because they did not meet the State-established minimum “n” size requirement. Maine chose to include all districts in the denominator for this indicator.

Based on the population sizes, all six districts were assessed for the specific learning disabilities category; three districts were assessed for the emotional disabilities, multiple disabilities, other health impairment, and speech or language impairment categories; and one district was assessed for the autism category. No district met the minimum population requirements for a disproportionality assessment of intellectual disabilities. The analyses revealed no evidence of disproportionate representation in the disability categories. No districts exhibited disproportionate representation that was statistically significant; therefore, there was no review to determine if disproportionate representation was the result of inappropriate identification.

District profiles used as the basis for annual district determinations include a compliance measure for disproportionate representation by race and ethnicity in specific disability categories. For the purposes of determinations, noncompliance with this (or any compliance indicator) results in a maximum overall determination of Needs Assistance.

**Correction of FFY 2011 Findings of Noncompliance:**

There were no findings of noncompliance in FFY 2011 related to this indicator. Maine’s actual target data were 0%.

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

No action required.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Maine met the compliance target of 0% disproportionate representation, and therefore is not required to discuss improvement activities.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority:** Effective General Supervision Part B / Child Find

**Indicator 11:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

**Measurement:**

- a. # of children for whom parental consent to evaluate was received<sup>1</sup>.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Percent = [(b) divided by (a)] times 100 =  $[(1140+177)/(1341+190)]*100=86.0\%$

Note: Chapter 101, Maine Unified Special Education Regulation (page 40) establishes timelines for initial evaluation in section V.1.A.(3)(a)(i) as follows: "To determine whether a child is a child with a disability (as defined in 20 USC 1402) *within 60 calendar days of receiving parental consent for the evaluation for children in the Child Development Services System and within 45 school days of receiving parental consent for the evaluation for children 5-20 years of age under the responsibility of the public school system*".

**Actual Target Data for FFY 2012 (Ages 3-20):**

FFY 2011 Performance	FFY 2012 Target	FFY 2012 Performance
86.4%	100%	86.0%

**Section I – Early Childhood (3 to 5)**

**Actual Target Data for Part B 619 Early (3-5) for FFY 2012:**

85%
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Data were collected from the State database (Case-e) for all children for the reporting period of July 1, 2012 through June 30, 2013. Data were verified through comparison with monthly compliance reports

<sup>1</sup> States are encouraged, but not required, to include in their data for Indicator 11 all children for whom consent to conduct an initial evaluation was received during FFY 2012, whether or not the timeline for completing the evaluation elapsed during FFY 2012. States are further encouraged to describe in their APR how they treated, in their data for Indicator 11, children for whom consent to conduct an initial evaluation was received during FFY 2012, but the timeline for completing the evaluation elapsed after the end of FFY 2012.

generated and submitted by regional sites. Findings of noncompliance were made based on these data, as appropriate.

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

a. Number of children for whom parental consent to evaluate was received	<b>1341</b>
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	<b>1140</b>
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	<b>85%</b>

Account for children included in (a) but not included in (b):

Reason	Children
CDS (no delay reason was given and/or delay was caused by regional site/ staff)	190
Provider	11

Indicate the range of days beyond the timeline and provide reasons for the delays:

Site	Less Than30	30 to 59	60 to 89	90 Or More	Total
All Sites	119	53	14	15	201

**Public reporting of APR Data:**

Site	%
Aroostook County	76%
CDS Reach	88%
CDS First Step	74%
Two Rivers	97%
Midcoast Regional CDS	89%
Opportunities	67%
Project PEDS	98%
Child Development Services Downeast	86%
York County	76%
<b>State Total</b>	<b>85%</b>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:**

Maine did not reach its target but has increased the level of compliance since the FFY 2011 year (79%) and the FFY 2010 year (68%).

Although not yet meeting target, CDS as a system has shown growth in ensuring timelines are met for children aged 3-5. A variety of activities has occurred at both the State and regional site levels to ensure eligible children aged 3-5 receive an evaluation and initial IEP meeting within required timelines. In addition to the activities listed below, personnel from the CDS State IEU, including some regional site staff, participated in national and state focused technical assistance activities. Technical assistance was received from the Northeast Regional Resource Center (NERRC) and the Early Childhood Technical Assistance Center (ECTA Center) through webinars, phone conversations, and a review of information posted on websites. Pertinent information was shared with regional site directors via email, at their RSLT meetings, or through webinars.

Activities initiated or required by the CDS State IEU over the last year included:

- CDS State IEU provided compliance reports to regional sites monthly that included all children aged 3-5 who were found to not have a timely evaluation done.
- CDS State IEU initiated Corrective Action Plan (CAP) calls at least bimonthly where the Deputy Director and Quality Assurance Director received updates on the progress of each regional site's CAP.
- CDS State IEU required each regional site to split case management functions so that each site had at least one IEP Facilitator who is responsible to ensure that evaluations occur in a timely manner.
- CDS State IEU provided guidance and training on the Part B process. The process has been documented in a flow chart for easy access and reference for Part B staff.

Activities initiated or required by the regional sites:

- Regional site directors continued to develop contracts with providers to assist in evaluation children timely.
- Part B teams reviewed and discussed compliance at least monthly as part of their staff meetings.
- Some sites have streamlined scheduling of meetings by having one person do all the scheduling.
- Some staff utilized tracking mechanisms to document evaluation referrals and the return of reports.
- Worked with psychological evaluators and physical therapist to commit to evaluation time slots ensuring children aged 3-5 received evaluations timely rather than going on a long waitlist.
- All sites reviewed reports provided by the CDS State IEU and provide explanation of all children aged 3-5 not in compliance, including the reason for delay.

**Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2011 APR):**

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 79%

1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	<b>3</b>
2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	<b>3</b>
3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>0</b>

**Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

4. Number of FFY 2011 findings not timely corrected (same as the number from (3))	<b>0</b>
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above)	
5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	<b>0</b>
6. Number of FFY 2011 findings <u>not</u> verified as corrected [(4) minus (5)]	<b>0</b>

**Actions Taken if Noncompliance Not Corrected:**

All findings of noncompliance for FFY 2011 were verified as timely corrected.

**Verification of Correction (either timely or subsequent):**

Prior to considering any finding from FFY 2011 corrected, CDS State IEU verified that each regional site with noncompliance: (1) was correctly implementing 34 CFR §§300.301(c)(1) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the regional site, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011:**

Specifically, to verify that each regional site was correctly implementing the requirements, CDS State IEU reviewed subsequent updated data from Case-e, performed on-site file reviews, and verified subsequent data submitted through regional site self-assessments and compliance reports submitted by each regional site. The time period for which each program was required to demonstrate 100% compliance varied based on the level of noncompliance identified in the program.

