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# IDEA National Assessment Implementation Study

## Final Report

ies NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE
Institute of Education Sciences

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## Final Report

## July 2011

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## Disclosure of Potential Conflicts of Interest

The research team for this study consists of key staff from Abt Associates and Westat. The organizations and the key staff members do not have financial interests that could be affected by findings from the study. None of the members of the Technical Working Group, convened by the research team to provide advice and guidance, have financial interests that could be affected by findings from the study.

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# Executive Summary

## Introduction

The Individuals with Disabilities Education Improvement Act of 2004 is the most recent reauthorization of the Individuals with Disabilities Education Act (IDEA), federal legislation specifically focused on the education of children with disabilities. The purposes of IDEA are: to ensure that all children receive a free and appropriate public education; to ensure that the rights of children with disabilities and their parents are protected; to assist states, localities, educational service agencies and federal agencies in providing an education for all children with disabilities; to assist states in the implementation of an interagency system of early intervention services for infants and toddlers with disabilities and their families; to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities and, lastly, to assess, and ensure the effectiveness of, efforts to educate children with disabilities [P.L. 108-446 § 601(d)].

Section 664(b) of the Individuals with Disabilities Education Improvement Act of 2004 requires that the Secretary of Education delegate to the Institute of Education Sciences (IES) responsibility for conducting an assessment of national activities under the law, known as the National Assessment of IDEA. The goals of the National Assessment of IDEA are: to determine the effectiveness of IDEA in achieving its purposes; to provide timely information to the President, Congress, the States, local educational agencies and the public on how to implement this title more effectively; and to provide the President and Congress with information that will be useful in developing legislation to achieve the purposes of this title more effectively. IES initiated studies in three broad areas that will contribute to the National Assessment of IDEA: (1) studies of the characteristics of children and youth identified for services under IDEA; (2) studies of the implementation of IDEA programs; and (3) studies of the effectiveness of IDEA-related services and strategies. The Individuals with Disabilities Education Act National Assessment Implementation Study (IDEA-NAIS) is one study of the implementation of IDEA programs that contributes to the overall National Assessment of IDEA.

IES initiated a design study advised by practitioners, researchers and evaluation experts to develop research questions and approaches to address the goals for the National Assessment of IDEA (Fiore et al. 2007). The design study prioritized areas for inclusion in the IDEA-NAIS. Ultimately, IES identified four focal areas: services to young children with disabilities; identification of children and youth with disabilities; efforts to promote positive developmental and educational outcomes for children and youth with disabilities; and dispute resolution. The IDEA-NAIS collected information to answer four broad research questions:

- What are the IDEA Part C early intervention service delivery models for infants and toddlers and how are IDEA Part C programs coordinated with IDEA Part B special education programs for preschool-age children, specifically in the support of children who may transition across programs?

- How are state agencies and school districts implementing the IDEA provisions to prevent inappropriate identification?

- How are state early intervention agencies, state educational agencies (SEAs) and local educational agencies (LEAs) implementing measures to improve child and youth outcomes through developmental and academic standards and qualified staff?

- To what extent do state agencies and school districts engage in dispute resolution with parents and guardians, and how has the incidence of disputes changed since the 2003–2004 school year?

Within each area, the IDEA-NAIS focuses on the implementation of select provisions of IDEA that were introduced or revised in the 2004 reauthorization of the law and complements the work of the other National Assessment of IDEA studies.[1] The IDEA-NAIS also examines key IDEA provisions that were introduced prior to the 2004 authorization but were not included in earlier national studies.

The executive summary highlights key findings of the IDEA-NAIS related to each of the four research questions. For a fuller description of findings, please see the full report.

## The Scope of Early Intervention and Special Education in the U.S.

IDEA authorizes the Secretary of Education to provide grants to states to assist them in the provision of special education and related services to children with disabilities. The IDEA Part C program supports early intervention services to infants and toddlers with disabilities and their families and, at state discretion those at risk for developmental delays and disabilities, from birth through age 2. The IDEA Part B 619 program supports special education and related services to preschool-age children with disabilities (ages 3 through 5) and the Part B 611 program provides funds to support the provision of a free appropriate public education (FAPE) for children and youth with disabilities ages 6 through 17, and ages 3 through 5 and 18 through 21 if those ages are included in the mandatory age range for the provision of FAPE under state law.

Nearly seven million children with disabilities from birth through age 21 receive services under IDEA. Services through the Part C early intervention program were provided to 316,730 infants and toddlers birth through age 2 in 2007. Part B special education program services were provided to 700,166 children with disabilities ages 3 through 5 and 5,905,854 students with disabilities ages 6 through 21.[2]

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[1] See http:/ies.ed.gov/ncee/projects/evaluation/disabilities.asp for a description and status of the other National Assessment of IDEA studies.

[2] Number of infants and toddlers served under the Part C early intervention program is from *Table C1 Number and Percentage of Population Served (Ages Birth Through 2), Part C, by State: 1998 Through 2007* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartCTrendData/C1.xls, retrieved July 19, 2009).

Number of preschool-age children served under the Part B special education program is from *Table B2B Number and Prevalence Rate of Children Served in the 50 States and D.C. (including BIE schools) under IDEA, Part B Ages 3-21 and Ages 3-5 by Age, 1998 Through 2007* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B2B.xls, retrieved July 19, 2009).

Number of children and youth ages 6 through 21 served under the Part B special education program is from *Table B2B Number and Prevalence Rate of Children Served in the 50 States and D.C. (including BIE*

## Methods and Report Contents

The IDEA-NAIS is a descriptive study of the implementation of IDEA as reported by state educational agency (SEA) and local educational agency (LEA) leadership. The IDEA-NAIS provides a comprehensive national picture of the state and local implementation of IDEA for children and youth ages birth through age 21. Findings are based primarily on survey data from 50 states and the District of Columbia and a nationally representative sample of 1,200 school districts. Three state-level mail surveys collected data from: (1) state Part C program coordinators who are responsible for early intervention programs serving infants and toddlers; (2) state Part B program coordinators who oversee programs for preschool-age children with disabilities; and (3) state Part B program coordinators who oversee programs providing special education services to children and youth with disabilities. The fourth survey was a web-based survey that collected data from local special education administrators at the district level. The state agency surveys had a 100 percent response rate and the district survey achieved a 96 percent response rate. The IDEA-NAIS also collected extant data for two purposes: (1) to reduce duplication of reporting and (2) to complement survey data by adding more information for the reader.

The surveys were fielded in January and February of 2009 and requested data about policies and practices that were in place for that year (fiscal year 2009 for the Part C program or the 2008–2009 school year for the Part B program). Federal appropriations to states for early intervention and special education have been between $11 and $12 billion since 2004 (U. S. Department of Education 2008).[3]

## Providing Services to Young Children

The state-administered services now referred to as the IDEA Part C early intervention program for infants and toddlers were first authorized in 1986 as Part H of the Education of the Handicapped Act Amendments of 1986 (P.L. 99-457). Part H established the first national program of federal grants to states to develop and implement a statewide system of services for infants and toddlers with disabilities and their families, in response to what Congress saw as an urgent and substantial need to serve this population. Since the creation of Part H in 1986, the core policies of the Part C program have changed little. The program's initial mandate remains the same: that states make available to infants and toddlers with disabilities and their families, early intervention services that are family-focused, multidisciplinary and provided through strong collaborative interagency efforts. The current legislative requirements specify that services are to be provided to infants and toddlers from birth through 2 years of age who need early intervention services because they are experiencing developmental delay, or have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. This service provision may include, at a state's discretion, infants and toddlers considered at risk for developmental delay.

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*schools) under IDEA, Part B Ages 3-21 and Ages 3-5 by Age, 1998 Through 2007* (DAC; https:/www.ideadata.org/docs/PartBTrendData/B2B.xls, retrieved July 19, 2009).

[3] After data collection was completed, the American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5) appropriated new funding for programs under IDEA which nearly doubled the federal investment in early intervention and special education to provide an opportunity for states and LEAs to implement innovative strategies to improve outcomes for infants, toddlers, children and youth with disabilities. The data provided in this report describe state and district policies *prior* to the receipt of ARRA funds.

For toddlers with disabilities who are eligible for special education and related services at age 3, children and families must make a transition from receipt of Part C early intervention program services to receipt of Part B preschool-age special education program services. From the initial Part H legislation in 1986 (P.L. 99-457), there has been consistent federal acknowledgement of the importance of making the transition from the Part C program to the Part B program as smooth as possible for both children and families. With the reauthorization of IDEA in 2004, changes were made concerning the transition from the Part C program. These included a requirement for the LEA, at a parent's request, to invite a Part C program representative to the initial Individualized Education Program (IEP) meeting for a child who is transitioning from the Part C program to the Part B program and a Part C Option that gives states the flexibility, with a parent's consent, to continue to serve children from age 3 until entrance into kindergarten in the early intervention, or Part C program.

### Implementation of the IDEA Part C Early Intervention Program for Infants and Toddlers

The IDEA-NAIS represents the first comprehensive investigation of early intervention implementation by IDEA Part C program state agencies. As such, key roles and responsibilities of state agencies in providing Part C program services were investigated including: state lead agency, funding and funding sources; outreach activities and referral sources; family participation; involvement of local agencies in service delivery; and service provision and coordination.

> ***What are the Part C early intervention program administrative, funding and service delivery models?***

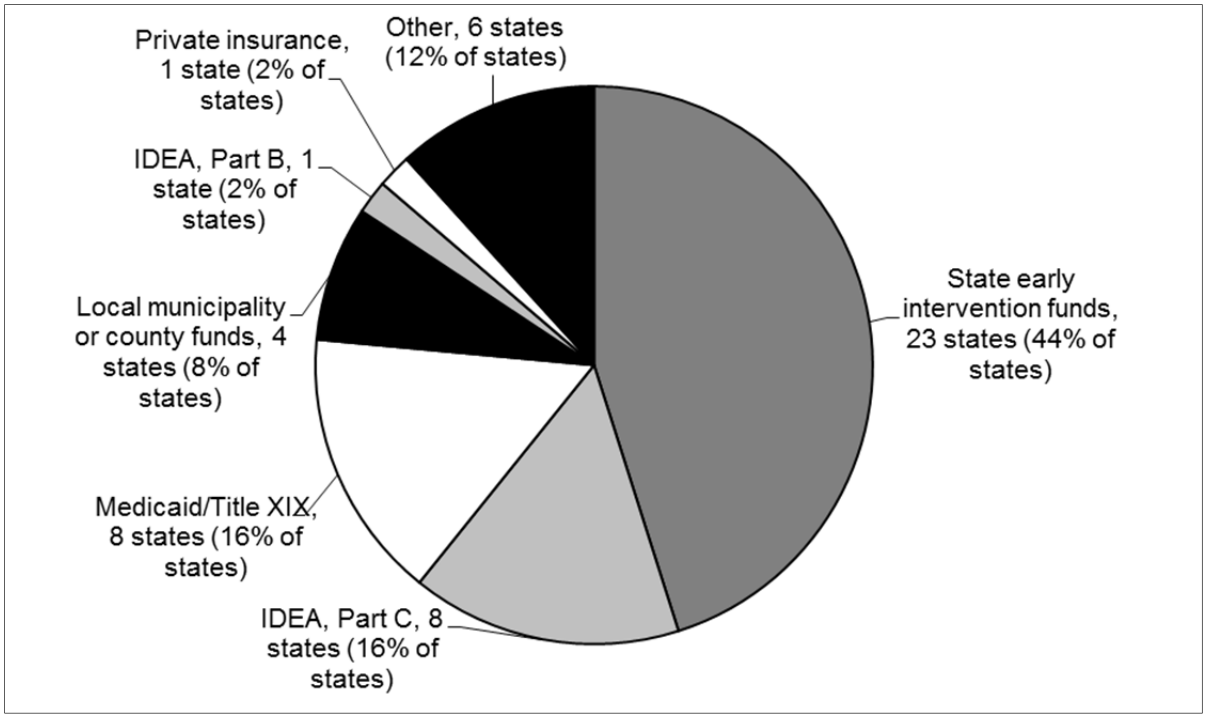
**Health and human services agencies lead Part C early intervention efforts in most states.** Beginning with the 1986 Part H legislation, each governor has had the discretion to designate a state agency to lead early intervention efforts. Most states (37) have designated health or human services agencies as the lead agency for Part C early intervention program services, with 11 states placing responsibility for the Part C programs in state education agencies and 2 states sharing responsibility for Part C program services across the health/human services and education agencies.

**Across states, the most common source providing the largest share of funding for Part C early intervention services is state early intervention funds.** The Part C statute permits the state lead agency that administers the Part C program to establish a "system of payments" for early intervention services. The system of payments may include funds from a range of federal, state, local and private sources, including public and private insurance coverage and sliding scale-based parent fees (20 U.S.C. § 1431). IDEA Part C program funds are meant to be used only as the "payor of last resort," meaning Part C funds may not be used to satisfy a financial commitment for services that would have been paid for from another public or private source (20 U.S.C. § 1440). Twenty-three states identified state early intervention funds as the source providing the largest share of funding for Part C program services (see Exhibit ES.1). Other common sources providing the largest share of funding include Medicaid/Title XIX (8 states) and IDEA Part C program funds (8 states).

**Twenty-seven states have a family cost participation (FCP) policy.** The system of payments set up by state Part C program agencies may include, at a state's discretion, payments made by participating families commonly known as family cost participation. This term refers to state policies and procedures specifying families' contribution to the cost of Part C program services, either indirectly by using a family's private health insurance coverage or directly by charging the family a fee. IDEA

specifies that family cost participation must be based on a family's ability to pay [20 U.S.C. § 1432 (4)(B)]. As of early 2009, 27 state Part C program agencies had an FCP policy. Of the 27 states with an FCP policy, 12 include both private insurance and family fees, 10 include only private insurance and 5 include family fees only.

**Exhibit ES.1: Funding Source That Provides the Largest Proportion of Funding for Early Intervention Services across States (Fiscal Year 2009)**




N = 51.

**The most common Part C early intervention outreach activity across state agencies is the development/dissemination of written material for pediatricians and other health care providers for infants and toddlers.** As part of the statutory requirements for implementing Part C programs, states must conduct public awareness or outreach activities and accept referrals from families and other knowledgeable sources. Conducting outreach activities to identify young children with disabilities has been integral to Part C program services since the 1986 reauthorization. The development/dissemination of written materials to pediatricians and other health care providers was reported across 47 states (Exhibit ES.2). Two other common activities include the development/dissemination of web-based information and other electronic materials (45 states) and written materials for child care centers, nursery schools and other facilities (43 states).

**Exhibit ES.2: State-Reported Activities to Support the Identification of Infants and Toddlers with Disabilities (Fiscal Year 2009 and School Year 2008–2009)**

| | Part C Program | |
|---|---|---|
| **Type of Activity** | **N** | **%** |
| Development/dissemination of written materials for pediatricians and other health care providers | 47 | 94.00 |
| Web-based information and other electronic materials | 45 | 90.00 |
| Development/dissemination of written materials for child care centers, nursery schools and other facilities | 43 | 86.00 |
| Outreach to referral sources | 41 | 82.00 |
| Workshops for pediatricians and other health care providers | 26 | 52.00 |
| Workshops for staff from child care centers, nursery schools and other facilities | 26 | 52.00 |
| Outreach through radio, TV, newspapers and other print media | 24 | 48.00 |
| Other | 8 | 16.00 |

N = 50.

**Families and primary health care providers are the most frequent referral sources for early intervention services for infants and toddlers across states.** Twenty-eight states reported families to be the most frequent referral source for Part C early intervention programs and 20 states reported primary health care providers to be the most frequent referral source. Almost all states (49 and 48 respectively) include families and primary health care providers as one of their three most frequent referral sources (Exhibit ES.3).

**Exhibit ES.3: Most Frequent Referral Sources for Part C Program Services (Fiscal Year 2009)**

| | States Reporting as Most Frequent Referral Source | | States Reporting as One of Three Most Frequent Referral Sources | |
|---|---|---|---|---|
| **Referral Source** | **N** | **%** | **N** | **%** |
| Families | 28 | 56.00 | 49 | 98.00 |
| Primary health care providers | 20 | 40.00 | 48 | 96.00 |
| Health department | 1 | 2.00 | 10 | 20.00 |
| Other | 1 | 2.00 | 10 | 20.00 |
| Private agency | 0 | 0.00 | 2 | 4.00 |
| Local school district | 0 | 0.00 | 5 | 10.00 |
| Social service agencies (e.g., Head Start) | 0 | 0.00 | 21 | 42.00 |
| Regional agencies (e.g., service centers) | 0 | 0.00 | 4 | 8.00 |

For most frequent referral source, N = 50; for second-most frequent referral source, N = 50; for third-most frequent referral source, N = 49.

### Transitions from the Part C Early Intervention Program and to the Part B Preschool-Age Special Education Program

For toddlers with disabilities who are eligible for special education and related services at age 3, children and families must make a transition from receipt of Part C program early intervention services to receipt of Part B program services. Because the Part C programs and Part B programs are typically administered by different state agencies and have different program requirements, the transition from the Part C program likely involves a number of changes for the children and their families, including a different state lead agency, different service staff, often different service delivery settings, and possibly different services or similar services with a different purpose or scope. As mentioned above, the importance of facilitating this transition for both children and families has been consistently acknowledged in federal law since the reauthorization of Part H in 1986. The Office of Special Education Programs (OSEP) funds multiple technical assistance centers that focus on providing support and guidance to states with the goal of improving the transition experience for children and families.

Given the importance of the transition process from the Part C program to the Part B program, the IDEA-NAIS focused on ways in which the state agencies work collaboratively and how the state agencies support children who transition from one program to the other.

> ***How are the Part C early intervention program lead agencies coordinated with the Part B special education program lead agencies, specifically in the support of children who may transition across programs?***

**Most Part C early intervention program and preschool-age special education program coordinators meet at least monthly; in almost all states transitions are regularly addressed during the Part C program/Part B preschool-age program coordinator meetings.** Early intervention and preschool-age special education services are led by different state coordinators in 46 states and, thus, collaboration and communication across programs are necessary. Among the 46 states with separate leadership, 67 percent of the early intervention coordinators reported meeting with the preschool-age special education coordinators at least monthly and the remaining 33 percent of the Part C program coordinators reported meeting more than six times a year but not monthly. Ninety-eight percent of the Part C program coordinators in states with separate leadership indicated that the topic of "transitions" was regularly addressed in these meetings—the most prevalent topic.

**Part C early intervention and Part B preschool-age special education state agencies provide technical assistance to local providers on transitions.** Part C early intervention program and Part B preschool-age special education program state agencies support the transition of children with disabilities from receiving Part C program services to receiving preschool-age Part B program services in multiple ways. Most often, this support reportedly entails providing technical assistance to local providers on transition (conducted in 50 states by the Part C early intervention program agency and conducted in 50 states by the Part B preschool-age special education program agency); developing transition policies (in 48 and 46 states respectively); and developing and disseminating materials for parents on the transition from the Part C program to the Part B program (in 41 and 36 states respectively). Almost all Part C and Part B state agencies conduct multiple activities to support the transition of children with disabilities from the Part C program. Forty-four early intervention

program coordinators and 44 preschool-age special education program coordinators reported conducting three or more activities to support transitions.

**No state reported implementing the Part C Option.** This option permits the Part C program agency to continue serving children from age 3 until entrance into kindergarten. In all states, preschool-age children with disabilities are served by the Part B program. Insufficient funds was the most commonly cited reason states reported for not implementing the Part C Option (41 states).

## Identification of Students Needing Special Education

The 2004 reauthorization of IDEA introduced several interrelated changes related to the identification of children with disabilities. These changes focus on two broad areas. First, the 2004 reauthorization attempts to address overrepresentation of racial and ethnic minority students in special education ("disproportionality") by allowing districts to use some of their IDEA Part B funds to develop and implement Coordinated Early Intervening Services (CEIS) for students who are not yet identified as needing special education but who need additional support to succeed in a general education environment. Second, the 2004 legislation introduced changes in the identification of students in the disability category of Specific Learning Disability (SLD). Response to Intervention (RtI) is linked both to CEIS and to changes in eligibility criteria for students with SLD; CEIS funds can be used to implement an RtI process and data from the RtI process can be used as one component of the eligibility determinations.

### Coordinated Early Intervening Services (CEIS)

Coordinated Early Intervening Services (CEIS) is a provision introduced to IDEA in 2004 that allows districts to use up to 15 percent of their Part B funds to develop and provide services for children who are not yet identified as in need of special education and related services but who need additional academic and behavioral support to succeed in a general education environment. While generally optional for districts, the provision of CEIS is required if an LEA is identified by the state as having a disproportionate representation of racial and ethnic groups in: the identification of children with disabilities; the identification of children with disabilities in a particular impairment category; the placement of children in particular educational settings; and/or the incidence, duration and type of disciplinary actions, including suspensions and expulsions. In the case of a determination of significant disproportionality, these coordinated early intervening services must serve particularly, but not exclusively, students in racial and ethnic groups that are significantly overidentified. CEIS are designed as services for students in kindergarten through 12th grade, with a particular emphasis on students in kindergarten through 3rd grade (Office of Special Education Programs 2008). OSEP guidance and federal regulations indicate IDEA funds may be used to supplement, not supplant, any federal funds used to support CEIS which includes Elementary and Secondary Education Act (ESEA) funds for school improvement activities [Office of Special Education Programs 2008; 34 C.F.R. § 300.202(a)(3), 300.226(e)].