Through Case-e, CDS State IEU was also able to verify that each child referred by Part C, prior to age 3, who was found eligible for Part B, subsequently had an IEP developed, although late.

In addition to verifying correction according to the OSEP 09-02 Memorandum, CDS State IEU also complied with the requirements to account for all instances of noncompliance identified through its database as well as on-site monitoring and other monitoring procedures; identify the level, location (regional site), and root cause(s) of all noncompliance; and require any regional site with policies, procedures, or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit CAPs. CDS State IEU and the regional site created the CAPs. These activities ranged from providing staff training, attending required TA, submitting monthly reports to the CDS State IEU and completing CAP check-in calls with the CDS State IEU.

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

Statement from the Response Table	State’s Response
Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated	CDS reports herein on the verification of correction of noncompliance identified in FFY 2011 consistent with OSEP Memorandum 09-02 in the “Correction of FFY 2011 Findings of Noncompliance” section above.

<p>data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	
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**Section II - School Aged (5 to 20)**

**Actual Target Data for School Aged (5-20) for FFY2012:**

<p>93.16%</p>
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The data for this indicator are monitoring data. LEAs are assigned to cohorts that are monitored on a six year rotation ensuring that each LEA is monitored once every six years. The data for this indicator were collected during fall 2012 monitoring.

Initial evaluation data were collected from the 21 LEAs that were monitored during FFY 2012 (July 1, 2012 to June 30, 2013). Through monitoring activities, records for 25% of children receiving special education services in the LEAs were reviewed. The LEAs in the monitoring cohort performed a self-assessment of the records of 15% of their students receiving special education, and submitted the self-assessment to the Maine DOE. Maine DOE monitoring staff conducted on-site assessment of the records of an additional 10% of the LEAs students receiving special education, to validate the data submitted by the LEAs through self-assessment. Findings of noncompliance were made in all instances and were identified both through self-assessment and on-site assessment.

**Children aged 5-20 evaluated within State-established timeline of 45 school days:**

<p>a. Number of children aged 5-20 for whom parental consent to evaluate was received</p>	<p><b>190</b></p>
<p>b. Number of children aged 5-20 whose evaluations were completed within 60 days (or State-established timeline of 45 school days)</p>	<p><b>177</b></p>
<p>Percent of children aged 5-20 with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline of 45 school days) (Percent = [(b) divided by (a)] times 100)</p>	<p><b>93.16%</b></p>

**Account for students included in (a) but not included in (b):**

The 21 LEAs monitored received 190 parental consents for evaluation within the 25% of special education files reviewed. As indicated in the table above, 177 evaluations were completed within the 45 school-day timeline or within an allowable extension of time pursuant to Federal and Maine Unified Special Education Regulations (MUSER). Acceptable reasons for exceptions to the timeline are those that are beyond the LEA’s control, including repeated parent failure or refusal to produce the child for evaluation, excessive child absences, documented delays in making contact with parent to schedule the evaluation, documented parent request for a delay, or the child enrolled in the LEA after parental consent was received in another LEA but before the evaluation could be completed.

**Indicate the range of days beyond the timeline and provide reasons for the delay:**

The delays across LEAs for these initial evaluations ranged from 1 day to 58 days. Delay reasons provided by the LEAs and determined as not allowable under the Federal and Maine regulations were a lack of available staff to complete evaluations, or evaluators who did not comply with evaluation guidelines including timeframe for completion.

There were no children for whom consent was received in FFY 2012 but whose evaluation timeline did not end until FFY 2013.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2012:**

Maine DOE revised its data collection methodology for this indicator for FFY 2012. As data from the LEAs for this indicator were being analyzed, it became clear Maine DOE had been calculating a district's compliance based on *eligibility determination* timelines, not based on *initial evaluation* timelines. As a result, for reporting in FFY 2012, Maine DOE is only reporting on the timeline for completion of initial evaluation. The numerator now accurately reflects the number of files that were compliant, and the denominator reflects the total number of files that were sampled.

Because the data collection methodology for this indicator has changed, even though the percentage is significantly higher than FFY 2011, Maine DOE cannot determine whether the FFY 2012 data represent actual progress or slippage from previous years' data.

Maine DOE has added this clarification in its continuous professional development to the field to support LEAs in areas of need regarding timely completion of initial evaluations. LEAs are expected to improve their processes through an information, practice and feedback loop that will be provided by monitoring staff at Maine DOE, with input from colleagues and other resource groups with whom LEAs connect.

LEAs continue to be required to address initial evaluation practices that result in noncompliance through corrective action activities implemented as a result of data collected through self-assessment and on-site monitoring. Through these reviews, the Maine DOE ensures that the evaluation of any child still within the jurisdiction of the LEA whose initial evaluation was not timely corrected (the initial evaluations for the 13 children reported as untimely in the actual target data), was subsequently completed (although late) consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance):**

Level of compliance (actual target data) State reported for FFY 2011 for this indicator for 5-20: 88.4%

1) Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	<b>14</b>
2) Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	<b>13</b>
3) Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>1</b>

**Correction of FFY2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

4) Number of FFY2011 findings not timely corrected (same as the number from (3))	<b>1</b>
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above)	
5) Number of FFY2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	<b>1</b>
6) Number of FFY2011 findings <u>not</u> verified as corrected [(4) minus (5)]	<b>0</b>

**Actions Taken if Noncompliance Not Corrected:**

All findings of noncompliance were corrected as soon as possible after the findings were issued and 13 of 14 were verified as corrected within one year. Maine DOE provided additional technical assistance to the LEA with the FFY 2011 finding that remained uncorrected. While this finding was outstanding beyond the one-year timeline, it was corrected prior to the start of the 2013-14 school year. All LEAs were required to ensure the evaluations were complete in cases where timelines were exceeded.

**Verification of Correction of Remaining FFY 2011 findings:**

Prior to considering any finding from FFY 2011 corrected, Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing procedures for initial evaluation [34 CFR §§300.301(c)(1)] with 100% compliance based on updated data subsequently collected through corrective activities); and (2) had corrected each individual case of noncompliance, although late, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011:**

Specifically, to verify that each LEA was correctly implementing the requirements, Maine DOE reviewed and verified subsequent updated data submitted by the LEAs through corrective action reports. The time period for which each program was required to demonstrate 100% compliance was within one year of the identification of the noncompliance. Noncompliance remaining past one year was subsequently resolved given additional support from the Maine DOE and submission of evidence of corrective activities.