Given the new opportunity or requirement for districts to support students prior to special education identification with IDEA funds, the IDEA-NAIS focused on the implementation of this support.

***How are state agencies and school districts implementing Coordinated Early Intervening Services (CEIS)?***

**In 3 percent of districts, CEIS is required due to significant disproportionality.** Overall, 2.9 percent of districts nationally were required to use CEIS during the 2008–2009 school year as a result of significant disproportionality in at least one area. Just over 2 (2.3) percent of districts were required to provide CEIS due to significant disproportionality in identification and under 1 percent of districts were required to provide CEIS due to significant disproportionality in placement (0.7 percent) or discipline (0.3 percent).

**Eleven percent of districts are voluntarily implementing CEIS.** LEAs that are not identified as having significant disproportionality may choose to use up to 15 percent of their Part B funds to develop and provide CEIS for children who are not yet identified as being in need of special education services. Most districts (85 percent) reported neither being required nor volunteering to use Part B funds for CEIS, whereas 11 percent of districts nationally were not required but voluntarily used a portion of their Part B funds to implement CEIS in the 2008–2009 school year. Among districts that are voluntarily using some portion of Part B program funds for CEIS, 7 percent spent less than 1 percent of funds; 39 percent of districts spent 1–5 percent of funds; 23 percent spent 6–10 percent of funds, and 31 percent spent 11 percent or more of their Part B program funds.

**CEIS is commonly used for literacy instruction.** Activities districts may conduct as part of CEIS include professional development for teachers and other school staff designed to enable them to deliver scientifically based academic or behavioral interventions [34 C.F.R. § 300.226(b)]. This includes, for example, instruction on the use of adaptive and instructional software and providing educational and behavioral evaluations, services and supports. Eighty-two percent of districts mandated to provide CEIS and 84 percent of districts electing to provide CEIS use Part B funds to provide direct instruction, evaluation or supplies related to literacy instruction, a prevalent use by districts. Other CEIS activities commonly supported by Part B funds include, for example: response to intervention (82 percent of CEIS-mandated districts and 67 percent of CEIS-voluntary districts); behavioral interventions (63 percent of CEIS-mandated districts and 60 percent of CEIS-voluntary districts); math instruction (63 percent of CEIS-mandated districts and 49 percent of CEIS-voluntary districts); adaptive and instructional software (55 percent of CEIS-mandated districts and 41 percent of CEIS-voluntary districts); educational evaluations (43 percent of CEIS-mandated districts and 46 percent of CEIS-voluntary districts); and behavioral evaluations (47 percent of CEIS-mandated districts and 37 percent of CEIS-voluntary districts).

**CEIS is commonly implemented at the elementary school level.** In districts providing CEIS, 93 percent of districts provide CEIS at the elementary school level, whether required or electing to provide CEIS. Of districts required to provide CEIS, 56 percent do so at the middle school and 41 percent do so at the high school level. Of districts electing to provide CEIS, 41 percent do so at the middle school level and 33 percent do so at the high school level.

### Response to Intervention (RtI) and Specific Learning Disability (SLD) Eligibility

Response to Intervention (RtI) is a term used to describe a range of practices for monitoring progress in the academic and behavioral domains and for providing interventions in these areas. RtI occurs within the general education setting in collaboration with the activities of other experts such as special

educators and school psychologists. The national Learning Disabilities Summit (2001) highlighted RtI as a promising method for specific learning disabilities (SLD) identification. Then, in 2002, the President's Commission on Excellence in Special Education recommended early intervention, curriculum-based measurement (CBM), and a change in criteria for SLD identification (U. S. Department of Education Office of Special Education and Rehabilitative Services 2002).

The 2004 IDEA amendments incorporated RtI into the regulations in two ways. First, the amendments allowed RtI to be used as one component of eligibility determination for specific learning disabilities. Second, they identified educational and behavioral evaluations and services and supports as possible means for implementing CEIS. Guidance from the Office of Special Education Programs (OSEP) explicitly links CEIS and RtI by sanctioning the use of CEIS funds to support RtI as long CEIS funds are used for services to nondisabled students in need of additional academic or behavioral support and supplement, not supplant, other funds used to implement RtI (OSEP 2008). OSEP has supported the implementation of RtI by funding a number of related national centers focused on progress monitoring, response to intervention, response to intervention in early childhood, positive behavior interventions, and learning disabilities.

Due to the attention to, and support for, response to intervention as a method of providing services and a source of information for the identification of students in the category of SLD, the IDEA-NAIS focused on the implementation of RtI and the use of RtI data in SLD identification.

> ***Are state agencies and school districts implementing the IDEA provisions to prevent inappropriate identification including Response to Intervention (RtI), and what types of data are used to determine specific learning disability (SLD) eligibility?***

**State agencies support the implementation of RtI.** In all but two states, there is a state-level RtI task force, commission or internal working group according to special education coordinators. Other commonly reported state activities and resources include: the provision of training on RtI by consultants or contractors (40 states), the issuance of RtI guidelines (39 states) and the provision of RtI information on SEA websites (39 states).

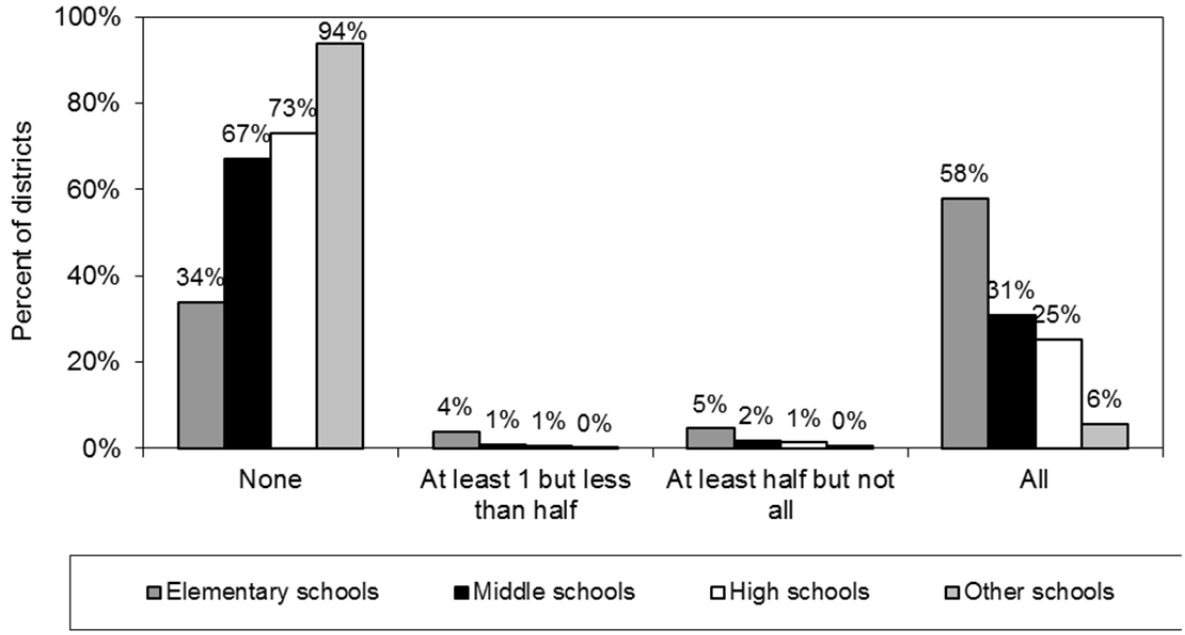
**Most school districts are implementing RtI.** To describe the extent of RtI practices in use across school districts in the U.S., the IDEA-NAIS district survey asked whether RtI is being used in at least one school in the district. Seventy-one percent of districts nationally reported using RtI.

**Nationally, RtI is common in elementary schools**. RtI is used in 61 percent of all elementary schools, 45 percent of middle schools and 29 percent of high schools.

**At each school level, districts largely implement RtI in all or none of the schools in the district.** For example, at the elementary school level, 58 percent of districts are implementing RtI in all district schools, 34 percent of districts are implementing RtI in no schools, and 9 percent of districts are implementing RtI in some of their schools (Exhibit ES.4).

**RtI is often implemented as a partnership between the general and special education staffs.** Nationally, 75 percent of districts reported that RtI implementation was led jointly by general and special educators. Eighteen percent of districts reported that RtI was led by general educators and 8 percent reported that special education staff led RtI.

**Exhibit ES.4: Percentage of Districts Using RtI at Various Proportions of Schools by School Level (School Year 2008–2009)**




For elementary schools, N = 1,139; for middle schools, N = 1,135; for high schools, N = 1,132; for other schools, N = 1,135.

**Nationally, across school districts, RtI is common in reading/language arts.** Seventy percent of districts reported using RtI in reading/language arts in elementary schools, 48 percent reported using RtI in reading/language arts in middle schools, and 31 percent reported using RtI in reading/language arts in high schools (Exhibit ES.5).

**Exhibit ES.5: Percentage of Districts Using RtI by Subject Areas by School Level (School Year 2008–2009)**

| | Subject Areas | | | | |
|---|---|---|---|---|---|
| | Reading/ language arts | Math | Behavior | Writing | Other |
| School Level | % | % | % | % | % |
| Elementary school | 70.12 | 47.06 | 36.37 | 27.47 | 1.57 |
| Middle school | 47.62 | 38.10 | 32.56 | 21.52 | 1.40 |
| High school | 30.51 | 28.06 | 18.50 | 16.94 | 1.65 |
| Other school | 8.47 | 6.26 | 7.77 | 3.36 | 0.76 |

For elementary schools, N = 1,082; for middle schools, N = 880; for high schools, N = 914; for other schools, N = 393.

**District general funds are commonly used to support RtI.** District respondents who reported district use of RtI during the 2008–2009 school year listed each source used to fund training and implementation of RtI; if more than one source was selected, they indicated the one funding source that provides the most support for the implementation of RtI. Nationally, among districts where RtI was being used, 80 percent indicated that general funds are used to support RtI; 46 percent reported

using Title I funds and 41 percent reported using some type of IDEA funds, with 13 percent of districts reporting using IDEA Coordinated Early Intervening Services funds[4] (Exhibit ES.6). Among districts implementing RtI, about half (48 percent) indicated that district general funds provide the most support for RtI implementation.

**Exhibit ES.6: Funding Sources for District Use of RtI (School Year 2008–2009)**

| Source of Funding | Districts with Any Funding Used % | Districts Where Source Is Providing the Most Support % |
|---|---|---|
| District general funds | 79.70 | 48.08 |
| Combined Title I funds | 45.83 | 19.36 |
| No Child Left Behind (or ESEA) Title I-A School-wide or Targeted Assistance funds | 44.40 | 17.43 |
| NCLB Title I-B Reading First funds | 9.08 | 1.92 |
| Combined IDEA funds | 40.56 | 21.91 |
| IDEA Coordinated Early Intervening Services (EIS) funds [a] | 12.79 | 6.92 |
| IDEA Part B flow-through funds, other than funds used for CEIS | 19.88 | 6.86 |
| IDEA district discretionary funds, other than funds used for CEIS | 7.09 | 2.26 |
| IDEA state discretionary funds | 5.99 | 1.71 |
| Other sources | 30.00 | 10.56 |
| NCLB Title II-A funds | 19.46 | 5.08 |
| NCLB Title III funds | 3.32 | 0.00 |
| NCLB Title V grants for innovation | 1.60 | † |
| State Improvement Grant (SIG) or State Personnel Development Grant (SPDG) | 8.92 | 4.15 |
| Other | 10.14 | 5.19 |

† Values suppressed to protect respondent confidentiality.

For identified at least one source, N = 857.

[a] Although the survey used the term "Early Intervening Services" (EIS), the current terminology is "Coordinated Early Intervention Services" (CEIS).

[4] The survey did not provide definitions for writing or reading/language arts.

**State criteria for SLD vary from the federal eligibility requirements in 18 states.** States have discretion in developing eligibility criteria for SLD and state criteria may differ from federal eligibility requirements. The study team reviewed state definitions and eligibility criteria found in state laws and regulations pertaining to SLD and compared these with the federal definition and eligibility criteria. For the majority of states (33), there is no difference between the state and federal eligibility requirements. Other states differ from the federal definition of SLD in a variety of ways, including: the state uses a specified statistical level of discrepancy between achievement and performance to assess eligibility for SLD (15 states); the state specifies a number of data collection points and length of time per intervention prior to eligibility determination (3 states); the state specifies the types of professionals who are qualified to complete evaluations (2 states); or the state includes additional categories of disability, such as Attention Deficit Disorder, not included in the federal definition (2 states).

**Most states permit the use of RtI data or an alternative method as well as a discrepancy model in the identification of students in the category of specific learning disabilities.** When surveyed about the determination of eligibility for SLD, most SEAs (37) reported allowing the use of an IQ-achievement discrepancy model as well as the inclusion of RtI data or an alternative method in determining eligibility. Additionally, 6 states permit the discrepancy model and require the inclusion of RtI data and 7 states use RtI data or an alternative method and disallow the use of the discrepancy model.

**About half of districts incorporate data from the RtI process and also use a discrepancy model in determining special education eligibility for SLD.** Fifty-three percent of districts use both RtI data and discrepancy data; 35 percent of districts use discrepancy model data without use of RtI data; and 12 percent of districts use RtI without use of discrepancy model data in determining special education eligibility for SLD (Exhibit ES.7).

**Exhibit ES.7: Percentage of Districts Using Various Types of Data in Determining Special Education Eligibility for Elementary Students (School Year 2008–2009)**

| Types of Data | % |
|---|---|
| Use of both RtI data and discrepancy data | 52.81 |
| Data and other information from the RtI process; data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance; as well as data from other, research-based procedures | 30.49 |
| Data and other information from the RtI process as well as data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance | 22.32 |
| Use of discrepancy data without RtI | 34.70 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance only | 22.13 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance as well as data from other, research-based procedures | 12.57 |
| Use of RtI data without discrepancy data | 12.05 |
| Data and other information from the RtI process as well as data from other, research-based procedures | 9.01 |
| Data and other information from the RtI process only | 3.04 |
| Other | |
| Data from other, research-based procedures only | 0.45 |

N = 1,107.

## Efforts to Promote Positive Educational Outcomes for Children and Youth with Disabilities

The 2004 IDEA legislation strengthened ongoing efforts to promote positive educational outcomes for children and youth with disabilities. The IDEA-NAIS examined two specific aspects of IDEA geared to this goal of improving outcomes: (1) establishing and maintaining developmental and academic standards for children and youth with disabilities and (2) qualified personnel.

### Academic Standards

The Education for All Handicapped Children Act of 1975 focused on providing access to a free appropriate public education (FAPE) for children with disabilities (P.L. 94-142). When first enacted in 1986, the IDEA Part C early intervention program and the IDEA Part B special education program focused on states making available, respectively, appropriate early intervention services, and special education and related services. Reauthorizations of IDEA Part B have followed the emphasis on the need for improved outcomes found in general education specific legislation by expanding the focus from access to FAPE to access to the general education curriculum and to improving the performance of children and youth with disabilities with respect to academic standards. Similarly, reauthorizations of IDEA Part C have added provisions requiring that individual outcomes for infants and toddlers be

measurable. The 2004 IDEA legislation also requires states to report annually on their progress on specific goals, including child outcomes under the Part C and Part B programs.

The inclusion of state academic standards, services, supports or specialized instruction to enable a child or youth to make progress in the standards-based general education curriculum in the development of an IEP for students with disabilities results in a "standards-based IEP" (National Center on Educational Outcomes 2009). Given the increased IDEA focus on constructing goals related to state standards and providing related services to enable students to make progress in a standards-based general education curriculum, the IDEA-NAIS assessed the provision of mandatory or suggested standards-based individualized family service plans (IFSPs)/IEPs as a means for states to meet this focus.[5]

***How are state agencies and school districts implementing measures to improve child and youth outcomes through developmental and academic standards?***

**More than half the states have early learning guidelines for infants and toddlers and nearly all states have early learning standards for preschool children.** The IDEA-NAIS assessed the presence and components of state early learning guidelines for infants and toddlers and early learning standards for preschool-age children. The IDEA-NAIS defined early learning guidelines as guidelines that describe expectations for young children's learning and development which were not specific to children with disabilities. Early learning standards were defined as describing expectations for all children's learning and development prior to kindergarten, whether or not the child had a disability. Thirty-two Part C early intervention program coordinators indicated that their state has early learning guidelines for infants and toddlers, while 48 Part B preschool-age special education program coordinators reported their state has early learning standards for preschool-age children (Exhibit ES.8). The particular developmental areas in which states have developed standards for infants/toddlers and preschool-age children are shown in Exhibit ES.8.

**Few states provide a mandated or suggested standards-based IFSP for infants and toddlers and their families**. Among the 32 states whose Part C early intervention program coordinator indicated the state had early learning guidelines, 5 have a mandated or suggested standards-based IFSP for fiscal year 2009. Two of the 5 states with a mandated or suggested standards-based IFSP have formal policies in place regarding the alignment of the provision of Part C program services with the early learning guidelines.

**About half of the states provide a mandated or suggested standards-based IEP for preschool-age children and children and youth.** Twenty-seven states have a mandated or suggested standards-based IEP for children and youth and 23 states have the same for preschool-age children with disabilities. Fifteen of the 27[6] states with a mandated or suggested standards-based IEP for children and youth have formal written policies regarding the development and use of standards-based IEPs while 10 of the 23 states with a mandated or suggested IEP for preschool-age children with

[5] IDEA does not require a standards-based IFSP or IEP.

[6] One of the 27 Part B school-age special education program coordinators who reported their SEA had provide a mandated or suggested standards-based IEP did not answer the IDEA-NAIS item regarding the provision of formal written policy.

disabilities have formal written policies regarding the development and use of standards-based IEPs for preschool-age children with disabilities.

**Exhibit ES.8: State Early Learning Guidelines for Infants and Toddlers and Standards for Preschool-Age Children (Fiscal Year 2009 and School Year 2008–2009)**

| | For Infants and Toddlers Birth through Age 2 | | For Preschool-Age Children | |
|---|---|---|---|---|
| | Yes | | Yes | |
| | N | % | N | % |
| State has early learning guidelines/ standards | 32 | 62.75 | 48 | 94.12 |
| **Among states with guidelines, domains covered:** | | | | |
| Social/emotional | 31 | 100.00 | 46 | 95.83 |
| Communication/language | 31 | 100.00 | 44 | 91.67 |
| Physical/health | 30 | 96.77 | 44 | 91.67 |
| Cognitive | 30 | 96.77 | 40 | 83.33 |
| Approaches to learning | 26 | 83.87 | 37 | 77.08 |
| Other | 5 | 16.13 | 22 | 45.83 |

For Part C early intervention program respondents regarding states having early learning guidelines, N = 51; for domains covered, N = 31.

For Part B preschool-age special education program respondents, regarding states having early learning standards, N = 51; for domains covered, N = 48.

### Qualified Staff

To promote positive outcomes IDEA provides requirements for qualified staff. The 2004 IDEA legislation requires that Part C early intervention program personnel including special educators be "appropriately and adequately prepared and trained" to provide services [20 U.S.C. § 1435(a)(9)]. Similarly, IDEA requires that paraprofessionals and assistants across age groups be "appropriately trained and supervised in accordance with State law, regulations, or written policy" to assist in the provision of services [20 U.S.C. § 1435(a)(9)]. Each state determines the particular requirements for certification, licensing, or registration of professional personnel providing early intervention services as well as for all paraprofessionals and assistants.

IDEA requires that all public elementary and secondary special education teachers be "highly qualified" as special education teachers. The IDEA 2004 definition of "highly qualified special education teachers" is aligned with ESEA's highly qualified requirements. Designation of a new special education teacher as a highly qualified special education teacher requires individuals to meet the ESEA requirements. The ESEA requires highly qualified teachers to: (1) have a bachelor's degree, (2) have full state certification or licensure, and (3) demonstrate subject-matter knowledge for the subjects they teach. All veteran special education teachers who taught core academic subjects were required under the 2004 IDEA legislation either to: 1) pass a rigorous state academic test in subjects taught, 2) complete an undergraduate academic major in subjects taught, 3) complete a graduate degree in subjects taught, 4) complete coursework equivalent to an undergraduate academic

major, advance certification, or credentialing, or 5) complete a state's High Objective Uniform State Standards of Evaluation (HOUSSE) procedures. Federal requirements regarding the Part B program related service providers stipulate that qualified staff will meet qualifications consistent with state-approved or state-recognized certification, licensure, registration or comparable requirements for their specific discipline.

To provide a national picture of the implementation of early intervention and special education staff requirements across states, the IDEA-NAIS examined: the percentage of qualified staff in the Part B program personnel (teachers, related service providers and paraprofessionals)[7]; Part C program licensing and regulations required for qualified personnel; and Part B program licensing and regulations for new and veteran teachers and other personnel.

***How are states and school districts implementing measures to improve child and youth outcomes through highly qualified staff?***

**Nationally, almost 90 percent of special education teachers for preschool-age children with disabilities and school-age children and youth with disabilities are highly qualified. However, there is substantial variation across states in the percentage of qualified teachers.** The Data Accountability Center (DAC) provides data from Fall 2006[8] which demonstrate that nationally, 88 percent of special education teachers for preschool-age children with disabilities and 89 percent of special education teachers for school-age children and youth with disabilities met the highly qualified teacher provisions of IDEA and ESEA. States ranged in the percentage of highly qualified special education teachers for preschool-age children from a low of 56 percent to a high of 100 percent. For special education teachers for school-age children and youth, states ranged from a low of 46 percent to a high of 100 percent.

**Nationally, over 80 percent of paraprofessionals are qualified while there is substantial variation across states in the percentage of qualified paraprofessionals.** The Data Accountability Center personnel data indicate that nationally, 84 percent of paraprofessionals for preschool-age children with disabilities are qualified and 87 percent of paraprofessionals for school-age children and youth with disabilities are qualified. States range in the percentage of qualified paraprofessionals for preschool-age children from a low of 3 percent to a high of 100 percent. The state-level percentage of qualified paraprofessionals providing services to school-age children and youth ranges from a low of 1 percent to a high of 100 percent.

**Across most states, Part C early intervention program special educators and preschool special education staff can qualify for licensure or certification in various ways.** In many states, multiple options are available for obtaining state licensure or certification for Part C program special

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7 Part C early intervention program personnel data are not presented for two reasons: (1) data are no longer collected and the most recent data available are from 2002; and (2) the available data do not enable reporting of the percent qualified.

8 The IDEA-NAIS did not collect data on the number of qualified personnel as these data are publicly available from the Data Accountability Center (DAC). The most recent data available from the DAC regarding personnel qualifications were from Fall 2006 which are reported here although 2006 is not one of the focal years of the IDEA-NAIS. The Part C program data are not reported as the most recent data are from Fall 2002 and report only the number of personnel, not the number of qualified personnel.

educators. In most states (42), Part C program special educators can qualify for licensing/certification through an undergraduate or graduate degree program (Exhibit ES.9). In half the states (25), passing an exam/proficiency test also would qualify for Part C program licensing/certification. States vary in the certification type required of preschool special education staff, which may include teachers and related service personnel, with many states allowing multiple approaches. An undergraduate or graduate degree program is required to meet state certification/licensure requirements for preschool special education staff (i.e., teachers, related service personnel and paraprofessionals) in 45 states and is optional in an additional 2 states. In more than half the states (35), passing an exam/proficiency test is required (Exhibit ES.10).

**Exhibit ES.9: Certification/Licensure Requirements for Part C Early Intervention Program Special Educators (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **Requirements** | **N** | **%** |
| Undergraduate or graduate degree program | 42 | 84.00 |
| Exam/proficiency test | 25 | 50.00 |
| Coursework (not leading to a degree) | 14 | 28.00 |
| Portfolio | 13 | 26.00 |
| Other | 8 | 16.00 |
| None of the above | 0 | 0.00 |

N = 50.

**Exhibit ES.10: Ways in Which Preschool Special Education Staff Qualify for Certification (School Year 2008–2009)**

| | Required | | Optional | | Not Applicable | |
|---|---|---|---|---|---|---|
| | States | | States | | States | |
| **Methods** | **N** | **%** | **N** | **%** | **N** | **%** |
| Undergraduate or graduate degree program | 45 | 90.00 | 2 | 4.00 | 3 | 6.00 |
| Exam/proficiency test | 35 | 70.00 | 3 | 6.00 | 12 | 24.00 |
| Coursework (not leading to a degree) | 12 | 24.00 | 5 | 10.00 | 33 | 66.00 |
| Portfolio | 6 | 12.00 | 5 | 10.00 | 39 | 78.00 |
| Other | 8 | 16.00 | 2 | 4.00 | 40 | 80.00 |

N = 50.

**To qualify as a highly qualified special education teacher, most states permit the demonstration of subject-matter competency through the successful completion of a subject-matter test, typically a Praxis Series Test, or through a degree in the content area.** ESEA requires general education teachers to have a degree, certification or license, and demonstrate subject-matter competency to be "highly qualified" teachers. A review of state regulations for a highly qualified determination for new special education teachers revealed eight ways states permit the demonstration of subject-matter competency (Exhibit ES.11). The most common option is for an individual to pass a

state-specified subject-matter content test (40 states). Degrees in the content area are accepted as demonstration of subject-matter competency in 32 states. Credit hours equal to a major are accepted as demonstration of subject-matter competency in 31 states. Forty states have regulations which indicate individuals could demonstrate subject-matter competency by passing a specific content test and use at least one of the Educational Testing Service (ETS) *Praxis Series: Teacher Licensure and Certification* as a state-specified subject-matter content test. Regulations in 12 states indicate a non-Praxis series test could be used to demonstrate subject-matter competency.

**Exhibit ES.11: State Options for New Elementary or Secondary Teachers to Demonstrate Subject-Matter Competency for Identification as Identified as Highly Qualified Special Education Teachers**

| Overall | Total N | States | % |
|---|---|---|---|
| Specific state content test | 40 | AL, AK, AZ, AR, CA, CO, CT, DC, FL, GA, HI, ID, IL, IN, KS, KY, LA, MD, MA, MI, MN, MS, MO, NE, NV, NJ, NM, NY, ND, OR, PA, SD, TN, TX, UT, VT, VA, WV, WI, WY | 78.43 |
| Undergraduate major in content area | 32 | AL, AK, AZ, AR, CA, CO, CT, DC, GA, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, NV, NJ, NM, NY, OR, PA, SD, TN, TX, UT, VA, WY | 62.75 |
| Credit hours equal to major | 31 | AL, AK, AZ, AR, CA, CO, DC, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, MS, MT, NE, NV, NJ, NM, NY, OR, PA, TN, TX, UT, VA | 60.78 |
| Graduate degree in content area | 25 | AL, AZ, AR, CA, CT, DC, IL, IN, KY, LA, ME, MD, MA, MN, NE, NV, NM, NY, OK, OR, SD, TN, TX, UT, VA | 49.02 |
| Professional educator certificate | 10 | AL, FL, GA, IL, MD, MT, NV, NM, NY, TX | 19.61 |
| National board certification | 16 | AZ, AR, CO, DC, FL, ID, IL, ME, MD, MA, MI, NE, NJ, NM, OR, UT | 31.37 |
| HOUSSE is an option | 17 | AZ, CO, CT, IL, KS, ME, MD, MA, MO, MT, NE, NV, NJ, NY, OK, VA, WV | 33.33 |
| Other | 5 | CA, CO, MT, VT, WY | 9.80 |

N = 51.

**Districts report difficulty finding qualified secondary school special education applicants particularly in mathematics.** Nationally, LEAs reported that approximately 5 percent of preschool-age and school-age special education teacher full-time positions were left vacant in the 2008–2009 school year. About half of the district Part B special education administrators (51 percent) reported their district routinely had difficulty finding qualified special education applicants over the past three years (Exhibit ES.12). Among the districts indicating that qualified applicants were difficult to find, more than half reported having difficulty finding qualified special education teachers who serve children in high school (58 percent of districts with shortages). At the high school level, among districts with shortages, qualified mathematics and science special education teachers were reported as difficult for districts to find (49 percent and 38 percent respectively). Qualified special education teachers who serve children in middle school were reported as difficult to find in about half of the districts reporting difficulty (49 percent of districts with shortages).

**Finding qualified teachers to work with children and youth with emotional disturbances/ behavioral disorders and autism is also difficult for districts.** Among the districts indicating that qualified applicants were difficult to find, more than half reported difficulty in finding qualified teachers who primarily serve children with emotional disturbance/behavior disorders (55 percent; Exhibit ES.12). Teachers for other disability categories were also reported to be hard to find for some districts, particularly teachers who serve students with autism (46 percent of districts with shortages).

**Exhibit ES.12: Types of Special Education Teachers for Which District Has Routinely Experienced Difficulty Finding Qualified Applicants over the Past Three Years among Districts with Shortages (School Years 2006–2007, 2007–2008, and 2008–2009)**

| | Districts |
|---|---|
| | % |
| **Special education teachers who serve children in:** | |
| High school | 58.34 |
| Middle school | 49.16 |
| Elementary school | 39.10 |
| Preschool | 24.32 |
| Vocational or alternative school | 11.78 |
| **Secondary school special education teachers of:** | |
| Mathematics | 48.70 |
| Science | 37.68 |
| English/language arts | 27.23 |
| Social studies (including history, civics, geography and economics) | 19.78 |
| Other subjects | 7.36 |
| **Special Education teachers who primarily serve children with:** | |
| Emotional disturbance/behavior disorders | 54.65 |
| Autism | 46.12 |
| Mental retardation | 29.27 |
| Learning disabilities | 28.91 |
| Other low-incidence disabilities (e.g., other health impairments, orthopedic impairments, multiple disabilities) | 28.23 |
| Sensory impairments (hearing/vision) | 27.00 |
| Developmental delays | 22.41 |
| Other | 9.23 |

For experiencing difficulty in finding qualified applicants, N = 1,148. For particular types of teachers, N = 725, except for secondary school special education teachers of social studies and other subjects where N = 724.

**States reported using various strategies to increase the number of qualified special educators, qualified preschool special education staff, and highly qualified special education teachers.** A common strategy employed by states to increase the number of qualified special educators, qualified preschool special education staff, and highly qualified special education teachers is collaboration with universities to create programs and curricula to ensure that graduates meet standards (31, 27, and 33 states respectively; Exhibit ES.13). In addition to collaborating with universities, common strategies for increasing the number of highly qualified special education teachers include: the provision of alternative routes to certification for persons with a bachelor's degree (31 states), alternative routes for those with a content certification or a special education degree (36 states) and the provision of funding for teacher participation in professional development (26 states; Exhibit ES.13).

**A common strategy reported by districts to increase the proportion of highly qualified special education teachers in their district was the provision of time or funding for teacher participation in professional development.** The provision of time or funding for teacher participation in professional development opportunities was made by about three quarters (76 percent) of districts that routinely experience difficulty finding qualified applicants and by about half (51 percent) of districts without difficulty. No other activity was conducted by more than a quarter of school districts (Exhibit ES.14).

**Exhibit ES.13: Strategies Used by States to Increase the Number of Qualified Special Educators, Qualified Preschool Special Education Staff, and Highly Qualified Teachers**

| | Qualified Special Educators (FY 2008 and 2009) | | Preschool Special Education Staff (SY 2007–2008 and 2008–2009) | | Highly Qualified Special Education Teacher (SY 2007–2008 and 2008–2009) | |
|---|---|---|---|---|---|---|
| | N | % | N | % | N | % |
| Collaborate with universities to create programs and curricula to ensure that graduates meet standards | 31 | 62.00 | 27 | 52.94 | 33 | 64.71 |
| Provide alternative routes to certification in special education for persons with a bachelor's degree | 13 | 26.00 | 18 | 35.29 | 31 | 60.78 |
| Provide funding for teachers to participate in professional development opportunities | 11 | 22.00 | 16 | 31.37 | 26 | 50.98 |
| Provide alternative routes to certification in special education for persons with content area certification/a special education degree | 9 | 18.00 | 22 | 41.18 | 36 | 70.59 |
| Pay for tutoring to prepare teachers for certifications tests/licensure exams | 1 | 2.00 | 3 | 5.88 | 10 | 19.61 |
| Pay fees for tests/licensure exams | 1 | 2.00 | 1 | 1.96 | 15 | 29.41 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | — | — | — | — | 7 | 13.73 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | — | — | — | — | 13 | 25.49 |
| Other | 10 | 20.00 | 6 | 11.76 | 8 | 15.69 |
| None of the above | 9 | 18.00 | 11 | 21.57 | 2 | 3.92 |

For Part C respondents, N = 50; for Part B preschool-age program respondents, N = 51; for Part B program respondents, N = 51.

**Exhibit ES.14: Strategies Used by Districts to Increase the Proportion of Highly Qualified Special Education Teachers (School Years 2007–2008 and 2008–2009)**

| Strategy | Among All Districts | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants |
|---|---|---|---|
| | % | % | % |
| Provide time or funding for teachers to participate in professional development opportunities | 63.62 | 76.08 | 50.65 |
| Pay fees for tests/licensure exams | 18.85 | 24.76 | 12.71 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 14.21 | 15.28 | 13.09 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 10.19 | 14.21 | 6.01 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 6.34 | 7.73 | 4.89 |
| Other | 1.72 | 2.06 | 1.35 |
| None of the above | 30.74 | 18.03 | 43.96 |

For among all districts, N = 1,135 except for other, N = 1,137; for districts having difficulty, N = 717, except for other, N = 718; for districts having no difficulty, N = 419.

## Promoting Parent Participation and Dispute Resolution

The Education for All Handicapped Children Act of 1975 (P.L. 94-142) established rights and protections for parents and children under federal law regarding special education and related services. The 2004 reauthorization of IDEA (P.L. 108-446) continues to promote and strengthen parents' participation in their child's early intervention and special education. The 2004 IDEA legislation also continues to delineate and protect the rights of children and youth with disabilities, including the right to register complaints and resolve disputes, as well as the procedures that must be in place to protect and discharge that right.

### Promoting Parent Participation

IDEA provides resources and mandates to increase communication between parents and the agencies providing early intervention, special education or related services, while also supporting parent involvement in their child's early intervention and special education program. For example, IDEA legislation requires the participation of a parent or other responsible adult in a number of activities related to the education of their children with disabilities. For example, parents are members of the teams which develop individualized family service plans (IFSPs) for infants and toddlers with disabilities and their families (20 U.S.C.§1436(a)(3); 34 C.F.R. §303.343), or if their child is older, the team which develops the individualized education program (IEP) for children and youth with disabilities [20 U.S.C. § 1414(d)(1)(B)].

The 2004 IDEA reauthorization continues prior legislation's emphasis on developing partnerships with parents. Technical assistance is provided to states to develop partnerships with parents through four types of organizations: Parent Training and Information Centers (PTIs), Community Parent Resource Centers (CPRCs), regional technical assistance centers (RPTACs) and the Center for Appropriate Dispute Resolution (CADRE). For example, the PTIs are required to provide training and information activities to assist parents of a child with disabilities including: having a constructive relationship with staff providing services; being involved in planning and decision making regarding their child; advocating for high quality special education and related services; knowing their rights, protections and responsibilities; and developing the skills necessary to participate in planning and decision making (P.L. 108-446 § 671). Given the continued emphasis on parent participation in the early intervention and special education of their child with disabilities, the IDEA-NAIS assessed how state and district programs promote parent participation.

***How do state and district special education programs promote parent participation?***

**Most states provide support to provider agencies and school districts focused on parent participation for children and youth with disabilities.** In most states, workshops or professional development on increasing parent involvement are provided to early intervention providers (31 states), preschool providers (36 states) and school districts (39 states; Exhibit ES.15). Another common activity is the provision of technical assistance related to promoting parent involvement (in 28 states to early intervention providers, in 35 states to preschool providers, and in 46 states to school districts).

**Exhibit ES.15: Supports to Early Intervention Providers, Preschool Providers, and School Districts to Promote the Participation of Parents of Children and Youth with Disabilities (Fiscal Year 2009 and 2008–2009 School Year)**

| | Early Intervention Providers | | Preschool-Age Program Staff | | LEA Staff | |
|---|---|---|---|---|---|---|
| | Yes | | Yes | | Yes | |
| Agency Supports | N | % | N | % | N | % |
| Workshops or professional development on increasing parent involvement | 31 | 62.00 | 36 | 70.59 | 39 | 78.00 |
| Technical assistance related to promoting parent involvement | 28 | 56.00 | 35 | 68.63 | 46 | 92.00 |
| Written guidelines related to parent involvement | 26 | 52.00 | 14 | 27.45 | 24 | 48.00 |
| Funds to provider agencies to help parents participate in IEP/IFSP meetings | 21 | 42.00 | 8 | 15.69 | 9 | 18.00 |
| Other activity | 5 | 10.00 | 9 | 17.65 | 7 | 14.00 |
| None of the above | 7 | 14.00 | 3 | 5.88 | 2 | 4.00 |

For Part C respondents, N = 50; for Part B preschool-age program respondents, N = 51; for Part B program respondents, N = 50.

**More than half of all school districts make written materials available and less than half offer workshops or discussion/support groups to parents of children and youth with disabilities.** At the local level, school districts utilize outreach activities and strategies to support parents and promote parent participation in their child's education including making written material available and offering workshops or discussion/support groups. Common topics of the written materials for parents across districts include understanding the law and parent rights under IDEA (86 percent of districts), understanding their child's disability (69 percent), and participating in state- or district-wide assessment (67 percent). Common topics of workshops or discussion/support groups include using interventions for children with behavioral challenges (38 percent of districts), understanding their child's disability (37 percent) and using strategies for making a successful transition from preschool to school (34 percent).

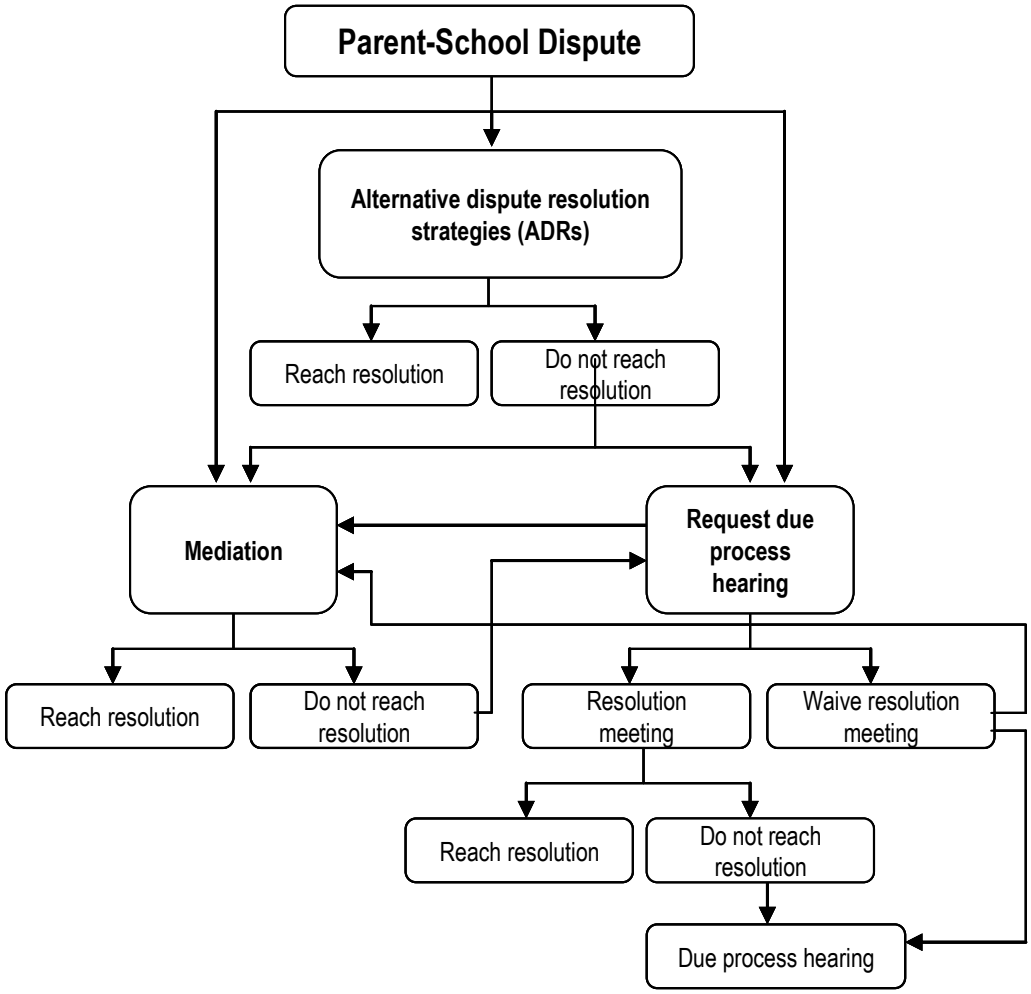
### Dispute Resolution

Parents and children have rights and protections under federal IDEA law regarding the provision of early intervention and special education and related services. Disputes may arise from disagreements regarding the early intervention, education and related services designed for, or delivered to, children with disabilities. A dispute may involve any number of topics, including issues relating to identification, evaluation, educational placement or provision of appropriate early intervention services or a free appropriate public education (FAPE). States have latitude in the development of their dispute resolution system as the federal law defines the minimum requirements. The particular path a dispute takes from disagreement to resolution may vary due to differences in state law or choices that disputants make.