In addition, as reported above, through follow-up data reviews, Maine DOE ensured that each evaluation was completed, although late, for the files found noncompliant in the FFY 2012 data collection.

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

Statement from the Response Table	State’s Response
Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved	All findings of noncompliance were corrected as soon as possible after the findings were issued including 13 of 14 within the one-year timeline. Maine DOE provided technical assistance to the LEA with the FFY 2011 finding that remained uncorrected. While this finding was outstanding over one year, it was corrected prior to the start of the 2013-14 school year. All LEAs were required to ensure the evaluations were complete in cases

Statement from the Response Table	State’s Response
<p>100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.<sup>2</sup> In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p>where timelines were exceeded. Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing procedures for initial evaluation [34 CFR §§300.301(c)(1)] with 100% compliance based on data subsequently collected through corrective activities; and (2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>Specifically, to verify that each LEA was correctly implementing the requirements, Maine DOE reviewed and verified subsequent updated data submitted by the LEAs through corrective activities. The time period for which each program was required to demonstrate 100% compliance was within one year of the identification of the noncompliance. Noncompliance remaining past one year was subsequently resolved given additional support from the Maine DOE and submission of evidence of corrective activities.</p>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Maine DOE has reviewed the improvement activities. No changes have been made.

<sup>2</sup> OSEP Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008, requires that the State report that it verified that each LEA with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

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

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

**Measurement:**

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

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

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

FFY	Measurable and Rigorous Target
FFY 2012	100%

**Actual Target Data for FFY 2012:**

<p><del>100%</del> 99.63%</p>
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Data were collected from the State database (Case-e) for all children for the reporting period of July 1, 2012 through June 30, 2013 and verified by the regional sites. Findings of noncompliance were made based on the review of this data.

**Actual State Data (Numbers)**

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination	565
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	5
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	543
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied	15
e. # of children who were referred to Part C less than 90 days before their third birthdays	0
# in a but not in b, c, d, or e	2
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays  Percent = [(c) / (a-b-d-e)] * 100	100% 99.63%

**Account for Children Included in a, but not in b, c, d, or e:**

**Indicate the range of days beyond the third birthday and the reasons for the delays:**

Site	Days 1 to 29	Days 30 to 59	Days 60 to 89	Days 90 Plus
All	1	0	1	0

**Reason for the delays:**

Reason for Delay	Count
CDS (no delay reason was given and/or delay was caused by regional site/ staff)	2

**Public Reporting APR Data:**

Site	%
Aroostook County	100%
CDS Reach	100%
CDS First Step	98%
Two Rivers	100%
Midcoast Regional CDS	100%
Opportunities	100%
Project PEDS	100%
Child Development Services Downeast	100%

York County	100%
<b>State Total</b>	<b>100% 99.63%</b>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012<sup>3</sup>:**

Maine did not reach its target for FFY 2012 and has increased from the FFY 2011 year (95%).

Previous years' data were:

FFY 2010	93%
FFY 2009	91.7%
FFY 2008	86.6%
FFY 2007	100%
FFY 2006	100%

Although not yet meeting target, CDS as a system has shown an increase ensuring eligible children transitioning from Part C to Part B have an IEP developed and implemented by their third birthday. A variety of activities have occurred at both the State and regional site level to ensure all eligible children transition to preschool and other appropriate community services by their third birthday. In addition to the activities listed below, personnel from the CDS State IEU, including some regional site staff, participated in national and state focused TA activities. TA was received from NERRC and NECTAC through webinars, phone conversations, and review of information posted on websites. Pertinent information was shared with regional site directors via email and at their RSLT meetings.

Activities initiated or required by the CDS State IEU over the last year included:

- Initiated Corrective Action Plan (CAP) calls at least bimonthly where the Deputy Director and Quality Assurance Director received updates on the progress of each regional site's CAP.
- In FFY 2013, the CDS State IEU will provide training on the transition process with Part C and Part B case managers as well as have specific training for Part B IEP transition facilitator. Guidance documents will be provided to all regional sites to assist in clarifying the transition process.

Activities completed by regional sites:

- Ongoing meeting were held to educate and refine the Part C to Part B transition process.

**Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2011 APR):**

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 95%

1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	<b>3</b>
2. Number of FFY 2011 findings the State verified as timely corrected (corrected	<b>3</b>

<sup>3</sup> In an effort to reduce reporting burden, in the FFY 2012 APR, States: 1) Are not required to provide an explanation of: a) progress; b) no change in actual target data from the data for FFY 2011; or c) slippage if the State meets its target. 2) Are not required to discuss improvement activities for: a) compliance indicators where the State reports 100% compliance for FFY 2012; and b) results indicators where the State has met its FFY 2012 target. 3) May provide one set of improvement activities for the entire APR as long as the Improvement Activities are indexed back to reference the relevant indicators.

within one year from the date of notification to the LEA of the finding)	
3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

**Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
6. Number of FFY 2011 findings <u>not</u> verified as corrected [(4) minus (5)]	0

**Actions Taken if Noncompliance Not Corrected:**

All findings of noncompliance for FFY 2011 have been timely corrected.

**Verification of Correction (either timely or subsequent):**

Prior to considering any finding from FFY 2011 corrected, CDS State IEU verified that each regional site with noncompliance: (1) was correctly implementing 34 CFR §§300.124(b) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the regional site, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011:**

Specifically, to verify that each regional site was correctly implementing the requirements, CDS State IEU reviewed subsequent updated data from Case-e, performed on-site file reviews, and verified subsequent data submitted through regional site self-assessments and compliance reports submitted by each regional site. The time period for which each program was required to demonstrate 100% compliance varied based on the level of noncompliance identified in the program.

Through Case-e, CDS was also able to verify that each child referred by Part C, prior to age 3, who was found eligible for Part B, subsequently had an IEP developed, although late.

In addition to verifying correction according to the OSEP 09-02 Memorandum, CDS State IEU also complied with the requirements to account for all instances of noncompliance identified through its database as well as on-site monitoring and other monitoring procedures; identify the level, location (regional site), and root cause(s) of all noncompliance; and require any regional site with policies, procedures, or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit CAPs. CDS State IEU and the regional site created the CAPs. These activities included providing staff training, attending required TA, submitting monthly reports to the CDS State IEU and completing CAP check-in calls with the CDS State IEU.

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

Statement from the Response Table	State’s Response
<p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p>CDS reports herein on the verification of correction of noncompliance identified in FFY 2011 consistent with OSEP Memorandum 09-02 in the “Correction of FFY 2011 Findings of Noncompliance” section above.</p>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 (if applicable):**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY2012

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

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

**Measurement:**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100 =  $36/100 \times 100 = 36\%$

**Actual Target Data for FFY2012:**

FFY2011 Performance	FFY2012 Target	FFY2012 Performance
60.4%	100%	36%

The number of files reported in the calculation above is much smaller than in past years because Maine has moved to a calculation based on direct monitoring data. FFY 2012 performance is based solely on the number of files audited. While this calculation may present a perception of a smaller sample, it has the benefit of transparency (the actual number of audited files and compliant files are noted) and it lends itself to the use of appropriately-sized confidence intervals for future longitudinal analysis (wider confidence intervals for smaller samples).

LEAs are assigned to cohorts that are monitored on a six year rotation, ensuring that each LEA is monitored once every six years. The data for this indicator reflect direct monitoring data. Postsecondary transition data were collected from the 21 LEAs that were monitored during FFY 2012 (July 1, 2012 to June 30, 2013) Records for 25% of children receiving special education services in the LEAs are reviewed through monitoring activities. The LEAs in the monitoring cohort performed a self-assessment of the records of 15% of their students receiving special education, and submitted the self-assessment to the Maine DOE. Maine DOE monitoring staff conducted on-site assessment of the records of an additional 10% of the LEA’s students receiving special education, to validate the data submitted by the LEAs through self-assessment. Findings of noncompliance were made in all instances and were identified both through self-assessment and on-site assessment. In addition, a second collection of data for this indicator occurred after the completion of additional technical assistance to the field. This second submission was collected in fall 2013 and reviewed by Maine DOE staff.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage, if the State did not meet its target, that occurred for FFY2012:**

Maine’s use of a calculation based on direct monitoring data is a shift from calculations in previous years that extrapolated data to report on an SAU’s entire special education population. Additionally, this is the first reporting year that Maine has used the postsecondary transition plan checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC), increasing the rigor with which postsecondary transition plans are reviewed. Intensive technical assistance from NSTTAC in FFY 12 and the implementation of evidence based practice professional development through Maine’s State Personnel Development Grant (SPDG) has supported the Maine DOE in making statewide improvement in the development and implementation of postsecondary transition plans a priority. Maine DOE expects the extensive activities described below, that have been and will continue to be provided to the entire state, will result in quality, effective postsecondary transition plans for students with disabilities, not simply compliant plans. Further results are expected to be seen in post school outcomes for students with disabilities.

The file review information indicated that of the 100 files reviewed, 64 did not meet all of the components of the indicator. Further analysis of these data indicated that although a file may have been in compliance for a majority of the components of the indicator, it did not meet the requirement of the indicator. As described in the chart below, Maine has performance on each item of the transition plan at or above 67%.

Indicator Questions	Percent of IEPs that have Requirements in Place
Advanced written notice indicates purpose of meeting is postsecondary transition planning	80%
Student was invited to IEP where transition services were discussed	72%
If appropriate, a representative from an outside agency was invited to the IEP team meeting	NA
IEP includes measurable postsecondary goals addressing education	85%
IEP includes measurable postsecondary goals addressing employment	85%
IEP includes measurable postsecondary goals addressing independent living, as needed	88%

Postsecondary goals are reviewed and updated annually	97.80%
Postsecondary goals are developed based on age-appropriate transition assessment	89%
IEP includes transition services	71%
IEP annual goals assist the student to reach identified postsecondary transition goals	67%
IEP includes a course of study to reach identified postsecondary transition goals	89%

Improvement in postsecondary transition plan content and practice in the State of Maine is in large part due to a highly focused initiative in Maine’s State Personnel Development Grant’s (SPDG) *Goal 5: Effective transition planning* and its alignment with components of the General Supervision System (GSS). During the 2012-13 school year Maine DOE provided evidence-based professional development activities specifically designed to increase the percentages of LEA special education and related service personnel who can develop and implement effective, compliant transition plans and activities within timelines. In partnership with NSTTAC, Maine designed and developed a capacity building evidence based practice professional development plan implemented through the GSS activity of targeted technical assistance and professional development. Each LEA, special purpose private school (SPPS), and private academy attended a full day of training inclusive of supporting agencies (Maine Department of Labor, Vocational Rehabilitation; Maine Parent Federation) in spring 2013. Participation included 98% of the LEAs and approximately 60% of the SPPSs in the State of Maine.

As a result of the SPDG *Goal 5: Effective transition planning* team’s work with NSTTAC and the GSS activity of integrated monitoring, the monitoring tool for postsecondary transition planning was modified this reporting year to align with the NSTTAC’s Indicator B-13 checklist. The shift to this focus resulted in a deliberate attention to Indicator B-13 compliance. The FFY 2012 monitored cohort was held to these more specific, comprehensive and rigorous monitoring targets. Following the spring evidence based practice professional development, LEAs in the FFY 2012 monitoring cohort were requested to submit postsecondary transition plans for review in March 2013 and again in September 2013 to demonstrate outcomes of training provided in the SPDG workshops. Those LEAs experiencing ongoing noncompliance participated in an “intensive” three hour face-to-face training, and were subsequently required to submit postsecondary transition plans completed by each of their staff responsible for developing and writing postsecondary transition plans for additional review by Maine DOE staff. Improvement in item by item performance from the March 2013 submission to the September 2013 submission was significant.

Indicator Questions	Percent of IEPs that have Requirements in Place; March 2013 Submission	Percent of IEPs that have Requirements in Place; September 2013 Submission
Advanced written notice indicates purpose of meeting is postsecondary transition planning	70.4%	91.3%
Student was invited to IEP where transition services were discussed	57.4%	89.1%
If appropriate, a representative from an outside agency was invited to the IEP team meeting	NA	NA
IEP includes measurable postsecondary goals addressing education	79.6%	91.3%
IEP includes measurable postsecondary goals addressing employment	79.6%	91.3%
IEP includes measurable postsecondary goals addressing independent living, as needed	79.6%	97.8%
Postsecondary goals are reviewed and updated annually	97.8%	97.8%
Postsecondary goals are developed based on age-appropriate transition assessment	83.3%	95.7%
IEP includes transition services	59.3%	84.8%
IEP annual goals assist the student to reach identified postsecondary transition goals	46.3%	91.3%

IEP includes a course of study to reach identified postsecondary transition goals	79.6%	100.0%
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As part of the GSS activity of targeted technical assistance and professional development, and in alignment with the extensive professional development provided through the SPDG on postsecondary transition planning, Maine Special Services developed and conducted an Indicator B-13 webinar for the “Listen and Learn” series. This webinar was designed to provide an overview of Indicator B-13 compliance for the field, specifically special education directors and coordinators. The webinar afforded the opportunity for targeted LEAs to review postsecondary content and non-targeted LEAs to access new information. The recording of the live webinar remains on the Maine DOE website for reference by the field.