Both IDEA Parts C and B identify three mechanisms for dispute resolution: state complaints, due process hearings, and mediation. First, a parent (or any other individual or organization) may file a written complaint with the state agency alleging a violation of IDEA and the state agency must issue a written decision, generally within 60 days. Second, a due process hearing may be requested. IDEA 2004 added a resolution process when a due process hearing is requested, providing the parties an opportunity to resolve the dispute in a pre-hearing meeting. Third, mediation can be requested to resolve a dispute (independent and regardless of whether a state complaint or due process hearing request is filed). A much simplified flowchart illustrating the due process hearing and mediation procedures under Part B is shown in Exhibit ES.16.[9] The exhibit illustrates various dispute resolution options along with some pathways that might be followed; however, the figure is a simplified representation of a process that is highly variable.

[9] Adapted from Mediation and Resolution Session Flow Chart, in *Preparing for Special Education Mediation and Resolution Sessions: A Guide for Families and Advocates.* The Advocacy Institute and The Children's Law Clinic at Duke University School of Law (November 2009).

**Exhibit ES.16: Sample Flowchart of Dispute Resolution Process**




Adapted from Mediation and Resolution Session Flow Chart, in *Preparing for Special Education Mediation and Resolution Sessions: A Guide for Families and Advocates.* The Advocacy Institute and The Children's Law Clinic at Duke University School of Law (November 2009).

There is not a prescribed or predictable order in which these strategies and procedures occur. However, in general, parents and providers or schools tend to use less adversarial strategies, including mediation, to resolve disagreements before moving to more adversarial procedures such as due process hearings (U.S. General Accounting Office [GAO] 2003).

***Alternative Dispute Resolution Strategies***

A diverse range of early conflict resolution strategies are used to resolve disputes or conflicts between parents and early intervention or school personnel (Henderson 2008). Sometimes referred to as alternative dispute resolution strategies (ADRs), they may be any process used to resolve a dispute without a hearing. The 2004 reauthorization of IDEA encourages two specific dispute resolution methods which may be classified as ADR methods: mediation and resolution meetings, which are discussed separately.

*Mediation*
Mediation is a voluntary, confidential process that is used to allow parents and early intervention providers or school district personnel to resolve disputes in a less adversarial and contentious forum than a due process hearing (34 C.F.R. § 300.506). Mediation involves a trained, impartial professional who facilitates discussions and communication between parents and early intervention or school personnel to identify concerns, clarify positions, and generally help the parties to express and understand each other's views. The goal of the mediation is to reach a mutually agreed upon solution which best serves the educational needs of the child. The end result of a successful mediation is a legally binding mediation agreement. IDEA 2004 legislation included a requirement that mediation be available to resolve any special education dispute, not only those in which a hearing is requested as specified in IDEA 1997.

*Resolution Meeting*
Resolution meetings are a dispute procedure added in the 2004 reauthorization of IDEA. The purpose of the meeting is for parents to discuss a due process complaint and supporting facts so that the service provider has the opportunity to resolve the dispute. Upon the request for a Part B program due process hearing, IDEA 2004 legislation requires school districts to hold a resolution meeting with the parents, relevant members of the IEP team (e.g., special education teacher, classroom teacher) and a representative of the school district authorized to make decisions (20 U.S.C. § 1415(f)(B); 34 C.F.R. §300.510). A resolution meeting gives parents and the school district a chance to work together to avoid a due process hearing.

***Due Process Hearing***
Parents and agencies have the option to request a due process hearing [20 U.S.C. § 1439(a)(1) and § 1415(f)]. A due process hearing is a court-like hearing with a focus on evaluating and resolving the dispute. Part B program due process hearings are quasi-legal procedures in which parents and school personnel present arguments and evidence to an impartial hearing officer, administrative law judge or panel of judges (34 C.F.R. § 300.511). With some exceptions, the due process hearing must be requested within two years of when "the parent or agency knew or should have known about the alleged action that forms the basis of the complaint" [20 U.S.C. §1415 (f)(3)(C)]. In due process hearings, attorneys often represent the parents and the school district, which can make hearings very costly to the parents as well as the school district or state (Office of Special Education Programs [OSEP] 2006). The 2004 IDEA legislation made two important changes regarding due process hearings. First, the 2004 IDEA reauthorization includes a required resolution session unless the parents and district waive the meeting or agree to mediation [20 U.S.C. § 1415(f)(1)(B)(i)]. Second, there are now timeframes for specific actions related to the due process hearing [20 U.S.C. § 1415 (f)(1)(B)(iv)].

***Expedited Due Process Hearing***
Expedited due process hearings may be requested by parents or school districts on the placement or discipline of preschool- or school-age children or youth with a disability (34 C.F.R. 300.532). The expedited due process hearing is similar to a due process hearing but on a shorter timeframe.

***Signed Written Complaints to States***
In addition to having the option to request a due process hearing, parents and other individuals or organizations also have the right to file a signed written complaint that alleges that a public or private agency has violated a requirement of IDEA (34 C.F.R. § 300.151-153 and 34 C.F.R. § 303.510-512).

Signed written complaints must be filed within one year of the alleged violation (34 C.F.R. § 300.153). The responsible agency (Part C program lead agency or SEA) is required to conduct an investigation and issue a letter of findings within 60 days of the signed written complaint being received unless exceptional circumstances exist (34 C.F.R. § 300.152). If the issue(s) contained in the signed written complaint is also the subject of a due process hearing, the part of the signed written complaint that is being addressed in the hearing is set aside until the due process hearing has been completed (34 C.F.R. § 300.152).

The federal government supports technical assistance regarding conflict resolution options through the OSEP-funded Center for Appropriate Dispute Resolution in Special Education (CADRE), which operates as the National Center on Dispute Resolution in the United States. CADRE's goal of increasing collaboration between families and providers through more cooperative processes is supported by activities including: maintenance of an on-line national resource related to dispute resolution; provision of customized training; and support of peer-to-peer dialogue (CADRE n.d.). The IDEA-NAIS collected information regarding the systems used to implement dispute resolution procedures as well as the number and topics of various dispute resolution procedures.

***How frequent are dispute resolution events and how has the number changed over time?***

**There were seven or fewer dispute resolution events for every 10,000 infants and toddlers receiving services under the Part C early intervention program annually for the 2003–2004 through 2007–2008 school years**. The IDEA-NAIS uses data from CADRE and the Data Accountability Center on the number of dispute resolution events for a five-year period spanning 2003 through 2008.[10] The number of dispute resolution events and number of disputes per 10,000 infants and toddlers receiving services through the Part C program are presented in Exhibit ES.17. To place the number of dispute events in perspective, 316,730 infants and toddlers were served by the Part C programs in 2007.

**The number of requests for due process hearings far exceeded the number of due process hearings completed under Part C.** For the Part C early intervention program, the frequency of due process hearing requests was higher than the frequency of dispute resolution hearings that were completed across each year from 2003–2004 through 2007–2008. For example, in 2003–2004 there were 6.85 hearings requested and 0.48 hearings completed per 10,000 infants and toddlers served. These data suggest that the majority of hearing requests do not result in an actual hearing.

**From 2003–2004 to 2007–2008, there was an increase in mediations conducted and a decrease in due process hearings requested under Part C**. The number of mediations conducted for each 10,000 infants and toddlers served grew from 1.77 in 2003–2004 to 2.62 in 2007–2008, a relative increase of over 50 percent. Across the same years, the number of due process hearings requested for each 10,000 infants and toddlers served decreased by almost half, from 6.85 to 3.51.

[10] Results are from APR/SPP data available from CADRE for the school years of 2003–2004 to 2005–2006 and from the Data Accountability Center (DAC) for school years 2006–2007 and 2007–2008. These data are publicly-available. Data from Washington D.C. are not included in the summary tables because they were considered outliers.

**Exhibit ES.17: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Infants and Toddlers with Disabilities Receiving Services under Part C Early Intervention Programs in the 50 States by Dispute Resolution Method (School Years 2003–2004 through 2007–2008)**

| | 2003–2004 | | 2004–2005 | | 2005–2006 | | 2006–2007 | | 2007–2008 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served |
| Signed written complaints | 173 | 6.37 | 171 | 6.09 | 172 | 5.84 | 162 | 6.07 | 185 | 6.95 |
| Due process hearings requested | 186 | 6.85 | 200 | 7.13 | 135 | 5.07 | 110 | 4.12 | 111 | 3.51 |
| Due process hearings completed | 13 | 0.48 | 24 | 0.85 | 17 | 0.64 | 14 | 0.52 | 18 | 0.57 |
| Resolution meetings held | — | — | 1 | 0.21 | 0 | 0.00 | 2 | 0.58 | 1 | 0.28 |
| Mediations held | 48 | 1.77 | 57 | 2.03 | 70 | 2.38 | 75 | 2.81 | 83 | 2.62 |

For 2003–2004, N = 50.

For 2004-2005, N = 50.

For 2005-2006, for signed written complaints and mediations held, N = 50; for due process hearings requested, N = 48; for due process hearings completed, N = 47; for resolution meetings, N = 45.

For 2006-2007, for signed written complaints, due process hearings requested, due process hearings completed and mediations held, N = 49; for resolution meetings, N = 12.
For 2007–2008, for due process hearings requested, due process hearings completed and mediations, N = 49; for signed written complaints, N = 49; for resolution meetings, N = 13.

**There were 23 or fewer dispute resolution events for every 10,000 preschool- and school-age children and youth served for the 2003–2004 through 2007–2008 school years.** The number of dispute resolution events and number of disputes per 10,000 individuals receiving services through Part B programs are presented in Exhibit ES.18.

**The number of requests for due process hearings far exceeded the number of due process hearings completed under Part B.** Similar to the Part C early intervention program, across each year from 2003–2004 through 2007–2008, the number of requests for due process hearings exceeded the number of due process hearings completed. For example, there were 21.74 hearing requests per 10,000 preschool- and school-age children served in 2003–2004 and 3.36 hearings completed per 10,000 preschool- and school-age children served in 2003–2004. These data suggest that the majority of hearing requests do not result in an actual hearing.

**From 2003–2004 to 2007–2008, there was a decrease in due process hearings completed under Part B**. For preschool- and school-age children, the frequency of most types of dispute resolution events has remained relatively stable from the 2003–2004 through the 2007–2008 school year, with the exception of due process hearings completed (Exhibit ES.18). While the frequency of due process hearing requests remained relatively stable (22 requests per 10,000 children and youth served in 2003–2004 to 21 requests per 10,000 children and youth served in 2007–2008), the number of due process hearings completed for each 10,000 children and youth served decreased by more than half, from 3.36 in 2003–2004 to 1.61 in 2007–2008.

**Exhibit ES.18: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Preschool- and School-Age Children with Disabilities Receiving Services under Part B Special Education Programs in the 50 States by Dispute Resolution Event (2003–2004 through 2007–2008 School Years)**

| | 2003–2004 | | 2004–2005 | | 2005–2006 | | 2006–2007 | | 2007–2008 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served |
| Signed written complaints | 5916 | 8.94 | 6094 | 9.09 | 5798 | 8.65 | 5220 | 8.11 | 5497 | 8.32 |
| Due process hearings requested | 14392 | 21.74 | 15496 | 23.12 | 14583 | 21.77 | 13828 | 20.71 | 13894 | 21.02 |
| Due process hearings completed | 2223 | 3.36 | 2215 | 3.30 | 1718 | 2.56 | 1370 | 2.05 | 1064 | 1.61 |
| Resolution meetings held | | | | | | | 9073 | 13.65 | 8090 | 12.24 |
| Mediations held | 5924 | 8.95 | 6382 | 9.52 | 3651 | 6.06 | 5377 | 8.05 | 4989 | 7.55 |

For 2003–2004, N = 50.

For 2004-2005, N = 50.

For 2005-2006, N = 50 except for mediations held, N = 49.

For 2006-2007, for due process hearings, due process hearings completed and mediations, N = 50; for signed written complaints and resolution meetings, N = 49.
For 2007–2008, N = 50.

*What issues are involved in disputes?*

**For infants and toddlers and their families, the most common reason for dispute resolution events was early intervention services as set forth in the IFSP and for preschool- and school-age children with disabilities, the most common reasons for disputes were educational placement and student's educational program as set forth in the IEP.** Fifty-two percent of due process hearing requests and 71 percent of mediations held in fiscal year 2008 involved early intervention services as set forth in the IFSP for infants and toddlers served by the Part C early intervention programs (Exhibit ES.19). The two most common topics for disagreements for children and youth receiving services in the Part B special education program across the two dispute resolution procedures in the 2003–2004 and the 2007–2008 school years were educational placement and the student's educational program (i.e., goals, objectives, services, supports) as set forth in the IEP (Exhibit ES.20).

**Exhibit ES.19: Topics of Dispute Resolution Procedures for Infants and Toddlers Receiving Services under the Part C Early Intervention Program by Dispute Resolution Procedure (Fiscal Year 2008)**

| | Due Process Hearings Requested | Mediations Held |
|---|---|---|
| | % | % |
| Early intervention services, as set forth in the IFSP | 51.72 | 70.83 |
| Environment/setting | 0.00 | 8.33 |
| Family cost, including the use of private insurance | 3.45 | 8.33 |
| Evaluation for early intervention services | 0.00 | 4.17 |
| Transition | 0.00 | 4.17 |
| Eligibility for early intervention services | 3.45 | 0.00 |
| Procedural safeguards | 3.45 | 0.00 |

For due process hearings requested, N = 8.
For mediations held, N = 10.

.

**Exhibit ES.20: Topics of Disputes at the State Level for Children and Youth Receiving Services under the Part B Special Education Program by Dispute Resolution Method (2003–2004 and 2007–2008 School Year)**

| | Due Process Hearings Completed | | Mediations Held | |
|---|---|---|---|---|
| | 2003–2004 | 2007–2008 | 2003–2004 | 2007–2008 |
| | % | % | % | % |
| Educational placement | 30.83 | 49.32 | 35.34 | 38.72 |
| Student's educational program, as set forth in the IEP | 27.85 | 49.32 | 30.37 | 36.66 |
| Related services | 7.77 | 27.56 | 15.68 | 17.47 |
| Eligibility of students for special education services | 5.24 | 16.55 | 12.05 | 6.36 |
| Evaluation of students for special education services | 11.62 | 31.91 | 12.26 | 20.24 |
| Tuition reimbursement | 13.36 | 23.89 | 5.17 | 9.80 |
| Discipline | 2.56 | 12.12 | 5.46 | 8.16 |
| Procedural safeguards | 3.58 | 11.95 | 4.19 | 2.99 |

For due process hearings completed in 2003–2004, N = 42; in 2007–2008, N = 34.
For mediations held in 2003–2004, N = 37; in 2007–2008, N = 36.

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# Chapter 1: Introduction

This report presents findings from the Individuals with Disabilities Education Improvement Act National Assessment Implementation Study (IDEA-NAIS). The IDEA-NAIS was designed to provide a national picture of state agency and school district implementation of the Individuals with Disabilities Education Act (IDEA).

The Individuals with Disabilities Education Improvement Act of 2004 is the most recent reauthorization of the Individuals with Disabilities Education Act, federal legislation specifically focused on the education of children with disabilities. The purposes of IDEA are: to ensure that all children receive a free and appropriate public education; to ensure that the rights of children with disabilities and their parents are protected; to assist states, localities, educational service agencies and federal agencies in providing an education for all children with disabilities; to assist states in the implementation of an interagency system of early intervention services for infants and toddlers with disabilities and their families; to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities; and lastly, to assess and ensure the effectiveness of efforts to educate children with disabilities [P.L. 108-446 § 601(d)].

Section 664(b) of the Individuals with Disabilities Education Improvement Act of 2004 requires that the Secretary of Education delegate to the Institute of Education Sciences (IES) responsibility for conducting an assessment of national activities under the law, known as the National Assessment of IDEA. The goals of the National Assessment of IDEA are: to determine the effectiveness of IDEA in achieving its purposes; to provide timely information to the President, Congress, the States, local educational agencies and the public on how to implement this title more effectively; and to provide the President and Congress with information that will be useful in developing legislation to achieve the purposes of this title more effectively. IES initiated studies in three broad areas that will contribute to the National Assessment of IDEA: (1) studies of the characteristics of children and youth identified for services under IDEA; (2) studies of the implementation of IDEA; and (3) studies of the effectiveness of IDEA-related services and strategies.[11] The IDEA-NAIS is one study of the implementation of IDEA programs that contributes to the overall National Assessment of IDEA.

IES initiated a design study advised by practitioners, researchers and evaluation experts to develop research questions and approaches to address the goals for the IDEA National Assessment (Fiore et al. 2007). The design study prioritized areas for inclusion in the IDEA-NAIS. Ultimately, IES identified four focal areas: services to young children with disabilities; identification of children and youth with disabilities; efforts to promote positive developmental and educational outcomes for children and youth with disabilities; and dispute resolution. Specifically, the IDEA-NAIS collected information to answer four broad research questions:

- What are the Part C early intervention program service delivery models for infants and toddlers and how are Part C programs coordinated with Part B special education programs for preschool-age children, specifically in the support of children who may transition across programs?

[11] http:/ies.ed.gov/ncee/projects/evaluation/disabilities.asp

- How are state agencies and school districts implementing IDEA provisions to prevent inappropriate identification?
- How are state early intervention agencies, state educational agencies (SEAs) and local educational agencies (LEAs) implementing measures to improve child and youth outcomes through developmental and academic standards and qualified staff?
- To what extent do state agencies and school districts engage in dispute resolution with parents and guardians, and how has the incidence of disputes changed since the 2003–2004 school year?

Within each area, the IDEA-NAIS focuses on the implementation of select provisions of IDEA that were introduced or revised in the 2004 reauthorization of the law and complements the work of the other National Assessment of IDEA studies. The chapter focused specifically on services provided to young children with disabilities and their families also examines key IDEA provisions that were introduced prior to the 2004 reauthorization because these provisions were not included in earlier national studies. This chapter provides the first broad description of the state-level implementation of services to infants and toddlers with disabilities and their families.

## Key Areas of the IDEA-NAIS in This Report

This report includes findings from the IDEA-NAIS for the major research questions, each in a subsequent chapter. The chapters address: services for infants and toddlers with disabilities; identification of children and youth with disabilities; efforts to promote positive developmental and educational outcomes for children and youth with disabilities; and efforts to promote parent participation and dispute resolution. The findings are based on data from surveys of SEAs and LEAs newly developed for the IDEA-NAIS and on extant sources.

### Providing Services to Young Children with Disabilities

Services to infants and young children with disabilities are provided under two parts of IDEA. The IDEA Part C early intervention program serves children from birth through age 2 (Infant and Toddler Grant program). The IDEA Part B special education program includes the 619 program that serves children ages 3 through 5 (Preschool Grant program) and the 611 program that serves children and youth ages 6 through 17, and ages 3 through 5 and 18 through 21 if those ages are included in the mandatory age range for the provision of a free appropriate public education (FAPE) under state law (Grants to States program).

The IDEA-NAIS focuses on two general aspects of the IDEA Part C early intervention program: (1) state-level service delivery models and (2) coordination and support for the transition between systems of service under the IDEA Part C program and the IDEA Part B special education program for preschool-age children. These aspects of implementation were included in the IDEA-NAIS because no previous comprehensive study of Part C program state-level implementation had been conducted. The IDEA-NAIS also addresses changes in the 2004 IDEA statute affecting the Part C program including shifting the monitoring focus from compliance with procedures to reporting on performance, discussed in Chapter 4; the authority to extend services provided under Part C to children after their third birthday, discussed in Chapter 2; and efforts to promote parent participation and dispute resolution, discussed in Chapter 5.

The Part C early intervention program is a national program through which the federal government issues formula grants to states to develop and implement statewide, comprehensive, coordinated, multidisciplinary, interagency systems of services for infants and toddlers with disabilities and, at state discretion, those at risk for developmental delays and disabilities and their families. The IDEA-NAIS investigated the key roles of the lead agencies that are responsible for the Part C program within each state. The Part C program and Part B preschool-age special education program are typically administered by different state agencies and have different eligibility, service, funding and program requirements. The IDEA statute requires a seamless transition from the Part C program to the Part B program and requires, for example, transition planning and the involvement of all the relevant parties (including parents and staff from both programs) in the transition process when children in the Part C program are potentially eligible for services under the IDEA Part B program.