**Correction of Remaining FFY 2011 Findings of Noncompliance (if applicable):**

Level of compliance (actual target data) state reported for FFY 2011 for this indicator: 60.4%

1) Number of findings of noncompliance the State made during FFY2011 (the period from July 1, 2011 through June 30, 2012)	22
2) Number of FFY2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	16
3) Number of FFY2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	6

**Correction of FFY2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

4) Number of FFY2011 findings not timely corrected (same as the number from (3) above)	6
5) Number of FFY2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	6
6) Number of FFY2011 findings <u>not</u> verified as corrected [(4) minus (5)]	0

**Actions Taken if Noncompliance Not Corrected:**

Since transition plan information can be corrected, the LEAs were required to convene IEP meetings to revise the plans to meet the requirements in those cases where transition plans were found to be incomplete, or noncompliant. Noncompliance remaining past one year was subsequently resolved given additional support from the Maine DOE and submission of evidence of corrective activities.

**Verification of Correction of Remaining FFY 2011 findings:**

Prior to considering any finding from FFY 2011 corrected, Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing 34 CFR §§300.320(b) and 300.321(b), (i.e., achieved 100% compliance) based on updated data subsequently collected through corrective activities; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY2011:**

Specifically, to verify that each LEA was correctly implementing the requirements, Maine DOE reviewed and verified subsequent updated data submitted by the LEAs through corrective action reports. The time period for which each program was required to demonstrate 100% compliance was within one year of the identification of the noncompliance.

Maine DOE reviewed two types of additional data. First, each LEA submitted corrected secondary transition plans that were identified as noncompliant. Each LEA also submitted new secondary transition plans, developed after the finding of noncompliance, that were 100% compliant.

In addition to verifying correction according to the OSEP 09-02 Memorandum, Maine DOE also complied with the requirements to: account for all instances of noncompliance identified through monitoring procedures; identify the level, location, and root cause(s) of all noncompliance; and require any LEA with policies, procedures, or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit corrected secondary transition plans developed after the finding of non-compliance.

**Correction of Remaining FFY 2010 Findings of Noncompliance (if applicable):**

*For FFY 2010 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.*

1. Number of remaining FFY 2010 findings noted in OSEP’s July 1, 2013 FFY 2011 APR response table for this indicator	<b>24 0</b>
2. Number of remaining FFY 2010 findings the State has verified as corrected	<b>24 0</b>
3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)]	<b>0</b>

**Explanation of the discrepancy between the information provided in the FFY 2011 APR and the information provided in the FFY 2012 APR:**

The FFY 2011 SPP/APR response table was read incorrectly, impacting the development of the FFY 2012 APR. The highlighted data in the table, above, reflects the correct data for FFY 2012 reporting period.

**Actions Taken if Noncompliance Not Corrected:**

Since transition plan information can be corrected, the LEAs were required to convene IEP meetings to revise the plans to meet the requirements in those cases where transition plans were found to be noncompliant.

**Verification of Correction of Remaining FFY2010 findings:**

Prior to considering any finding from FFY 2010 corrected, Maine DOE verified that each LEA with noncompliance; (1) was correctly implementing 34 CFR §§300.320(b) and 300.321(b), (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through desk audit; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY2010:**

Specifically, to verify that each LEA was correctly implementing the requirements, MDOE reviewed updated data and verified data submitted through LEA self-assessments. The time period for which each program was required to demonstrate 100% compliance varied based on the level of noncompliance identified in the program.

In addition to verifying correction according to the OSEP 09-02 Memorandum, MDOE also complied with the requirements to: account for all instances of noncompliance identified through self-assessments and other monitoring procedures; identify the level, location, and root cause(s) of all noncompliance; and require any LEA with policies, procedures, or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit CAPs.

**Additional Information required by the July 1, 2012 OSEP APR Response Table for this indicator:**

Statement from the Response Table	State’s Response
<p>Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator.</p>	<p>All instances of noncompliance identified in FFY 2011 for this indicator have been corrected.</p>
<p>When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p>Prior to considering any finding from FFY2011 corrected, Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing 34 CFR §§300.320(b) and 300.321(b), (i.e., achieved 100% compliance) based on updated data subsequently collected through corrective action reports ; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). Specifically, to verify that each LEA was correctly implementing the requirements, Maine DOE reviewed and verified subsequent updated data submitted by the LEAs through corrective action reports. The time period for which each program was required to demonstrate 100% compliance was within one year of the identification of the noncompliance. Noncompliance remaining past one year was subsequently resolved given additional support from the Maine DOE and</p>

Statement from the Response Table	State’s Response
	submission of evidence of corrective activities.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Maine DOE, Office of Special Services staff and stakeholders participating in the Goal 5 Implementation Team have reviewed the improvement activities for Indicator B-13. Maine DOE continues to receive intensive technical assistance from NSTTAC. The state provided a statewide, two-day Post-Secondary Transition Planning Capacity Building Institute for all LEAs and SPPs in the 2013-14 school year. The Maine Administrators of Services for Children with Disabilities (MADSEC)/Maine Department of Education Fall Post-Secondary Transition Capacity Building Institute included content sessions on “Strategies to Promote Parent Involvement”, “Age Appropriate Transition Assessments”, “Achieving Compliance through IEP Goal Alignment”, “Self –Determination”, “Interagency Collaboration”, “Career Exploration”, “What’s Out there After Graduation” and “Nontraditional Supports”. Each regional team’s three common planning times were facilitated by representatives from NSTTAC, the Maine Department of Education, the Maine Department of Labor’s Vocational Rehabilitation Bureau, the Maine Parent Federation and the Maine Department of Health and Human Services. The objectives of the common planning time were for the participants to:

- collaborate with other stakeholders in their region through networking and a facilitated planning process, and
- identify strengths, needs, and a goal to build capacity to improve transition planning within their geographic region of Maine.

In addition, the regions discussed current practices and resources within the region, identified gap areas, and identified a common area of need. By the end of the Institute each of Maine’s nine regional teams developed a plan that was reflective and relevant to effective post-secondary transition planning in their region and purposefully designed to effectively bridge school age post-secondary transition planning to adult services.

Part B State Annual Performance Report (APR) for FFY2012

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 14:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

**Measurement:**

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100. **[ 319 / 1377 ] \* 100 = 23.16% data not available**

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100. **[ (319 + 342) / 1377 ] \* 100 = 48% data not available**

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100. **[ (319 + 342 + 477) / 1377 ] \* 100 = 82.64% data not available**

<b>The actual number of “leavers” who are:</b>	<b>Numbers</b>
1. Enrolled in higher education within one year of leaving high school;	319
2. Competitively employed within one year of leaving high school (but not enrolled in higher education);	342
3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);	0
4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	477

Actual Target Data for FFY2012:

FFY2011 Performance			FFY2012 Target			FFY2012 Performance		
A.	B.	C.	A.	B.	C.	A.	B.	C.
17.4%	62.9%	68.6%	25.1%	76.6%	82.3%	23.16%	48%	82.64%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

Data for the exiters in 2011-2012 are not yet available. In September 2013, contact information was obtained on 500 students with disabilities who exited Maine schools in 2011-2012. Contact was attempted with each of these exiters between September 2013 and October 2013 via mailings to their last known addresses. 100 of the 500 mailings were returned undeliverable. Mailings asked exiters to complete an online survey addressing their post school experiences. A typographic error on the online survey webpage address was suspected to have significantly limited responses to the mailing to a non-measurable size (less than 10). Maine Department of Education is working with the Maine Office of Information Technology and the Maine Department of Labor to develop a dataset that will provide all of the necessary data. We anticipate the data will be available to respond to the correction and clarification request in April 2014.

Data for the exiters in 2011-2012 was provided to the National Student Clearinghouse (NSC) and the Maine Department of Labor. These organizations evaluated those data for subsequent employment and education experiences. The results for the 2011-2012 exiting students did not meet the targets for B14A and B14B, but the target was met for B14C. In addition, the state showed slippage on B14B from FFY 2011 to FFY 2012. Slippage on B14B may be attributed to Maine's economic climate and its impact on the availability of employment in the State overall.

Data collection from various agencies beyond the Maine Department of Education has continued to present challenges. Reporting data provided by the NSC and the Maine DOL leaves out individuals enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed). It also does not allow self reporting of individuals in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). Believing a root cause of Maine's weak performance against identified targets was a non-representative sample, the State attempted to survey students with disabilities who exited Maine schools in 2011-12. Of 1377 exiters, contact information was available for 500 of them. Contact was attempted with each of these exiters between September 2013 and October 2013 via mailing to last known address. 100 of the 500 mailings were returned undeliverable. Mailings asked exiters to complete an online or telephone survey addressing their post school experiences. A typographic anomaly on the online survey webpage address was suspected as the cause of the significantly limited responses to the mailing, resulting in a non-measurable size (less than 10). This process revealed to the State another, more substantial root cause of weak performance against identified targets; the lack of an effective response collection method that represents exiters for the year assessed.

Improvement activities that occurred for FFY 2012 related to post school outcomes included training SAUs in the development of high quality post-secondary transition plans in student IEPs as part of the State Personnel Development Grant (SPDG). The Maine Department of Education has received an award from the National Secondary Transition Technical Assistance Center (NSTTAC) for two years of intensive technical assistance designed to improve post-secondary planning for students with disabilities. Trainings were focused on developing post-secondary transition plans that are compliant but also achieve high-quality outcomes for students with disabilities. In addition, as a result of these trainings, a post school outcome subgroup comprised of LEAs, the SEA, and DOL has been developed. This group is tasked with identifying processes at the LEA level that are currently successful in collecting post school

outcome data. It is anticipated this will allow the State to revisit a survey driven, direct contact data collection method that should result in data showing improved performance against the targets...

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

~~Possible revisions will be considered after data are received and reviewed.~~

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

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

**Measurement:**

Percent of noncompliance corrected within one year of identification:

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

**Target data for FFY 2012– the percent shown in the last row of the Indicator 15 Worksheet [column (b) sum divided by column (a) sum] times 100 [(45/52)\*100]=86.54%**

**(Indicator 15 Worksheet included within the text of this indicator below)**

**Actual Target Data for FFY 2011:**

FFY 2011 Performance	FFY 2012 Target	FFY 2012 Performance
83.9 78.6%	100%	86.54%

PART B INDICATOR 15 WORKSHEET (includes findings made in CDS Early Childhood Programs as well as LEAs)				
Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12)	(a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self-	0	0	0

<p>2. Percent of youth with IEPs dropping out of high school.</p>	<p>Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>			
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.</p>	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>3. Participation and performance of children with disabilities on statewide assessments.</p>	<p>Monitoring Activities: Self- Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>7. Percent of preschool children with IEPs who demonstrated improved outcomes.</p>	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.</p>	<p>Monitoring Activities: Self- Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>0</p>	<p>0</p>	<p>0</p>

<p>4B. Percent of districts that have:                  (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>5. Percent of children with IEPs aged 6 through 21 -educational placements.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>6. Percent of preschool children aged 3 through 5 – early childhood placement.</p>	<p>Dispute Resolution: Complaints, Hearings</p>	<p>1</p>	<p>1</p>	<p>1</p>
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>0</p>	<p>0</p>	<p>0</p>
	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>

# APR Template – Part B

Maine

<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p>	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>17 (3 CDS, 14 School)</p>	<p>17 (3 CDS, 14 School)</p>	<p>16 (3 CDS, 13 School)</p>
	<p>Dispute Resolution: Complaints, Hearings</p>	<p>2</p>	<p>2</p>	<p>2</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p>	<p>3 CDS</p>	<p>3 CDS</p>	<p>3 CDS</p>
	<p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p>	<p>0</p>	<p>0</p>

**APR Template – Part B**

13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	22	16
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance:  Findings of noncompliance related to implementation of Maine's Unified Special Education Regulation  Due process events	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	7	7	7
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	---	---	---
	Dispute Resolution: Complaints, Hearings	---	---	---

Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	---	---	---
	Dispute Resolution: Complaints, Hearings	---	---	---
<b>Sum the numbers down Column a and Column b</b>			52	45
<b>Percent of noncompliance corrected within one year of identification =</b>			<b>(b) / (a) X 100 =</b>	<b>86.54%</b>
<b>(column (b) sum divided by column (a) sum) times 100.</b>				

**Section I – CDS Early Childhood Programs (3 to 5)**

**Describe the process for selecting LEAs [regional sites] for Monitoring:**

The CDS State IEU monitors all nine regional sites annually on multiple indicators including the APR compliance indicators. The level of monitoring for each site is based on APR data.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2012<sup>4</sup>:**

Pursuant to OSEP Memo 14-2, Maine CDS State IEU is not required to report on progress/slippage or improvement activities for this indicator for FFY 2012 because the State has met its target for CDS Early Childhood Programs. 100% (6 of 6) findings were verified as corrected within one year of notification of the finding.