### Identification of Children with Disabilities

The 2004 reauthorization of IDEA introduced several interrelated changes tied to the appropriate identification of children with disabilities. As these provisions were first introduced in IDEA 2004, currently available data on policies and practices related to the use of Coordinated Early Intervening Services (CEIS) are limited and information on the use of Response to Intervention (RtI) nationally is incomplete. The IDEA-NAIS addresses these issues.

The interrelated changes focus on two broad areas. First, the 2004 reauthorization of IDEA attempts to address overrepresentation of racial and ethnic minority students in special education ("disproportionality") by allowing districts to use some of their IDEA Part B funds to develop and implement Coordinated Early Intervening Services (CEIS) for students who are not yet identified as needing special education and related services, but who need additional academic and behavioral support to succeed in a general education environment. Districts identified as having significant disproportionality related to the identification, placement or discipline of children with disabilities are required to use some of their Part B funds to provide CEIS. Second, the 2004 reauthorization of the law introduced changes in the identification of students in the disability category of Specific Learning Disability (SLD). Additionally, IDEA includes the concept Response to Intervention (RtI) to describe a range of practices for monitoring progress and providing intervention in the academic and behavioral domains. RtI is linked to both CEIS and changes in eligibility criteria: CEIS funds can be used to implement an RtI process for students who are not currently identified as needing special education and related services; and data from the RtI process can now be used as one component of eligibility determinations for students with SLD.

### Efforts to Promote Positive Outcomes for Children and Youth with Disabilities

The 2004 reauthorization of IDEA includes efforts to promote positive outcomes for children and youth with disabilities. The IDEA-NAIS examined two specific aspects of IDEA geared to this goal: (1) establishing and maintaining developmental and academic standards for children and youth with disabilities and (2) qualified personnel.

The original predecessor to the IDEA, the Education for All Handicapped Children Act of 1975, focused on providing access to FAPE for children with disabilities. The most recent reauthorization of IDEA in 2004 emphasized the need for improved outcomes found in legislation specific to general education by expanding the focus from access to FAPE to access to a quality education and

improving the performance of children and youth with disabilities. The chapter focuses on positive outcomes for children and youth with disabilities through the use of standards, standards-based individual family service plans (IFSPs) and individual education programs (IEPs). For school-age children, the 2004 reauthorization of IDEA strengthened the focus on academic outcomes and the alignment with standards by specifically stating that states must have performance goals and indicators in place that are the same as those used as the state's objectives for progress by children in its definition of adequate yearly progress (34 C.F.R. § 300.157).

The second effort to promote positive educational outcomes for children and youth with disabilities examined in the IDEA-NAIS is requirements included in IDEA regarding qualified staff. The 2004 amendments revised the personnel requirements for the Part C program. In addition, there were changes related to preschool and elementary and secondary school staff. Specifically, all elementary and secondary school special education teachers are required to meet the same standards as elementary and secondary school general education teachers, in alignment with the Elementary and Secondary Education Act (ESEA) reauthorized in 2001 as the No Child Left Behind Act of 2001 (P.L. 107-110). The 2004 reauthorization of IDEA requires that all public elementary and secondary special education teachers be "highly qualified" as special education teachers [20 U.S.C. § 1401(10), 1412(A)(14)(C)]. The definition of "highly qualified" for purposes of Part B of IDEA is aligned with the ESEA 2001 highly qualified requirements [20 U.S.C. § 7801(23)]. The 2004 IDEA legislation stipulates that non-teaching professionals may not have a waiver for any requirement for emergency, temporary or provisional reasons [20 U.S.C. § 1412(a)(14)(B)(ii)].

### Promoting Parental Participation and Dispute Resolution

The 2004 reauthorization of IDEA continues to support parents' participation in their child's receipt of early intervention services or special education and related services and to delineate procedural safeguards for parents and youth regarding the provision of early intervention, education and related services. IDEA cites decades of research illustrating that one way to improve educational efficiency is by "strengthening the role and responsibility of parents and ensuring that families [of children and youth with disabilities] have meaningful opportunities to participate in the education of their children at school and at home" [20 U.S.C. § 1400(c)(5)(B)]. The findings and purposes under IDEA Part B emphasize that "parents and schools should be given expanded opportunities to resolve their disagreements in positive and constructive ways" [20 U.S.C. § 1400(c)(8)].

The IDEA-NAIS examines efforts by states and districts to promote parents' participation in their child's early intervention and education. The study also examines trends in the use of dispute resolution procedures to resolve disagreements between parents and public agencies or early intervention service programs or providers and the specific topics of disputes.

## The Scope of Special Education in the U.S.

IDEA authorizes the Secretary of Education to provide grants to states to assist them in the provision of special education and related services to children with disabilities. The Part C program of IDEA supports early intervention services to infants and toddlers with disabilities and their families and, at state discretion, those at risk for developmental delays and disabilities, from birth through age 2. The Part B 619 program supports special education and related services to preschool-age children with disabilities (ages 3 through 5) and the Part B 611 program provides funds to support the provision of

FAPE for children and youth with disabilities ages 6 through 17, and ages 3 through 5 and 18 through 21 if those ages are included in the mandatory age range for the provision of FAPE under state law.

Nearly seven million children and youth with disabilities from birth through age 21 receive services under IDEA. Part C early intervention program services were provided to 316,730 infants and toddlers birth through age 2, or 2.49 percent of the birth through age 2 U.S. population in 2007 (see Exhibit 1.1). Part B special education program services were provided to 700,166 children with disabilities ages 3 through 5 (or 5.73 percent of the 3- through 5-year-old population) and 5,905,854 students with disabilities ages 6 through 21 (or 13.33 percent of the population enrolled in public schools in grades 1 through 12).

**Exhibit 1.1: Number and Percentage of Children and Youth Identified for Early Intervention and Special Education Services in 50 States and D.C. (2007)**

| Birth–2 Years | | 3–5 Years | | 6–21 Years | |
|---|---|---|---|---|---|
| **Number** | **%** | **Number** | **%** | **Number** | **%** |
| 316,730 | 2.49 | 700,166 | 5.73 | 5,904,854 | 13.33 |

EXHIBIT READS: The percentage of infants and toddlers age 2 years or less receiving services under the Part C early intervention program in 2007 was 2.49 (or 316,730 infants and toddlers). The percentage of preschool-age children receiving services under the Part B special education program in 2007 was 5.73 (or 700,166 children). The percentage of school-age children receiving services under the Part B special education program in 2007 was 13.33 (or 5,904,854 children and youth).

N = 51.

## Methods and Data Collection

The IDEA-NAIS was designed to provide a national picture of state agency and school district implementation of IDEA across the Part C early intervention and Part B special education programs. Three state-level mail surveys collected data from: (1) state Part C program coordinators who are responsible for early intervention programs serving infants and toddlers; (2) state Part B program coordinators who oversee programs for preschool-age children with disabilities; and (3) state Part B program coordinators who oversee programs providing special education services to children and youth with disabilities.[12] The fourth survey was a web-based survey that collected data from local special education, or Part B program, administrators in a nationally representative sample of 1,200 school districts.

The surveys were fielded in January and February of 2009 and requested data about policies and practices that were in place for that year (fiscal year 2009 for the Part C program or the 2008–2009 school year for the Part B program), although some items asked about earlier years. For example, items focusing on issues for which cumulative data would not be available until the end of the school year, such as dispute resolution events or professional development offerings, referenced the prior completed year or years.

[12] In some states the Part B program coordinator for school-age children is also the Part B program coordinator for preschool-age children, and in some states the coordinators are different officials. When presenting findings, this report specifies the relevant student age group.

Federal appropriations to states for early intervention and special education have been between $11 and $12 billion since 2004 (U.S. Department of Education 2008). States received approximately $12 billion to support IDEA in fiscal year 2008, one of the focal years of the IDEA-NAIS (U.S. Department of Education 2009b). Specifically, the federal government provided $435,635,802 to support the Part C early intervention program, $374,099,280 to support the Part B 619 program and $10,947,511,571 to support the Part B 611 program. After data collection was completed, the American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5) appropriated new funding for programs under Parts B and C of IDEA which nearly doubled the federal investment in special education. Specifically, $11.3 billion became available under Part B 611 grants to states; $400 million became available under Part B 619 grants; and $500 million became available under Part C grants (U.S. Department of Education 2009a). The funds are to provide an opportunity for states, LEAs and early intervention providers to implement innovative strategies to improve outcomes for infants, toddlers, children and youth with disabilities. The data provided in this report describe state and district policies *prior* to the receipt of ARRA funds.

The state surveys had a 100 percent response rate and the district survey achieved a 96 percent response rate. The IDEA-NAIS also incorporates extant data for two purposes: (1) to reduce duplication of reporting and (2) to support efforts to report survey data in a manner which is meaningful for the reader. For example, the study team reviewed SEA agency websites to gather information on highly qualified teacher requirements and state disability definitions and eligibility criteria.

The report presents descriptive analyses of the implementation of IDEA provisions that were either introduced in IDEA 2004 or for which there was limited available information. The entire population of state coordinators was surveyed; thus state data are presented without any statistical tests or estimations. A sample of 1,200 school districts was used to estimate the population of public school districts in the United States; thus an estimate (usually a percentage) and the associated standard error are reported for district findings. When the report compares districts, the *p*-value associated with the test statistic for the comparison is reported; only when the *p*-value is less than or equal to .05 are the findings reported as statistically significant. Pairwise comparisons are reported only in those analyses for which the overall statistical test was significant. The report presents both statistically significant and non-statistically significant findings. Appendix A includes additional technical information on the survey approach, sampling, weighting, response rates and analytic approach.

## Contents of Report

The report contains four additional chapters and seven appendices. Each chapter focuses on one of the overarching research questions and addresses: services to infants and toddlers with disabilities and their families; the identification of children with disabilities; efforts to promote positive outcomes for children and youth with disabilities; and efforts to promote parent participation and dispute resolution. Each chapter follows a similar format, beginning with background on the topic being discussed, the federal response and guidance on the topic, relevant IDEA requirements and a presentation of findings.

Chapter 2 focuses on Part C program (or early intervention) services that are provided to infants and toddlers (from birth through age 2) with disabilities, and, at the state's discretion, those who are at risk, and their families. The chapter examines the approaches states are taking to provide early

intervention services and efforts to coordinate the Part C programs and Part B programs for preschool-age children.

Chapter 3 focuses on the identification of students for special education. The chapter examines issues related to disproportionality and provisions, such as CEIS and RtI, designed to address identification and eligibility issues such as significant disproportionality.

Chapter 4 addresses the shift from access to education to improving outcomes for all children and youth with disabilities. This chapter addresses the focus on academic standards and quality personnel.

Chapter 5 focuses on state and district efforts to promote parent participation as well as the use of dispute resolution procedures and the topics of dispute resolution procedures.

The appendices contain fully sourced versions of exhibits found in the report chapters, as well as additional exhibits that present supplemental information for each topic.

# Chapter 2: Providing Services to Young Children with Disabilities

This chapter focuses on services provided to the youngest children with disabilities, specifically on the Part C early intervention program services for infants and toddlers (birth through age 2) with disabilities, or at risk, and their families and on the coordination of early intervention programs and Part B special education programs for preschool-age children. The Individuals with Disabilities Education Improvement Act National Assessment Implementation Study (IDEA-NAIS) findings presented here concern two general aspects of current Part C program services. First, findings related to the delivery of Part C program early intervention services are presented. These were included as part of the IDEA-NAIS because no previous comprehensive study of Part C program state-level implementation had been conducted. Second, the study team presents findings related to the coordination between the Part C program and the Part B preschool-age special education program, emphasizing how the programs support children with disabilities and their families who transition from Part C to Part B services. The importance of making the transition from Part C program early intervention services to Part B program special education services for preschool-age children as smooth as possible for both children and families has been consistently acknowledged in federal law since the enactment of both programs in 1986.

To provide background for the IDEA-NAIS Part C early intervention program findings, this chapter summarizes the history of the relevant Part C legislation and the current context, including sources of technical assistance and accountability requirements. In reporting some of the findings presented below, services provided under the Part C early intervention program are compared with those provided under the Part B preschool-age special education program, to highlight differences and similarities in approaches used when serving infants and toddlers with disabilities as opposed to preschool-age children with disabilities.

Fully sourced versions of Exhibits 2.1 through 2.19 are found in Appendix C as Exhibits C.1 through C.19. Additional supplemental tables related to the Part C program are found in Appendix C, Exhibits C.20 through C.29.

## Components of Early Intervention Service Delivery

The state-administered services now referred to as the Part C program were first authorized in 1986 as Part H of the Education of the Handicapped Act Amendments of 1986 (P.L. 99-457). Part H established the first national program of federal grants to states to develop and implement a statewide system of services for infants and toddlers with disabilities and their families in response to what Congress saw as an "urgent and substantial need" to serve this population. Another factor shaping the legislation at this time was research findings that had increased public awareness of the possibility of developing successful intervention approaches for supporting infants and toddlers with disabilities and their families (H.R. Rep. No. 99-860 1986).

The goals of the Part C early intervention program evolved from the initial Part H legislation through subsequent reauthorizations of IDEA (1991, 1997 and 2004) and currently include: to enhance the development of infants and toddlers with disabilities; to reduce the need for and costs of special

education after infants and toddlers with disabilities reach school age; to maximize the potential for independence of individuals with disabilities; to enhance the capacity of families to meet the needs of infants and toddlers with disabilities; and to enhance society's ability to identify, evaluate and meet the needs of the nation's children (20 U.S.C. § 1431).

The Part C grants initially established by Part H assisted states "to develop and implement a statewide, comprehensive, coordinated, multidisciplinary, interagency system that provides early intervention services for infants and toddlers with disabilities and their families" (P.L. 99-457). The national plan described in Part H was informed by experience gained in multiple state and local programs that had served infants and toddlers with disabilities and their families. The federal government provided support to 24 local demonstration programs in 1968 with the aim that programs would both provide special education and related services to young children with disabilities (ages birth through grade 3) and develop model practices which could be replicated (The National Early Childhood Technical Assistance Center [NECTAC] 2010). By 1974 the federal government was providing support for some state-level activities (Hebbeler, Smith and Black 1991).

Since the creation of Part H in 1986, the core policies of the Part C early intervention program services have changed little. The program's initial mandate remains the same: that states make available to infants and toddlers with disabilities and their families early intervention services that are family-focused, multidisciplinary and provided through strong collaborative interagency efforts. Reauthorizations in 1991, 1997 and 2004 continued these services through Part C of the law. The core elements of the Part C program include:

- Services are to be provided to infants and toddlers from birth through 2 years of age who need early intervention services because they are experiencing developmental delays, or have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. This service provision may include, at a state's discretion, those considered at risk for developmental delay;
- Children referred to the Part C program have available a multidisciplinary evaluation of the child's level of functioning in five developmental domains: cognition, communication, physical (including vision and hearing), social/emotional and adaptive functioning;
- All infants and toddlers with disabilities and their families receive service coordination and other early intervention services that are designed to meet the unique developmental needs of those children and families;
- Each governor designates a state lead agency to serve as the single line of authority for the program;
- Each state establishes a state Interagency Coordinating Council[13]; and

[13] The 2004 legislation continues the requirement for a governor appointed Interagency Coordinating Council (ICC) which advises the lead agency with respect to identification of sources for supports, including fiscal support; assignment of fiscal responsibility; promotion of interagency agreements; preparation of applications and amendments; transition of toddlers with disabilities to age-appropriate services; and preparation of the annual report on the program status [20 U.S.C. § 1441(2)(e)(1)].

- States must have a statewide system that includes public awareness and referral components (20 U.S.C. § 1435).

Federal support and guidance for the implementation of services to infants and toddlers is provided to Part C early intervention program agencies through a variety of vehicles including multiple centers funded by the federal Office of Special Education Programs (OSEP). The National Early Childhood Technical Assistance Center (NECTAC) provides wide-ranging support to state agencies that administer the Part C program and Part B preschool-age special education program through assistance and support from a specified contact person, as well as through publications, webinars and conference calls, conferences, on-line discussion groups and weekly e-notes on timely and relevant news topics. Other currently active centers that often work in collaboration with NECTAC and provide technical assistance on specific content areas include: Tots N Tech: Using Assistive Technology with Infants and Toddlers; the National Early Childhood Transition Center (NECTC); the Data Accountability Center (DAC); the Center for Early Literacy Learning (CELL); and the Early Childhood Outcomes Center (ECO), which assists states in implementing high-quality child and family outcomes measurement systems for children and families receiving services under the Part C early intervention and Part B preschool-age special education programs. While NECTAC focuses on the technical assistance needs of programs serving children with disabilities from birth through age 5 and their families, the Regional Resource Centers Program's mission is to assist Part C program state lead agencies and SEAs in their work across a broad age range of both children and youth with disabilities (birth through age 21), by means of consultation, information services, training and product development.

The 2004 IDEA legislation requires states to submit a state performance plan (SPP) and annual performance report (APR) that include specific indicators and targets related to their implementation of IDEA. These documents provide a monitoring system for the implementation of IDEA and allow the federal government and public to assess how well a state is meeting the requirements and purposes of the Part C early intervention program. The U. S. Department of Education (ED) uses the APR to make an annual determination as to whether a state meets the requirements of IDEA. ED must require a state to take action if ED determines that the state needs assistance for two or more consecutive years, needs intervention for three or more consecutive years or needs substantial intervention in any year [20 U.S.C. § 1416(e)].

There are 14 required indicators associated with the monitoring of the Part C early intervention program services (Office of Special Education Programs n.d.). Examples of the indicators[14] include: the percentage of infants and toddlers with disabilities who receive timely evaluations and assessments and initial individualized family service plan (IFSP[15]) meetings (Indicator 7); the percentage who receive services listed on IFSPs in a timely manner (Indicator 1); the percentage who receive services in the home or in community-based settings (Indicator 2); the percentages who

[14] Please see http:/www2.ed.gov/policy/speced/guid/idea/capr/2010/b2-1820-0578cmeataleexp113012.pdf for the full text of the Part C indicators.

[15] The Individualized Family Service Plan (IFSP) is developed by a group of individuals involved in the child's evaluation, service provision and service coordination, and family members. An IFSP includes a statement of the child's present level of functioning in each of the five developmental areas, expected outcomes and criteria, and procedures and timelines to assess progress as well as a statement of the services needed and environment in which services will be provided [20 U.S.C. § 1477(d)].

demonstrate improvement in child and family outcomes (Indicators 3 and 4); and the percentage who receive timely planning to support their transition to preschool, and other appropriate community services, by their third birthday (Indicator 8) (20 U.S.C. § 1416 (a)(3)(B) and § 1442).

As part of the first comprehensive examination of Part C early intervention program service delivery, the IDEA-NAIS investigated the key roles and responsibilities of states in providing Part C program services, including: state lead agency, referral sources, outreach activities, funding, family participation, involvement of local agencies in service delivery and service coordination.

## Findings on Components of Part C Early Intervention Program Service Delivery

### In Most States, Departments of Health and Human Services Lead Part C Early Intervention Program Services

Beginning with the 1986 Part H legislation, each governor has had the discretion to designate a state agency to lead early intervention efforts. Most states (37) have designated health or human services agencies as the lead agency for Part C early intervention program services, with 11 states placing responsibility for the Part C programs in SEAs and 2 states sharing responsibility for Part C program services across the health/human services and education agencies (Exhibit 2.1).[16] This is in contrast to Part B programs for preschool-age children, which are overseen in each state by SEAs (Lazara, Danaher, Kraus & Goode 2009). Part C program agency leadership has been stable in most states, with 38 states reporting no change in lead agency since 1991 (Appendix C, Exhibits C.20 and C.21).

Because of the possibility that the type of lead agency might be related to the number of infants and toddlers identified for early intervention services in a state, the study team examined the average percentage of infants and toddlers (birth through age 2) identified for Part C early intervention program services across lead agency type (Exhibit 2.2). The percentage of infants and toddlers identified for services was 2.83 percent across states in which Part C program services are led by health/human services and 2.13 percent for education-led states. This descriptive presentation of identification percentages by lead agency does not signify a causal relationship between agency type and identification for services.

[16] Note that states administer health-related programs, policies, and services either as separate state-level agencies or within an umbrella human services agency.

**Exhibit 2.1: State Lead Agency for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **Lead Agency** | **N** | **%** |
| Department of Health/Human Services | 37 | 74.00 |
| Department of Education | 11 | 22.00 |
| Co-lead agencies | 2 | 4.00 |
| Total | 50 | 100.00 |

EXHIBIT READS: Thirty-seven states (74 percent) reported that the Department of Health/Human Services is the state agency designated as the lead agency for the Part C early intervention program service system.

N = 50.