**Timely Correction of FFY 2011 CDS Findings of Noncompliance (corrected within one year from identification of the noncompliance):**

1. Number of findings of noncompliance the State identified in FFY 2011 (the period from July 1, 2011 through June 30, 2012) (Sum of Column a on the Indicator B15 Worksheet)	<b>6</b>
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	<b>6</b>

<sup>4</sup> In an effort to reduce reporting burden, in the FFY 2012 APR, States: 1) Are not required to provide an explanation of: a) progress; b) no change in actual target data from the data for FFY 2011; or c) slippage if the State meets its target. 2) Are not required to discuss improvement activities for: a) compliance indicators where the State reports 100% compliance for FFY 2012; and b) results indicators where the State has met its FFY 2012 target. 3) May provide one set of improvement activities for the entire APR as long as the Improvement Activities are indexed back to reference the relevant indicators.

3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>0</b>
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**FFY 2011 CDS Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):**

4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	<b>0</b>
5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	<b>0</b>
6. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)]	<b>0</b>

**Verification of Correction for findings of noncompliance identified in FFY 2011 (either timely or subsequent):**

Prior to considering any finding from FFY 2011 corrected, CDS State IEU verified that each regional site with noncompliance: (1) was correctly implementing the specific regulatory requirements (IDEA and MUSER) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the regional site, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):**

Specifically, to verify that each regional site was correctly implementing the requirements, CDS State IEU reviewed subsequent updated data from Case-e, performed on-site file reviews, and verified subsequent data submitted through regional site self-assessments and compliance reports submitted by each regional site. The time period for which each program was required to demonstrate 100% compliance varied based on the level of noncompliance identified in the program.

For timeline specific requirements, CDS also verified that the action occurred, although late. For other requirements, CDS verified correction for each child.

In addition to verifying correction according to the OSEP 09-02 Memorandum, CDS State IEU also complied with the requirements to: account for all instances of noncompliance identified through its database as well as on-site monitoring and other monitoring procedures; identify the level, location (regional site), and root cause(s) of all noncompliance; and require any regional site with policies, procedures, or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit CAPs. CDS State IEU and the regional site created the CAPs. These activities included providing staff training, attending required TA, submitting monthly reports to the CDS State IEU and completing CAP check-in calls with the CDS State IEU.

**Actions Taken if Noncompliance Not Corrected:**

All findings of noncompliance made in CDS Early Childhood Programs in FFY 2011 have been timely corrected.

**Additional Information Required by the OSEP FFY 2011 APR Response Table for this Indicator (if applicable):**

Statement from the Response Table	State’s Response
<p>When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2012 APR, the State must use and submit the Indicator 15 Worksheet.</p>	<p>CDS reports herein on the verification of correction of noncompliance identified in FFY 2011 consistent with OSEP Memorandum 09-02 in the “Correction of FFY 2011 Findings of Noncompliance” section above.</p>
<p>In responding to Indicators 11, 12, and 13 in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>	<p>Correction of noncompliance for indicators 11, 12, and 13 is described in the tables and narrative of those indicators.</p>

**Section II- LEAs (School Age (6-20))**

**Describe the process for selecting LEAs for Monitoring:**

LEAs are assigned to cohorts that are monitored on a six year rotation ensuring that each LEA is monitored once every six years. The data for this indicator were collected during fall 2011 monitoring, from the 21 LEAs that were monitored during FFY 2011 (July 1, 2011 to June 30, 2012). Through monitoring activities, records for 25% of children receiving special education services in the LEAs are reviewed. The LEAs in the monitoring cohort performed a self-assessment of the records of 15% of their students receiving special education, and submitted the self-assessment to the Maine DOE. Maine DOE monitoring staff conducted on-site assessment of the records of an additional 10% of the LEAs students receiving special education, to validate the data submitted by the LEAs through self-assessment. Findings of noncompliance were made on all instances identified both through self-assessment and on-site assessment.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2012:**

Although Maine did not meet the target for this indicator, Maine DOE’s data demonstrate progress from its FFY 2011 data. Program review staff worked with LEAs to correct outstanding corrective actions. The corrective action plans submitted when the finding of noncompliance was made required the LEA to define the immediate correction of noncompliance. In addition to verifying correction according to OSEP 09-02 Memorandum, Maine DOE also complied with the requirements to account for all instances of noncompliance identified through its database as well as onsite monitoring and other monitoring procedures; identify the level, LEA and root causes(s) of all noncompliance, and require any LEA with policies, procedures or practices that contributed to the noncompliance to revise those policies, procedures, or practices and submit Corrective Action Plans (CAP).

**Timely Correction of FFY 2011 Findings of Noncompliance (corrected within one year from identification of the noncompliance) (School Age LEAs):**

1) Number of findings of noncompliance the State identified in FFY 2011 (the period from July 1, 2011 through June 30, 2012) (Sum of Column a on the Indicator B15 Worksheet for School Age LEAs (the additional findings are included in the tables above for CDS Programs))	<b>36</b>
2) Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet for school age LEAs)	<b>29</b>
3) Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>7</b>

**FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):**

4) Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	<b>7</b>
5) Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	<b>7</b>
6) Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)]	<b>0</b>

**Verification of Correction for findings of noncompliance identified in FFY 2011 (either timely or subsequent):**

Prior to considering any finding from FFY 2011 corrected, Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing the specific regulatory requirements (IDEA and MUSER) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through desk monitoring and on-site monitoring, or a State data system; and (2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).

To address concerns of long-term noncompliance, Maine DOE issues prescriptive Corrective Action Plans (CAPs) to specific LEAs that have not corrected noncompliance within one year of identification.

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2011 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):**

To verify that each LEA was correctly implementing the requirements, Maine DOE reviewed and verified subsequent updated data submitted by the LEAs through corrective action reports. The time period for which each program was required to demonstrate 100% compliance was within one year of the identification of the noncompliance. Noncompliance remaining past one year was subsequently resolved given additional support from the Maine DOE and submission of evidence of corrective activities.

Specifically, to verify correction of noncompliance identified in postsecondary transition plans, Maine DOE reviewed two types of additional data. First, each LEA submitted corrected secondary transition plans that were identified as noncompliant. Each LEA also submitted new secondary transition plans, developed after the findings of noncompliance, that were 100% compliant. To verify correction of noncompliance

identified with initial evaluations not completed within the 45 school day timeframe, Maine DOE ensured that each evaluation was completed, although late, for the files found noncompliant.

**Actions Taken if Noncompliance Not Corrected:**

Zero findings from the FFY2011 program review cycle remain open. Each finding of noncompliance has been verified as timely corrected or subsequently corrected prior to the submission of this report.

**Additional Information required by the July 2, 2013 OSEP APR Response Table for this indicator:**

Statement from the Response Table	State’s Response
<p>When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with findings of noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2012 APR, the State must use and submit the Indicator 15 Worksheet.</p>	<p>Prior to considering any finding from FFY 2011 corrected, Maine DOE verified that each LEA with noncompliance: (1) was correctly implementing the specific regulatory requirements (IDEA and MUSER) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through desk monitoring and on-site monitoring, or a State data system; and (2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p>
<p>In responding to Indicators 11, 12, and 13 in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>	<p>Correction of noncompliance for indicators 11, 12, and 13 is described in the tables and narrative of those indicators.</p>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

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

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

**Measurement:**

**Table 7 data, section C**

SECTION C: Due Process Complaints	
(3) Total number of due process complaints filed	50
(3.1) Resolution meetings	11
(a) Written settlement agreements reached through resolution meetings	4
(3.2) Hearings fully adjudicated	5
(a) Decisions within timeline (include expedited)	3
(b) Decisions within extended timeline	2
(3.3) Due process complaints pending	4
(3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing)	41

Percent = [(3.1(a) divided by 3.1)] times 100 = [(4/11)]\*100= 36.36

**Actual Target Data for FFY 2012:**

FFY2011 Performance	FFY2012 Target	FFY2012 Performance
50%	58%	36.36%

**Actual Numbers Used in the Calculation:**

Eleven cases went to resolution sessions and four resulted in settlement agreements.

4 resolution session agreements / 11 resolution sessions = 36.36%

**Description of the results of the calculations and compares the results to the state target:**

In FFY 2012, a total of 11 resolution sessions were held. Of that total, 4 resulted in a settlement agreement which calculates to a rate of 36.36%. This measure did not meet the target of 58%.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

Resolution sessions increased from a total of four (4) in FFY 2011 to eleven (11) in FFY 2012. Maine was not required to report on this indicator last year because there were fewer than ten (10) resolution

sessions and thus there is no slippage to report from FFY 2011. However, a review of the data indicates that performance on this indicator has varied over the life of the SPP, as illustrated below:

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009	FFY2010	FFY2011	FFY2012
B-18 Performance	57%	50%	60%	50%	25%	20%	50%	36.36%
Target		30%	35%	40%	45%	58%	58%	58%

Feedback from the field reveals a perception that the practical value of resolution sessions may be limited due to the characteristics of such a meeting. Resolution sessions are not confidential and information may be used from a resolution session in a hearing (unless the parties agree, in advance, that the resolution session will be confidential). In addition, the composition of the resolution session membership is similar to membership of an IEP team. A perception exists in the field that a resolution session whose membership is similar to that of an unsuccessful IEP team meeting is also likely to be unsuccessful. These issues all contribute to the fact that the target for this indicator was not met.

The Department of Education Due Process Office (DPO) has developed the webpage “Due Process Resolution Session Guidelines” as part of the due process website, located at:

<http://maine.gov/doe/specialed/support/dispute/procedures/resolutionsessionguidelines.html>.

This webpage offers quick access for parents and SAUs to a description of what a resolution session is and is not, including the benefits and possible concerns about a resolution session, and frequently asked questions. The document “Resolution Sessions, A Guide for Parents and Educators” is available via mail to parents and educators to help them better understand the resolution session as one of the ways to resolve special education disputes. The guide is provided to parties involved in a parentally-requested due process hearing.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:**

Improvement activities have been reviewed and no changes have been made.

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

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

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

<b>Measurement:</b>	
Table 7 data, section B	
<b>SECTION B: Mediation Requests</b>	
(2) Total number of mediation requests received through all dispute resolution processes	82
(2.1) Mediations held	42
(a) Mediations held related to due process complaints	23
(i) Mediation agreements related to due process complaints	11
(b) Mediations held not related to due process complaints	19
(i) Mediation agreements not related to due process complaints	17
(2.2) Mediations pending	0
(2.3) Mediations withdrawn or not held	40
Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100 = [(11+17)/42]*100 = 66.67	

**Actual Target Data for FFY 2012:**

FFY 2011 Performance	FFY 2012 Target	FFY 2012 Performance
69%	85%	66.67%

**Actual Numbers Used in the Calculation:**

A total of 42 mediations were held in FFY 2012, resulting in 28 agreements. Twenty-three mediations and 11 agreements were related to due process complaints; 19 mediations and 17 agreements were not related to due process complaints.

28 mediation agreements / 42 mediations = 66.67%

**Description of the results of the calculations and compares the results to the state target:**

In FFY 2012, a total of 42 mediations were held. Of that total, 28 resulted in mediation agreements which calculates to a rate of 66.67%. This measure did not meet the target of 85%.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2012:**

This measure did not meet the target and there was minor slippage from FFY 2011. A factor that affects performance on this indicator is the use of a private settlement agreement rather than a mediation agreement. The Due Process Office of the Maine DOE has requested to be notified by the parties when a private settlement agreement has been reached. It is voluntary for the parties to provide such information. The DPO has information on some settlement agreements but is not made aware of all

settlement agreements. The private settlement agreements are not included in the total number of mediation agreements, nor is any form of informal resolution.

When a dispute resolution request is received for a complaint investigation, hearing or expedited hearing, and the initiating party has indicated an unwillingness to participate in mediation, DPO staff follow up with the initiating party to discuss the benefits of mediation. Information is provided on: the difference between mediation and an IEP meeting; the expertise, knowledge and objectivity of the mediators on the DPO roster; the wide scope of issues that can be mediated; and the constructive/positive effect participation in mediation can have on the communication between the parties.

The mediation handbook is available electronically on the due process website:

<http://www.state.me.us/education/speced/dueprocess/index.htm>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2012:**

Improvement activities have been reviewed and no changes have been made.