**Exhibit 2.2: Average Percentage of Birth through 2-Year-Old Population Identified for Services by Type of Part C Early Intervention Program Lead Agency (Fall 2007)**

| | States with Type of Part C Program Lead Agency | | |
|---|---|---|---|
| | **Health/human services** | **Education** | **Co-lead** |
| | **Average % identified** | | |
| Percentage of state population ages birth through 2 years old identified for Part C early intervention services in Fall 2007 | 2.83 | 2.13 | 2.81 |

EXHIBIT READS: States with a health or human services agency as the Part C early intervention program lead agency on average had 2.83 percent of their infants and toddlers ages birth through 2 years identified for early intervention services. States with an education agency as the Part C program lead agency on average had 2.13 percent of their infants and toddlers ages birth through 2 years identified for early intervention services. States with both an education and a health/human services agency co-leading Part C program services had 2.81 percent of their infants and toddlers ages birth through 2 years identified for early intervention services.

Total N = 50. For health/human services lead agencies, N = 37; for education lead agencies, N = 11; for co-lead agencies, N = 2.

### Funding of the Part C Early Intervention Program Services: A System of Payments

The Part C statute does not require that states provide early intervention services free of charge, but permits the state lead agency that administers the Part C early intervention program to establish a "system of payments" for early intervention services. The system of payments may include funds from a range of federal, state, local and private sources, including public and private insurance coverage and sliding scale-based parent fees (20 U.S.C. § 1431). IDEA Part C early intervention program services are not an entitlement. Part C funds are meant to be used only as the "payor of last resort," meaning Part C funds may not be used to satisfy a financial commitment for services that would have been paid for from another public or private source (20 U.S.C. § 1440). With the exception of specified Part C functions (implementation of the Child Find requirements, evaluation

and assessments, service coordination, and administrative and coordinative activities including procedural safeguards), Part C services may be provided at a cost to parents (34 C.F.R. §303.51).[17]

The most common source identified by Part C early intervention program respondents (45 percent) as providing the largest share of funding for Part C program services was state early intervention funds (Exhibit 2.3). When asked to identify the three largest funding sources in their state, 88 percent of the respondents included IDEA Part C funds, 78 percent included Medicaid/Title XIX and 73 percent included state early intervention funds. Across the 37 Part C program respondents that indicated the percentage of early intervention services funding that came from IDEA Part C for fiscal year 2009, the mean percentage was 21 (Exhibit 2.4).

[17] If a state has in effect a state law requiring the provision of a free appropriate public education to children with disabilities from birth, the state may not charge parents for any services required under that law that are provided to children eligible under this part and their families.

**Exhibit 2.3: Funding Sources Supporting Part C Early Intervention Program Services as Required by IFSPs (Fiscal Year 2009)**

| | States Reporting as Providing Largest Share of Funding | | States Reporting as Providing Second-Largest Share of Funding | | States Reporting as Providing Third-Largest Share of Funding | | States Reporting as Providing One of Three Largest Shares of Funding | |
|---|---|---|---|---|---|---|---|---|
| **Funding Source** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** |
| State early intervention funds | 23 | 45.10 | 8 | 15.69 | 6 | 11.76 | 37 | 72.55 |
| IDEA, Part C | 8 | 15.69 | 20 | 39.22 | 17 | 33.33 | 45 | 88.24 |
| Medicaid/Title XIX | 8 | 15.69 | 18 | 35.29 | 14 | 27.45 | 40 | 78.43 |
| Local municipality or county funds | 4 | 7.84 | 1 | 1.96 | 2 | 3.92 | 7 | 13.73 |
| IDEA, Part B | 1 | 1.96 | 0 | 0.00 | 2 | 3.92 | 3 | 5.88 |
| Private insurance | 1 | 1.96 | 2 | 3.92 | 6 | 11.76 | 9 | 17.65 |
| Children with Special Health Care Needs (CSHCN)/Title V | 0 | 0.00 | 0 | 0.00 | 2 | 3.92 | 2 | 3.92 |
| State Children's Health Insurance Program (SCHIP) | 0 | 0.00 | 1 | 1.96 | 1 | 1.96 | 2 | 3.92 |
| Family fees/co-payments/sliding fee | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Other | 6 | 11.76 | 0 | 0.00 | 0 | 0.00 | 6 | 11.76 |

EXHIBIT READS: Twenty-three Part C early intervention program agencies (45 percent) reported state early intervention funds as providing the largest share of funding to support Part C program services. Eight Part C program agencies (16 percent) reported state early intervention funds as providing the second largest share of funding for Part C program services. Six Part C program agencies (12 percent) reported state early intervention funds as providing the third-largest share of funding to support Part C program services. Thirty-seven states (73 percent) reported state early intervention funds as providing one of the three largest shares of funding supporting Part C program services.

For largest share of funding, N = 51; for second-largest share of funding, N = 50; for third-largest share of funding, N = 50.

**Exhibit 2.4: Percentage of Part C Early Intervention Services Supported by IDEA Part C Funds across States (Fiscal Year 2009)**

| | | | Range per State | |
|---|---|---|---|---|
| | Mean | Median | Min | Max |
| Percentage supported by IDEA Part C funds | 21.43 | 22.00 | 0 | 75 |

EXHIBIT READS: The mean percentage of states' early intervention services provided by the Part C program and supported by Part C program funds is 21. The median percentage of early intervention services provided and supported by Part C program funds is 22. The percentage of early intervention services provided by Part C program and supported by Part C program funds ranged from 0 to 75.

N = 37.

The system of payments set up by state Part C early intervention program agencies may include, at a state's discretion, payments made by participating families commonly known as family cost participation (FCP). This term refers to state policies and procedures specifying families' contribution to the cost of Part C early intervention program services, either indirectly by using a family's private health insurance coverage or directly by charging the family a fee. IDEA specifies that family cost participation must be based on a family's ability to pay [20 U.S.C. § 1432 (4)(B)]. As of early 2009, 27 state Part C early intervention program agencies had an FCP policy (Exhibit 2.5). Of the 27 states with an FCP policy, 12 include both private insurance and family fees, 10 include only private insurance and 5 include family fees only.

**Exhibit 2.5: State Family Cost Participation (FCP) Policy for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **FCP Policy** | **N** | **%** |
| There is an FCP policy in the state | 27 | 52.94 |
| **Among states with an FCP policy, the FCP policy requires:** | | |
| Both private insurance and family fees | 12 | 44.44 |
| Private insurance only | 10 | 37.04 |
| Family fees only | 5 | 18.52 |

EXHIBIT READS: Twenty-seven Part C early intervention program agencies (53 percent) reported having a family cost participation (FCP) policy. Among states with an FCP policy, the FCP policies of 12 Part C program agencies (44 percent) require contributions from both private insurance and family fees.

For FCP policy in the state, N = 51; for FCP policy requirements, N = 27.

In an exploratory analysis, the study team compared the average percentage of infants and toddlers identified for early intervention services in states with and without an FCP policy. The analysis was conducted to explore the primary motivation for the FCP policy—that additional resources could permit more infants and toddlers to participate in the Part C program system. Across states with an FCP policy, the average percentage of children identified as in need of Part C program services is 2.42, while it is 2.93 percent across states without an FCP policy (Exhibit 2.6). This descriptive presentation of identification percentages by FCP policy does not signify a causal relationship.

**Exhibit 2.6: State Identification Percentages (Fall 2007) by Family Cost Participation Policy Status for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States with an FCP Policy | States without an FCP Policy |
|---|---|---|
| | Average % | Average % |
| Percentage of state population ages birth through 2 years identified for Part C services in Fall 2007 | 2.42 | 2.93 |

EXHIBIT READS: Part C early intervention program agencies with an FCP policy identify, on average, 2.42 percent of their infants and toddlers ages birth through 2 years for early intervention services. Part C program agencies without an FCP policy identify, on average, 2.93 percent of their infants and toddlers ages birth through 2 years for early intervention services.

Total N = 51. For states with an FCP policy, N = 27; for states without an FCP policy, N = 24.

The study team examined the percentage of states with FCP policies across type of Part C early intervention program lead agency (i.e., health and/or human services or education). Among states with a Part C early intervention program system led by a health and/or human services agency, 59 percent have an FCP policy. Among states with education-led Part C program agencies, 36 percent have an FCP policy (Exhibit 2.7).

**Exhibit 2.7: Family Cost Participation (FCP) Policy for Part C Early Intervention Program Services in States by Type of Part C Program Lead Agency (Fiscal Year 2009)**

| | Type of Part C Program Lead Agency | | | | | |
|---|---|---|---|---|---|---|
| | Health/human services | | Education | | Co-lead | |
| FCP Policy | N | % | N | % | N | % |
| State has an FCP policy | 22 | 59.46 | 4 | 36.36 | 0 | 0.00 |
| State has no FCP policy | 15 | 40.54 | 7 | 63.63 | 2 | 100.00 |

EXHIBIT READS: Among states that have a health/human service agency as the Part C early intervention program lead agency, 59 percent have an FCP policy. Among states that have an education agency as the Part C program lead agency, 36 percent have an FCP policy. Neither of the states with education and health/human services agencies co-leading the Part C programs has an FCP policy.

Total N = 50. For health/human service lead agencies, N = 37; for education lead agencies, N = 11; for co-lead agencies, N = 2.

### Most Frequent Part C Early Intervention Program Outreach Activity: Written Materials for Health Care Providers

Conducting public awareness activities or outreach to identify young children with disabilities has been a requirement in IDEA since the 1986 reauthorization. The outreach activity conducted by most state Part C early intervention program agencies (47) to support the identification of children birth through age 2 in need of early intervention services is development and/or dissemination of written materials for pediatricians and other health care providers (Exhibit 2.8). Twenty-eight SEAs use this activity to support the identification of preschool-age children in need of special education services (Exhibit 2.8). The most common outreach activity is the development/dissemination of written

materials for pediatricians and other health care providers, regardless of the lead agency type (Appendix C, Exhibit C.22).

**Exhibit 2.8: State Agency Activities to Support the Identification of Infants and Toddlers with Disabilities and to Support the Identification of Preschool-Age Children in Need of Special Education Services (Fiscal Year 2009 and School Year 2008–2009)**

| | Infants and Toddlers | | Preschool-Age Children | |
|---|---|---|---|---|
| | Yes | | Yes | |
| Type of Activity | N | % | N | % |
| Development/dissemination of written materials for pediatricians and other health care providers | 47 | 94.00 | 28 | 54.90 |
| Web-based information and other electronic materials | 45 | 90.00 | 36 | 70.59 |
| Development/dissemination of written materials for child care centers, nursery schools and other facilities | 43 | 86.00 | 25 | 49.02 |
| Outreach to referral sources | 41 | 82.00 | 21 | 41.18 |
| Workshops for pediatricians and other health care providers | 26 | 52.00 | 11 | 21.57 |
| Workshops for staff from child care centers, nursery schools and other facilities | 26 | 52.00 | 18 | 35.29 |
| Outreach through radio, TV, newspapers and other print media | 24 | 48.00 | 18 | 35.29 |
| Other | 8 | 16.00 | 5 | 9.80 |

EXHIBIT READS: Forty-seven Part C program state agencies (94 percent) reported that the development/dissemination of written materials for pediatricians and other health care providers is one of the activities used to support the identification of infants and toddlers ages birth through 2 years for Part C program services. Twenty-eight Part B preschool-age special education program agencies (55 percent) reported the same activity to support the identification of preschool-age children in need of special education services.

For Part C respondents, N = 50; for Part B respondents, N = 51.

For each outreach activity in the IDEA-NAIS survey, more states reported conducting that activity to support the identification of infants and toddlers than the identification of preschool-age children. However, it is important to note that a number of state Part B preschool-age program coordinators reported in open-ended responses that outreach was considered a local rather than a state activity. States reported engaging in multiple outreach activities. In 47 states, three or more activities were reported to support the identification of infants and toddlers and, in 31 states, three or more activities were reported to support the identification of preschool-age children (Appendix C, Exhibit C.23).

### Families and Health Care Providers Are Most Frequent Source for Part C Early Intervention Program Referrals

The 2004 IDEA reauthorization requires states to have statewide systems that include outreach to potential referral sources (20 U.S.C. § 1435). The IDEA-NAIS findings present the first national data on the sources of referrals to Part C early intervention program services. Twenty-eight Part C

program state coordinators reported families to be the most frequent referral source for the Part C early intervention program and families are included in the top three most frequent Part C early intervention program referral sources in 49 states (Exhibit 2.9). Twenty Part C program state coordinators reported primary health care providers to be the most frequent referral source and 48 states include primary health care providers among the top three most frequent referral sources. The pattern of top referral sources is the same irrespective of the type of Part C program lead agency (e.g., health and/or human services or education; see Exhibit C.24 in Appendix C). State Part C coordinators also reported other referral sources among the top three most frequent referral sources: social service agencies (e.g., Head Start) in 21 states and the health department in 10 states (Exhibit 2.9). Among the 10 states that responded "other" as one of the top sources, hospitals were most frequently listed.

### Most Common Type of Family Participation Differs across State, Regional and Local Levels

Families participate in Part C early intervention program systems in multiple ways at state, regional and local levels (Exhibit 2.10). At the state and regional levels, parents most commonly participate by serving on committees or task forces (other than serving on the Interagency Coordinating Council (ICC), which is required). At the state level, parents participate on committees or task forces in 43 states and, at the regional level, parents participate on committees or tasks forces in 23 states. At the local level, there are several common ways that parents participate.

### Local Agencies and Programs Are Frequent Providers of Part C Early Intervention Program Services

State coordinators reported that local agencies play a large role in delivering Part C early intervention program services. While Part C program services are administered at the state level by a lead state agency, states use a variety of models to deliver services at the local level (Exhibit 2.11). Local private agencies and programs are the most commonly reported providers of services, across a variety of specific Part C program services. In 38 states, coordinators reported local agencies contracted through the state have responsibility for overseeing/coordinating evaluation/eligibility or performing initial service coordination, and, in from 40 to 42 states, for taking on other Part C program responsibilities (Exhibit 2.11). See Appendix C for additional data on organizational models used by Part C program services (Appendix C, Exhibit C.25) and Part B program services (Appendix C, Exhibit C.26).

**Exhibit 2.9: Most Frequent Referral Sources Reported by Part C Early Intervention Program State Coordinators (Fiscal Year 2009)**

| | States Reporting as Most Frequent Referral Source | | States Reporting as Second-Most Frequent Referral Source | | States Reporting as Third-Most Frequent Referral Source | | States Reporting as One of Three Most Frequent Referral Sources | |
|---|---|---|---|---|---|---|---|---|
| **Referral Source** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** |
| Families | 28 | 56.00 | 19 | 38.00 | 2 | 4.00 | 49 | 98.00 |
| Primary health care providers | 20 | 40.00 | 26 | 52.00 | 2 | 4.00 | 48 | 96.00 |
| Health department | 1 | 2.00 | 0 | 0.00 | 9 | 18.00 | 10 | 20.00 |
| Private agency | 0 | 0.00 | 1 | 2.00 | 1 | 2.00 | 2 | 4.00 |
| Local school district | 0 | 0.00 | 0 | 0.00 | 5 | 10.00 | 5 | 10.00 |
| Social service agencies (e.g., Head Start) | 0 | 0.00 | 1 | 2.00 | 20 | 40.00 | 21 | 42.00 |
| Regional agencies (e.g., service centers) | 0 | 0.00 | 0 | 0.00 | 4 | 8.00 | 4 | 8.00 |
| Other | 1 | 2.00 | 3 | 6.00 | 6 | 12.00 | 10 | 20.00 |

EXHIBIT READS: Twenty-eight Part C early intervention program agencies (56 percent) reported that families are the most frequent referral source for Part C program services. Forty-nine Part C program agencies (98 percent) ranked families as one of the three most frequent referral sources.

For most frequent referral source, N = 50; for second-most frequent referral source, N = 50; for third-most frequent referral source, N = 49.

**Exhibit 2.10: Family Involvement in the Part C Early Intervention Program System by Level and Type (Fiscal Year 2009)**

| | State | | Region | | Local | |
|---|---|---|---|---|---|---|
| | Yes | | Yes | | Yes | |
| **Type of Involvement** | **N** | **%** | **N** | **%** | **N** | **%** |
| Participating on committees/task forces (other than Interagency Coordinating Council or ICC) | 43 | 84.31 | 23 | 45.10 | 26 | 50.98 |
| Developing policies and procedures | 38 | 74.51 | 12 | 23.53 | 15 | 29.41 |
| Providing training to other families | 31 | 60.78 | 19 | 37.25 | 26 | 50.98 |
| Providing training to Part C early intervention personnel | 31 | 60.78 | 19 | 37.25 | 25 | 49.02 |
| State monitoring | 24 | 47.06 | 7 | 13.73 | 8 | 15.69 |
| Involved in procedural safeguard systems | 13 | 25.49 | 7 | 13.73 | 5 | 9.80 |
| Employed as Part C early intervention personnel | 11 | 21.57 | 14 | 27.45 | 27 | 52.94 |
| Other activity | 4 | 7.84 | 3 | 5.88 | 3 | 5.88 |

EXHIBIT READS: Forty-three states (84 percent) reported families participate in state-level committees/task forces. Twenty-three states (45 percent) reported families participate in regional committees/task forces. Twenty-six states (51 percent) reported families participate in local-level committees/task forces.

N = 51.

**Exhibit 2.11: Entities Responsible for the Provision of Part C Early Intervention Program Services (Fiscal Year 2009)**

| | Entity Responsible For Part C Program Services | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | State-level staff employed by lead agency | | State-level staff employed at agency other than lead agency | | Local private agencies/ programs | | Individual service providers | | Other | |
| **Part C Program Services** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** |
| Oversees or coordinates direct services | 18 | 35.39 | 6 | 11.76 | 38 | 74.51 | 19 | 37.25 | 2 | 3.92 |
| Performs initial service coordination | 16 | 31.37 | 5 | 9.80 | 42 | 82.35 | 14 | 27.45 | 1 | 1.96 |
| Oversees or coordinates evaluations/eligibility | 16 | 31.37 | 6 | 11.76 | 41 | 80.39 | 14 | 27.45 | 1 | 1.96 |
| Responsible for intake | 16 | 31.37 | 3 | 5.88 | 40 | 78.43 | 14 | 27.45 | 1 | 1.96 |
| Performs evaluations/eligibility | 13 | 25.49 | 5 | 9.80 | 40 | 78.43 | 27 | 52.94 | 3 | 5.88 |
| Provides direct services | 9 | 17.65 | 9 | 17.65 | 42 | 82.35 | 35 | 68.63 | 3 | 5.88 |

EXHIBIT READS: Oversight or coordination of direct services is provided by state-level staff employed at the Part C early intervention program lead agency in 18 Part C program agencies (35 percent). State-level staff employed at an agency other than the lead agency provides oversight and coordination of direct services in six Part C program agencies (12 percent). Local private agencies or programs provide oversight or coordination of direct services in 38 Part C program agencies (75 percent). Nineteen Part C program agencies have oversight or coordination of direct services provided by individual service providers (37 percent). Two Part C program agencies (4 percent) use other agencies to provide oversight or coordination of direct services.

For oversees or coordinates direct services, oversees or coordinates evaluations/eligibility and responsible for intake, N = 51; for performs initial service coordination and provides direct services, N = 50; for performs evaluations/eligibility, N = 49.

### Service Coordinator Role Varies across States

In Part C early intervention programs, service coordinators organize necessary evaluations and assessments, facilitate the initial individualized family service plan (IFSP) meeting and subsequent reviews, and assist the family in obtaining services. Part C program coordinators reported three different approaches to ongoing service coordination ("ongoing" meaning service coordination provided after the development of the initial IFSP). In 22 states, a dedicated model of service coordination is used, meaning an individual provides only service coordination and no other Part C program services, and in 9 states, a blended or dual model is used in which the same individual provides both service coordination and other Part C program services. In 20 states, coordinators reported Part C programs using a combination approach in which both dedicated and blended models of service coordination are used (Exhibit 2.12; also see Exhibit C.12 in Appendix C).

**Exhibit 2.12: Models of Ongoing Service Coordination (Fiscal Year 2009)**

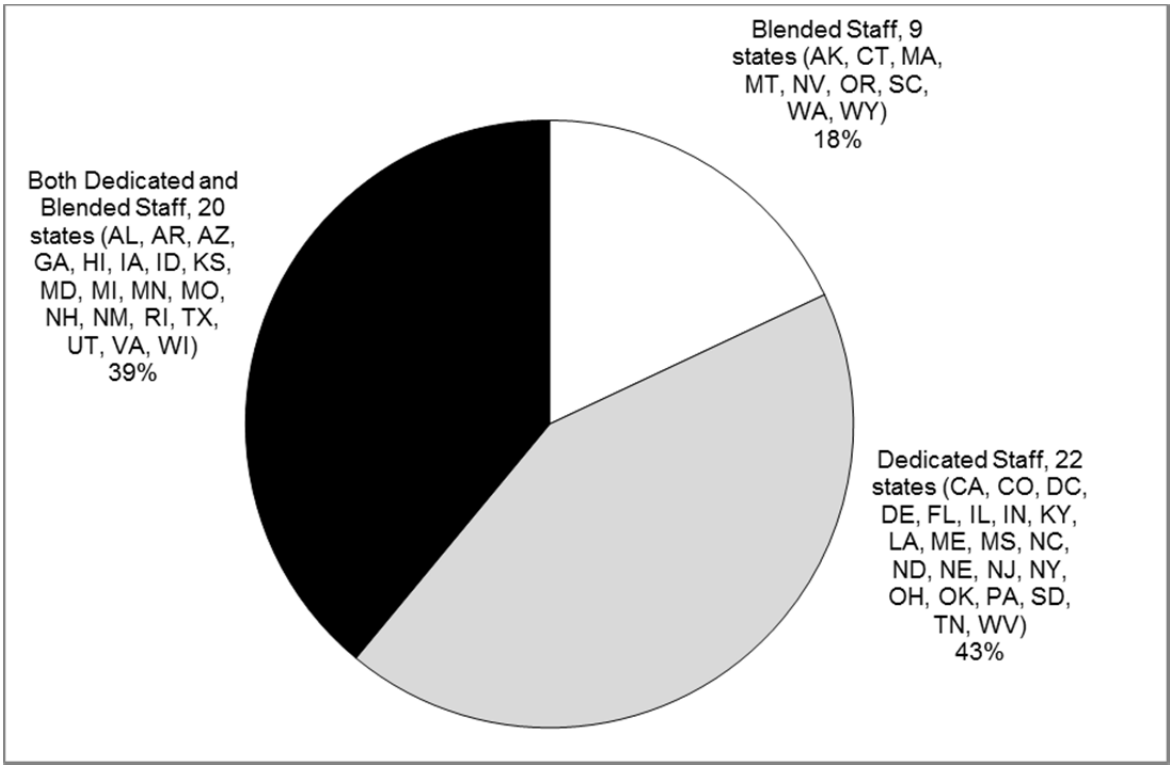


EXHIBIT READS: Twenty-two Part C program agencies (43 percent) use a dedicated model of service coordination.

N = 51.

Most Part C Early Intervention Program Service Coordinator Positions Require a College Education

IDEA specifies that service coordinators must have demonstrated knowledge and understanding about infants and toddlers eligible under IDEA Part C and about the nature and scope of services available under the state's early intervention program and the system of payments (20 U.S.C. 1432). State policies specify qualifications including education (34 C.F.R. §303.22). With regard to the minimal education required for the position of service coordinator, a bachelor's degree is the minimal requirement in 26 states, an associate's degree in 6 states and a high school diploma in 5 states. Thirteen Part C early intervention program agencies reported "other" minimal educational requirements for service coordinators, which typically referred to relevant knowledge and life experience (Exhibit 2.13; also see Exhibit C.13 in Appendix C). Additional findings related to service coordinator qualifications can be found in Appendix C, Exhibit C.27.

**Exhibit 2.13: Minimum Education Qualifications of Service Coordinators (Fiscal Year 2009)**

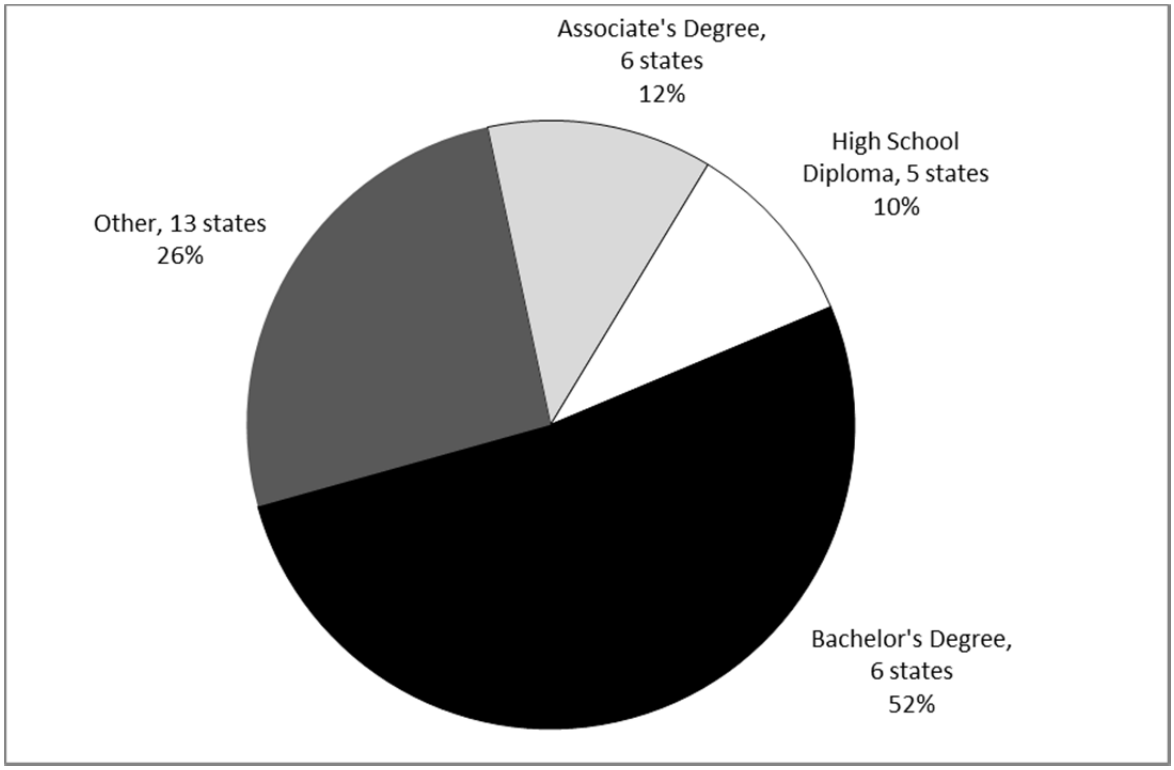


EXHIBIT READS: Twenty-six states (52 percent) require a bachelor's degree as the minimum education qualification for Part C early intervention program service coordinators.

N = 50.

## Coordination between IDEA Part C Early Intervention Programs and IDEA Part B Special Education Programs for Preschool-Age Children and Transitions from Part C Programs to Part B Programs

This section focuses on the second general topic addressed in this chapter, the coordination between the state agencies leading the IDEA Part C early intervention program and the IDEA Part B preschool-age special education program, particularly concerning the transition from one service system to another. For toddlers with disabilities who are eligible for special education and related services at age 3, children and families must make a transition from receipt of Part C program services to receipt of Part B program services. Because the Part C programs and Part B programs are typically administered by different state agencies and have different program requirements, the transition from Part C programs likely involves a number of changes for the children and their families, including a different state lead agency, different service staff, often different service delivery settings and possibly different services or similar services with a different purpose and scope. In numerous articles, early childhood special education experts have emphasized the importance of a smooth transition from Part C program services to Part B program services and the need for communication and collaboration among all parties involved in the transition process (e.g., Rice and O'Brien 1990; Rosenkoetter, Hains and Fowler 1994).

Parents of children with disabilities have also expressed their concerns about the transition process, with some of the parents testifying to the Senate Committee on Health, Education, Labor and Pensions. In their testimony, some parents expressed the desire to retain Part C early intervention program services until their children reached school age (S. Rep. No. 185 2003).

From the initial Part H legislation in 1986 (P.L. 99-457), there has been consistent federal acknowledgement of the importance of making the transition from the Part C early intervention program to the Part B special education program as smooth as possible for both children and families. Part H (now Part C) laid the foundation for subsequent regulations concerning transition with its emphasis on the importance of planning ahead for a smooth transition process and of involving all the parties, namely the parents, Part C program agency, and the LEA that would provide services under IDEA Part B once the child turns 3 years old. In addition, both Parts B and C, through IDEA section 612(a)(9) and IDEA section 637(a)(9), jointly require a smooth transition to ensure that a child who had received services through the Part C program and is eligible as a child with a disability under the Part B special education program, has an IEP developed and implemented by their third birthday. Part H also included other specific requirements, such as requiring the establishment of state Interagency Coordinating Councils (ICCs[18]), which provide advice and assistance to SEAs regarding the transition of toddlers with disabilities to preschool and other appropriate services [20 U.S.C. § 1443 (e)(1)(C)].

Subsequently, the 1997 reauthorization of IDEA required each state to describe "the policies and procedures to be used to ensure a smooth transition for children receiving early intervention services"

[18] The governor appoints individuals to the ICC, which provides advice and assistance to the Part C early intervention program lead agency including "the identification of the sources of fiscal and other support for services for early intervention programs, assignment of financial responsibility to the appropriate agency, and the promotion of interagency agreements" as well as in the "preparation of applications and amendments" to interagency agreements. The ICC also prepares and submits an annual report to state and federal governments regarding the status of Part C programs (20 U.S.C. § 1443).

[P.L. 105-17 § 637(a)(8)(A)]. This reauthorization included new requirements for the establishment of a transition plan that laid out the steps for transferring the child and family from Part C early intervention program services to Part B special education program services and including families in the transition plan. The legislation also required the LEA to participate in the transition conference, which is a meeting with parents and Part C program staff to plan for the transition that must be held before the transitioning child, who has been receiving services under the Part C program and who is potentially eligible for services under the Part B program, turns age 3 [P.L. 105-17 § 612(9)].

With the 2004 reauthorization of IDEA, additional changes were made concerning the transition from the early intervention system (Part C) to special education services for preschool-age children (Part B). These included changes in the statutory language to both Parts C and B[19] relevant to transition, including the addition of a requirement for the LEA, at a parent's request, to invite a Part C program representative to the initial IEP (individualized education program) meeting for a child who is transitioning from the Part C program to the Part B program.

The 2004 reauthorization also included a new Part C Option that gives states the flexibility, with a parent's consent, to continue to serve children from age 3 until entrance into kindergarten in the early intervention, or Part C program, system [20 U.S.C. § 1435 (c)]. The policies regarding this Part C Option require that it be implemented jointly by the lead agency that administers the Part C program and the SEA that administers the Part B program. The children eligible for this option must have participated in the Part C program and be eligible for Part B program services. Further, Part C program services for children over age 3 must include an educational component that promotes school readiness. States may use Part C program funds to implement the Part C Option.

Prior to the 2004 reauthorization of IDEA, federal support for the transition process had been provided through OSEP-sponsored technical assistance centers, beginning with the Technical Assistance Development System (TADS) from 1984 to 1987. This was followed by the National Early Childhood Technical Assistance System (NECTAS) from 1987 to 2001 and, most recently, by the National Early Childhood Technical Assistance Center (NECTAC), starting in 2001 and continuing to the present, which provides technical assistance to all 50 states and 10 jurisdictions in the United States with the goal of strengthening service systems to ensure infants, toddlers and children through age 5 "receive and benefit from high quality, culturally appropriate, family-centered supports and services" (NECTAC n.d.). Currently, the National Early Childhood Transition Center (NECTC) also provides support for the transition process by conducting research on the factors that influence the transition process for children with disabilities and their families and provides professional development and technical assistance directed at improving the transition experience for children and families through dissemination of curricula, strategies and tools (NECTC 2009).

Under IDEA sections 616 and 642, the U. S. Department of Education (ED) requires that state agencies report in their Annual Performance Report (APR) on a number of indicators that are relevant to the transition process. Part C early intervention program agencies are required to report on the percentage of all children exiting the Part C program who received timely transition planning to support the children's transition to preschool and other appropriate community services by their third

[19] The changes in Part C in the 2004 reauthorization are only statutory, because, although Part C regulations were proposed in 2007, they have not yet been finalized and were withdrawn during the IDEA-NAIS data collection period.

birthday (indicators 8A, 8B and 8C[20]). Such planning includes the development of individualized family service plans (IFSPs) that include or describe appropriate transition steps and services, notification of the LEA that the child will shortly reach the age of eligibility for the Part B special education program and a timely transition conference if the child is potentially eligible for services under the Part B program (20 U.S.C. § 1416(a)(3)(B) and §1442). States are required to report in the Part B APR on the percentage of children referred by Part C prior to age 3, the percentage of children referred by Part C and found eligible for Part B, and the percentage of children referred by Part C who have an IEP developed and implemented by their third birthday (Indicator 12).[21]

Given the importance of the transition process from Part C early intervention program services to Part B special education program services for preschool-age children, the IDEA-NAIS focused on ways in which the Part C programs and Part B state agencies work collaboratively and how the programs support children who transition from receipt of Part C program services to Part B program services.

## Findings on Coordination between IDEA Part C Early Intervention Program and IDEA Part B Preschool-Age Special Education Program Lead Agencies and Transition from IDEA Part C Program to IDEA Part B Program

This section reports on how state agencies support eligible children and their families in the transition from receipt of Part C early intervention program services to receipt of Part B preschool-age special education program services. The IDEA-NAIS also focuses on the collaboration between the early intervention and special education agencies serving preschool-age children, the role of state-level interagency agreements and the types of technical assistance that state agencies provide local agencies on the transition process.

### Most Part C Early Intervention Program and Part B Preschool-Age Special Education Program Coordinators Report Meeting at Least Monthly and Addressing Transitions in These Meetings

Early intervention and preschool-age special education program services are led by different state coordinators in 46 states and collaboration and communication between the two programs in those states is necessary. Among states with separate leadership, 67 percent of the early intervention coordinators reported meeting with the preschool-age special education coordinators at least monthly, and 33 percent of the early intervention coordinators reported meeting more than six times a year but not monthly (Exhibit 2.14). Concerning topics addressed in these meetings, 98 percent of early intervention coordinators (in states with separate leadership) indicated “transitions” was a topic discussed—the most prevalently reported topic (Exhibit 2.15).

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[20] Please see http:/www2.ed.gov/policy/speced/guid/idea/capr/2010/b2-1820-0578cmeatableexp113012.pdf for the indicator language.

[21] Please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf for the indicator language.

**Exhibit 2.14: Frequency of Interaction between Part C Early Intervention Program and Part B Preschool-Age Special Education Coordinators, among States with Different Part C Early Intervention Program and Part B Preschool-Age Special Education Program Coordinators (Fiscal Year 2009)**

| | States | | |
|---|---|---|---|
| | N | % | State |
| Part C coordinator has responsibilities that do not include Part B | 46 | 90.20 | — |
| **Level of interaction between Part C program coordinator and Part B preschool-age program agency in states where Part C program coordinator is not responsible for the Part B preschool-age program:** | | | |
| Work closely (at least monthly) | 30 | 66.70 | AK, AL, AZ, CA, CT, DC, DE, FL, HI, ID, IL, IN, KS, KY, MA, MI, MO, NC, ND, NE, NH, NM, NY, OK, OR, VA, VT, WI, WV, WY |
| Moderate amount of contact (more than six times per year) | 15 | 33.30 | AR, CO, GA, LA, MS, MT, NJ, NV, OH, RI, SC, SD, TX, UT, WA |
| Rarely have contact (once or twice a year) | 0 | 0.00 | — |
| Total | 45 | 100.00 | — |

EXHIBIT READS: Forty-six Part C early intervention agencies (90 percent) reported the Part C program coordinator has responsibilities that do not include the Part B preschool-age special education program. Among the 46 Part C program agencies in which the Part C program state coordinator is not also responsible for Part B program services, 30 Part C program coordinators (67 percent) reported the Part C program and Part B program coordinators work together on at least a monthly basis.

For Part C coordinator has responsibilities that do not include Part B programs for preschool-age children, N = 51; for level of interaction, N = 45.

**Exhibit 2.15: Topics Regularly Addressed during State Part C Early Intervention Program and Part B Preschool-Age Special Education Program Coordinators' Collaboration (Fiscal Year 2009)**

| | States | |
|---|---|---|
| | N | % |
| Part C coordinator has responsibilities that do not include Part C AND Part B | 46 | 90.20 |
| **Topics regularly addressed during state Part C program and Part B program coordinators' collaboration in states where Part C program coordinator is NOT responsible for Part B preschool-age program** | | |
| Transitions | 45 | 97.83 |
| Data sharing | 43 | 93.48 |
| Training/professional development | 37 | 80.43 |
| Child Find | 31 | 67.39 |
| Annual Performance Reports required under IDEA | 29 | 63.04 |
| State Performance Plans required under IDEA | 22 | 47.83 |
| Disputes | 9 | 19.57 |
| Other | 9 | 19.57 |

EXHIBIT READS: Forty-six Part C early intervention program agencies (90 percent) reported the Part C program coordinator does not have responsibility for Part B preschool-age special education program services. Among the 46 Part C program agencies in which the Part C program coordinator is not responsible for Part B program services, 45 Part C program agencies (98 percent) reported the topic of transitions is regularly addressed in collaboration between Part C program and Part B program coordinators.

For Part C coordinator has responsibilities that do not include Part C and Part B N = 51; for topics addressed during meetings, N = 46.

### Agreements Made by Part C Early Intervention Programs and Part B Preschool-Age Special Education Programs with Other Agencies Frequently Address Transition from Part C Program to Part B Program

States work to facilitate the transition of children with disabilities and their families from receipt of Part C early intervention program services to receipt of Part B preschool-age special education program services through several vehicles, including policies addressed in state-level interagency agreements and technical assistance provided to local programs. The goal of state-level interagency agreements is to ensure that relevant state agencies (which may include, for example, the departments of public health, human services, education, or children, youth and families) cooperate in serving young children with disabilities. States vary in how their interagency agreements are specifically formulated, but a consistent goal across state agreements is to provide effective and efficient services with minimal duplication of services for young children with disabilities and their families (NECTAC 2009). Interagency agreements may include information relating to philosophy, identification of the agency responsible for services, fiscal responsibility, maintenance of efforts, data collection and sharing of information, procedures for dispute resolutions, procedural safeguards, staff training and standards for certification and the timeframe and evaluation of the agreement (Harbin and VanHorn 1991).

Transition to preschool is the area most commonly addressed in state-level interagency agreements as reported by Part C early intervention program coordinators (addressed in 82 percent of interagency agreements; Exhibit 2.16). Part B special education program coordinator responses to questions regarding topics addressed in state-level agreements concerning the provision of preschool services to children with disabilities are presented in Exhibit C.28 in Appendix C.

**Exhibit 2.16: Areas Addressed in State-Level Part C Early Intervention Program Interagency Agreements with Other Agencies (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **Areas Addressed** | **N** | **%** |
| Transition to preschool | 41 | 82.00 |
| Professional development and/or training | 32 | 64.00 |
| Evaluation/eligibility/assessment | 31 | 62.00 |
| Cost or resource sharing | 31 | 62.00 |
| Data sharing | 31 | 62.00 |
| Responsibility for direct services | 27 | 54.00 |
| Other | 5 | 10.00 |

EXHIBIT READS: Forty-one Part C early intervention program agencies (82 percent) reported transition to preschool as one of the areas addressed by state-level Part C program interagency agreements.

N = 50.

### Part C Early Intervention Program and Part B Preschool-Age Special Education Program Agencies Provide Technical Assistance to Local Providers on Transition and Developing Transition Policies

Part C early intervention program agencies and Part B preschool-age special education program agencies support the transition of children with disabilities from receiving Part C program services to receiving preschool-age Part B program services in multiple ways, most often by providing technical assistance to local providers on transition (conducted in 50 states both for Part C early intervention program agencies and for Part B preschool-age special education program agencies; Exhibit 2.17), developing transition policies (conducted in 46 and 48 states respectively) and developing and disseminating materials for parents on the transition from Part C program to the Part B program (conducted in 41 and 36 states respectively).

**Exhibit 2.17: Activities Supporting Transition of Children with Disabilities from Part C Early Intervention Program to Part B Preschool-Age Special Education Program (Fiscal Year 2009 or School Year 2008–2009)**

| Activities | Part C Early Intervention Program | | Part B Preschool-Age Special Education Program | |
|---|---|---|---|---|
| | N | % | N | % |
| Provided technical assistance to local providers on transition | 50 | 98.04 | 50 | 98.04 |
| Developed policies on transition from Part C to Part B | 48 | 94.12 | 46 | 90.20 |
| Developed/disseminated materials for parents on transition from Part C to Part B | 41 | 80.39 | 36 | 70.59 |
| Developed/maintained an electronic database of individual child records to allow children to be followed from Part C to Part B | 25 | 49.02 | 28 | 54.90 |
| Part B preschool funds can be used to provide Free, Appropriate Public Education (FAPE) to children *before* their third birthday | — | — | 27 | 52.94 |
| Part C funds can be used to provide FAPE for children *past* their third birthday | 12 | 23.53 | — | — |
| Other | 5 | 9.80 | 6 | 11.76 |

EXHIBIT READS: Fifty Part C early intervention program agencies (98 percent) reported providing technical assistance to local providers on transitions. Fifty Part B preschool-age special education program agencies (98 percent) reported providing technical assistance to local providers on transition.

Part C respondents, N = 51. Part B respondents, N = 51.

Almost all Part C and Part B state agencies conduct multiple activities to support the transition of children with disabilities from the Part C early intervention program. Forty-four early intervention program coordinators and 44 preschool-age special education program coordinators reported conducting three or more activities to support transition (Exhibit 2.18).

**Exhibit 2.18: States Reporting Number of Different Activities to Support Transition of Toddlers with Disabilities from Part C Early Intervention Program to Part B Preschool-Age Special Education Program (Fiscal Year 2009 or School Year 2008–2009)**

| Number of Different Support Activities Engaged by States | Part C Program | | Part B Program | |
|---|---|---|---|---|
| | N | % | N | % |
| 1 | 1 | 1.96 | 0 | 0.00 |
| 2 | 6 | 11.76 | 7 | 13.73 |
| 3 | 14 | 27.45 | 8 | 15.69 |
| 4 | 16 | 31.37 | 22 | 43.14 |
| 5 | 8 | 15.69 | 9 | 17.65 |
| 6 | 5 | 9.80 | 4 | 7.84 |
| 7 | 1 | 1.96 | 1 | 1.96 |

EXHIBIT READS: One Part C early intervention program agency (2 percent) reported conducting only one activity to support the transitions of toddlers with disabilities from Part C program to Part B preschool-age special education program services. No Part B program agencies reported conducting only one activity to support the transition of toddlers with disabilities from Part C program to Part B program services.

Part C respondents, N = 51. Part B respondents, N = 51.

### Funding Is the Most Frequently Reported Reason for No States Executing the Part C Option

A key addition in the 2004 reauthorization of IDEA concerning the transition from the Part C program is referred to as the "Part C Option." This option gives states the flexibility, with a parent's consent, to continue providing Part C early intervention program services to an eligible child after the child turns 3, specifically until the child is eligible for public school, typically at age 5 [P.L. 108-446 § 638; 20 U.S.C. § 1435(c)].

At the time the IDEA-NAIS survey data were collected in January and February 2009, no state had implemented the Part C Option, although seven states reported the option was under consideration (Appendix C, Exhibit C.29).

Among reasons states reported for not implementing the Part C Option, insufficient funding was the most frequently reported (41 states; Exhibit 2.19). Of the 12 states that reported "Other" in response to this question, 4 of those Part C early intervention program coordinators reported concern in their state about duplication of services for preschool-age children (3- through 5-year-olds).

**Exhibit 2.19: Issues Affecting Decision Not to Use Part C Option (Fiscal Year 2009)**

| | States | |
|---|---|---|
| | N | % |
| During FY2009, state did not use the Part C option | 51 | 100.00 |
| **Issues Affecting Decision in Fiscal Year 2009** | | |
| Insufficient funding | 41 | 83.67 |
| Insufficient provider capacity | 20 | 40.82 |
| Insufficient lead agency staffing | 16 | 32.65 |
| Part C lead agency is not able to promote school readiness as required | 4 | 8.16 |
| Insufficient interagency coordination at the state level | 1 | 2.04 |
| Insufficient interagency coordination at the local level | 1 | 2.04 |
| Other | 12 | 24.49 |
| None of the above | 5 | 10.20 |

EXHIBIT READS: Fifty-one Part C early intervention program agencies (100 percent) reported not using the Part C Option. Forty-one Part C program agencies (84 percent) reported insufficient funding as one of the issues affecting their decisions not to use the Part C Option.

For did not use Part C option, N = 51; for issues affecting decision, N = 49.

## Summary

This chapter presented data on state implementation of early intervention services for children from birth through age 2 and their families. Findings related to Part B preschool-age special education program services, which are services that focus on children with disabilities ages 3 through 5, were presented in conjunction with Part C early intervention program services when relevant. Specifically, this chapter presented IDEA-NAIS findings related to state-level Part C program service systems, as well as information about the coordination of the Part C program and the Part B program and the transition between the two. The findings on Part C program services represent the first comprehensive look at their state-level implementation.

States have discretion in how to organize early intervention services for younger children. For Part C early intervention program services, two types of state agencies have lead responsibility, with the most common being state departments of health and/or human services. Funding sources for Part C program services also vary across states. The three sources providing the highest portion of funds are state early intervention funds, IDEA Part C funds and Medicaid/Title XIX. Although Part C program services are administered by state-level agencies, most states contract with local private agencies and programs for service delivery.

Although Part C early intervention program services and Part B preschool-age special education program services are led by different coordinators in 46 states, the two programs collaborate. In 67 percent of states with separate Part C program and Part B program leadership, the two state coordinators meet at least monthly. States work to facilitate the transition of children with disabilities and their families from Part C program services to Part B program services through several vehicles. Part C program agencies reported that transition was the topic addressed most frequently in Part C

program agreements with other agencies serving young children with disabilities. Part C program agencies also reported supporting transitions from the Part C program by providing technical assistance on transition to local providers/agencies (in 98 percent of the states), developing policies for transition (in 94 percent of the states) and developing and disseminating materials for parents on transition (in 80 percent of the states).

The 2004 reauthorization of IDEA introduced the Part C Option that allows states to extend Part C early intervention program services to eligible children and their families through age 5. As of early 2009, no state had elected to implement the Part C Option, although seven states reported the option was under consideration. The most common reason identified for not implementing the Part C Option was insufficient funding.

# Chapter 3: Identification of Students: Coordinated Early Intervening Services (CEIS), Response to Intervention (RtI), and State and Local Policies for Specific Learning Disability (SLD)

The 2004 reauthorization of IDEA introduced several interrelated changes related to the identification of children with disabilities. These changes focus on two broad areas. First, the 2004 reauthorization attempts to address overrepresentation of racial and ethnic minority students in special education ("disproportionality") by allowing districts to use some of their Part B special education funds to develop and implement Coordinated Early Intervening Services (CEIS) for students who are not yet identified as needing special education and related services but who need additional academic or behavioral support to succeed in a general education environment. Districts identified as having significant disproportionality related to identification, placement or discipline of children with disabilities are required to use some of their IDEA Part B funds to provide CEIS. Other districts may, but are not required to, use some of their IDEA Part B funds for CEIS. Second, the 2004 legislation introduced changes in the identification of students in the disability category of Specific Learning Disability (SLD). Response to Intervention (RtI) is linked both to CEIS and to changes in eligibility criteria for students with SLD; CEIS funds can be used to implement an RtI process and data from the RtI process can now be used as one component of eligibility determinations for students with SLD.

Because the above provisions of IDEA were first introduced in 2004, currently available data on policies and practices related to the use of CEIS are limited and information on the use of RtI nationally is incomplete. Systematic data were collected on definitions and policies related to CEIS at the state level; the overall use of Part B program funds to provide CEIS; and activities and policies at the district level among districts using some portion of their Part B special education program funds to implement CEIS. Similar data were collected on RtI, specifically: SEA and LEA activities related to RtI; the extent to which RtI is being implemented nationally, including the school levels and content areas; and how RtI is funded. In addition, the IDEA-NAIS obtained information on different state eligibility requirements for SLD and the use of RtI for identification of children with SLD.

Appendix D includes fully sourced versions of Exhibits 3. 1 through 3.26, labeled Exhibit D.1 through D.26. Additional supplemental tables begin with Exhibit D.27 and continue through Exhibit D.52.

## Coordinated Early Intervening Services (CEIS)

The 2004 reauthorization of IDEA added a new provision, Coordinated Early Intervening Services (CEIS), also known as Early Intervening Services (EIS), that allows districts to use up to 15 percent of Part B funds to develop and provide CEIS for children who are not yet identified as in need of special education and related services (34 C.F.R. § 300.226). CEIS are designed for students in kindergarten through grade 12 (with a particular emphasis on kindergarten through grade 3) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.

While generally optional, the provision of CEIS is required if an LEA is identified by the state as having significant disproportionality[22] in: the identification of children with disabilities; the identification of children with disabilities in a particular impairment category; the placement of children in particular educational settings; or the incidence, duration and type of disciplinary actions, including suspensions and expulsions (34 C.F.R. § 300.646). In the case of a determination of significant disproportionality, these coordinated early intervening services must serve, but not exclusively, students in those racial/ethnic groups that are significantly overidentified.

For LEAs identified with significant disproportionality in any one of these areas, 15 percent of the LEA's Part B funds must be used to provide CEIS to students in that LEA. Furthermore, any LEA that implements CEIS is required to report to the state on the number of children receiving CEIS and the number of those children who subsequently received special education and related services under the Part B 611 program during the two-year period following receipt of these services (34 C.F.R. § 300.226).

The federal government has also addressed disproportionality through the avenues of monitoring and compliance. Before 2004, states were already reporting on disproportionate representation as part of their Biennial Performance Report/Annual Performance Report; with the IDEA 2004 reauthorization, states began reporting on three indicators with a focus on disproportionate representation (Indicators 4b, 9 and 10[23]) in their State Performance Plans (SPPs) [34 C.F.R. § 300.600(a)]. For SPP reporting, the emphasis is on disproportionate representation of students that is a result of inappropriate identification, and states are required to conduct a review of LEAs' policies, procedures and practices for those LEAs identified with disproportionate representation.

## Findings Related to CEIS

With the introduction of CEIS, the federal government is expanding the way in which districts and SEAs must address significant disproportionality. The IDEA-NAIS was designed to provide information on SEA definitions of significant disproportionality, the number of districts identified with significant disproportionality and CEIS activities supported by Part B funds.

Significant disproportionality is currently based on a determination by the SEA. The Office of Special Education Programs (OSEP) has provided some guidance on the definition of significant disproportionality, noting that SEAs must make the determination based on an analysis of quantitative information and that the determination of significant disproportionality should be based only on quantitative methods and in no way reflect a subjective judgment as to whether or not a district is following appropriate referral procedures [34 C.F.R. § 300.646(b)]. Each SEA must develop its own definition of significant disproportionality and collect annual data from LEAs. Decisions about which statistical method, and whether a single measure or multiple measures are used, are left to the SEA. However, the technical assistance OSEP provided stressed use of risk ratios, including weighted risk ratios (Westat 2007).

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[22] The term significant disproportionality is defined by each state. Generally, significant disproportionality means that a racial/ethnic group is disproportionally represented in special education disability and education environment categories to a degree determined "significant" by the state.

[23] Please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf for the indicator language.

In May 2007 the National Association of State Directors of Special Education (NASDSE) surveyed state special education directors and found that 28 states had finalized procedures used to determine SLD (Burdette 2007). IDEA-NAIS updates this information.[24] For the 2008–2009 school year, 46 SEAs reported that their definition was finalized (Exhibit 3.1). However, 17 SEAs reported that modifications or revisions were planned for the following year.[25]

**Exhibit 3.1: Status of Definitions for Significant Disproportionality (School Year 2008–2009)**

| As of 2008– 2009, state's definitions of significant disproportionality are: | States | | States Responding Yes |
|---|---|---|---|
| | N | % | |
| Finalized and no changes are anticipated | 29 | 56.86 | AL, AR, AZ, CT, DE, GA, HI, ID, IN, KS, KY, LA, MD, MO, MS, ND, NE, NJ, NM, NV, NY, OH, OR, PA, RI, SD, UT, VT, WY |
| Finalized but modifications or revisions are planned for the coming year | 17 | 33.33 | CO, DC, FL, IA, MA, MI, MN, MT, NC, OK, SC, TN, TX, VA, WA, WI, WV |
| Under development | 5 | 9.80 | AK, CA, IL, ME, NH |
| Total | 51 | 100.00 | — |

EXHIBIT READS: The definitions of significant disproportionality are finalized with no anticipated changes in 29 (57 percent) SEAs.

N = 51.

### Definitions of Significant Disproportionality and Disproportionality Vary by State

States are required to base the determination of significant disproportionality on quantitative data, but decisions about which statistical method or methods are used are left to the states. SEAs may incorporate a number of factors into their definition that can affect the number of districts identified as significantly disproportionate. For example, SEAs may differ on the magnitude of the difference between the proportion of a particular racial or ethnic group identified as in need of special education and the proportion in the general population required to be considered "significantly disproportionate." SEAs can also vary in the number of years of data they use to develop a rolling average of the proportion of children identified as in need of special education. For example, if a district has a high proportion of minority students identified in one year but a much lower number in

[24] The NASDSE survey differed slightly from the IDEA-NAIS survey. NASDSE provided four options for a response to a survey item regarding the status of a state's definition of "significant disproportionality": 1) Our state's definition of "significant disproportionality" is complete; 2) Our state's definition of "significant disproportionality" is developed, but is in the process of being approved at the state level; 3) Our state's definition of "significant disproportionality" is in the process of being developed; 4) Our state has not yet defined "significant disproportionality." In contrast, the IDEA-NAIS survey offered three choices: 1) Our state's definition of significant disproportionality is finalized and no changes are anticipated in the coming year; 2) Our state's definition of significant disproportionality is finalized but we are planning modifications or revisions in the coming year; 3) Our state's definition of significant disproportionality is in the process of being developed.

[25] Because the NASDSE report from 2007 does not list the states by their response, it is not possible to comment on whether the same 28 states responded affirmatively to both the NASDSE and IDEA-NAIS surveys regarding the status of their progress.

the year before or after, the SEA's choice about whether to use one or more years of data to calculate the average for a district could determine whether the district in question is identified as having significant disproportionality for that year. A "minimum cell size" identifies the smallest number of allowable students in an analysis category for that individual category to be evaluated, and if there are not at least that many students, the district would be exempt from analysis in that category and so would not even be assessed for disproportionality in that category. For example, if a district has a population of ethnic or racial minorities smaller than the minimum cell size, the district may never be examined for disproportionality, even if its relatively small minority population is overrepresented in special education classes.

Through definitions provided by IDEA-NAIS respondents and searches on the Internet in April 2009, definitions for significant disproportionality clearly tied to the CEIS regulations were obtained for a total of 34 states.[26] In each state for which a definition was available, the study team presents the percentage of districts that were reported as having significant disproportionality in the area of identification for the 2008–2009 school year in Exhibit 3.2.[27] States are grouped according to whether they used a single risk ratio[28] method, a single weighted risk ratio method or mixed methods. Cell size requirements are excluded from these categories due to incomplete and ambiguous data on this component. In addition, for this table, definitions that did not explicitly note the use of multiple years of data are indicated as using only one year.

In Exhibit 3.2, the percentage of districts identified within a state for the 2008–2009 school year is a determination made during the previous school year. The IDEA-NAIS survey requested current (2008–2009) definitions. The study team is aware that these definitions are permitted by OSEP to

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[26] Six other respondents provided hard copies or links to specific documents where a definition could be found. The remainder provided links to their State Department of Education homepage, to the State Department Special Education page, or to a State Performance Plan/Annual Performance Report (SPP/APR). For any state that did not provide an attachment or specific document, searches for the terms "disproportionality," "EIS" and "CEIS" and variations on these terms were conducted at the location provided, such as the state department website or the SPP. However, for states that provided a definition—no matter how minimal—no additional search was completed. In some cases, the SPP or APR report referenced Indicators 9 and 10 of the SPP without any specific mention of CEIS or significant disproportionality. Indicators 9 and 10, as required by 34 C.F.R. §300.600(d)(3), are focused on "disproportionate representation that is the result of inappropriate identification." While SEAs are permitted to use the same or similar definitions for both "disproportionate representation" and "significant disproportionality" in identification, definitions that did not explicitly note this or which did not incorporate CEIS or significant disproportionality were excluded from the summary in this section. Two of the 34 states incorrectly required disproportionality in all three areas combined instead of in each area separately. The remaining 32 of the 34 states have developed a definition for significant disproportionality in identification.

[27] Identification was chosen as the category to include in this analysis because relatively few states had developed definitions of "disproportionality" in the other two areas.

[28] A risk ratio is a comparison of risk of different ethnic groups, and addresses the question, "What is a specific racial/ethnic group's risk of receiving special education and related services for a particular disability as compared to the risk for all other students in that district?" (Bollmer, Bethel, Garrison-Mogren and Brauen 2007). For example, a risk ratio of 2 can be interpreted to mean that Hispanic students in a particular district are twice as likely to receive special education services as the non-Hispanic students in that district. A common variation on the risk ratio is the weighted risk ratio, which allows for comparisons of risk ratios across districts within a state because it adjusts for variability in the racial/ethnic composition of the comparison group.

change from year to year (Office of Special Education Programs 2008). The study team does not have confirmation that these definitions were used to determine the data that appear in Exhibit 3.2.

There is variability across states in the methods used to determine significant disproportionality (15 categories represented; Exhibit 3.2). Additionally, there is variability in the percentage of districts that are identified as having significant disproportionality even if they use similar methods. For example, four SEAs use a single year of data, the risk ratio and a cutoff below 3.5 percent. Fifty-five percent of districts in one SEA were identified as having significant disproportionality using this definition. However, another SEA used the same definition and did not identify any of its districts as having significant disproportionality. Given the many differences documented above in how SEAs make the determination of district-level disproportionality, it is difficult to know how much of the variation in significant disproportionality across states arises from real differences in disproportionality and how much arises from differences in measurement or statistical criteria.

**Exhibit 3.2: Percentage of Districts Having Significant Disproportionality in the Identification of Students by State Definition (School Year 2008–2009)**

| | Percentage of Districts in State | | |
|---|---|---|---|
| **Statistical Approach and Years of Data** | **Mean** | **Median** | **Range** |
| **Single method: risk ratio** | | | |
| Cutoff value of < 3.5 and use 1 year of data (4 states) | 13.96 | 0.51 | 0.00 – 54.81 |
| Cutoff value of 3.5 or greater and use 1 year of data (3 states) | 4.39 | 0.00 | 0.00 – 13.16 |
| Cutoff value of < 3.5 and use more than 1 year of data (2 states) | 34.06 | 34.06 | 13.02 – 55.10 |
| Cutoff value of 3.5 or greater and use more than 1 year of data (2 states) | 2.49 | 2.49 | 0.00 – 4.98 |
| **Single method: weighted risk ratio** | | | |
| Cutoff value of < 3.5 and use 1 year of data (1 state) | 0.00 | 0.00 | 0.00 |
| Cutoff value of 3.5 or greater and use 1 year of data (4 states) | 0.09 | 0.00 | 0.00 – 0.35 |
| Cutoff value of < 3.5 and use more than 1 year of data (1 state) | — | — | — |
| Cutoff value of 3.5 or greater and use more than 1 year of data (4 states) | 5.77 | 4.79 | 0.00 – 13.51 |
| **Multiple methods** | | | |
| Weighted risk ratio + risk ratio and use 1 year of data (2 states) | 8.46 | 8.46 | 1.93 – 15.00 |
| Weighted risk ratio + risk ratio and use more than 1 year of data (2 states) | 0.48 | 0.48 | 0.00 – 0.96 |
| Weighted risk ratio + other and use 1 year of data (2 states) | 1.37 | 1.37 | 0.00 – 2.75 |
| Weighted risk ratio + other and use more than 1 year of data (1 state) | 6.97 | 6.97 | 6.97 |
| Alternate risk ratio + other and use 1 year of data (1 state) | 12.27 | 12.27 | 12.27 |
| Risk ratio + other and use more than 1 year of data (1 state) | 2.61 | 2.61 | 2.61 |
| **Other method (2 states)** | 4.44 | 4.44 | 0.55 – 8.33 |

EXHIBIT READS: Among states using a risk ratio to identify districts as having significant disproportionality in identification, with a cutoff value of less than 3.5 and incorporating one year of data, the mean percentage of districts identified as having significant disproportionality in the area of identification is 13.96. The median percentage of districts identified is 0.51. The percentage of districts identified ranges from zero to 54.81 percent.

N = 32.

### CEIS Required in Three Percent of Districts Due to Significant Disproportionality

Overall, based on SEA reports, 2.9 percent of districts nationally were required to use CEIS during the 2008–2009 school year as a result of significant disproportionality in at least one area (Exhibit 3.3). The percentage of districts required to provide CEIS due to significant disproportionality in identification was 2.3; due to placement, 0.7; and due to discipline, 0.3. Appendix D, Exhibit D.27, presents the number and percentage of districts required to use CEIS by region.

**Exhibit 3.3: Number and Percentage of Districts Required to Use CEIS during the Current School Year as a Result of Significant Disproportionality, as Reported by SEAs (School Year 2008–2009)**

| | LEAs Required to Use CEIS | |
|---|---|---|
| Area of Significant Disproportionality: | Number of districts | Percentage of districts |
| Overall | 463 | 2.86 |
| Identification | 368 | 2.31 |
| Placement | 106 | 0.66 |
| Discipline | 54 | 0.34 |

EXHIBIT READS: Among districts nationwide, 3 percent are required to use CEIS as a result of significant disproportionality in any area.

For overall, N = 51; for specific areas, N = 50.

Twenty-two SEAs reported that no districts were required to provide CEIS in 2008–2009 due to significant disproportionality. Among 29 SEAs that reported at least one LEA was required to do so, there was variability in the percentage of districts required to use CEIS. Values ranged from less than 1 percent of districts to 56 percent, with a mean of 10 percent of districts required to use CEIS (Exhibit 3.4). It is important to note that reports of the percentage of districts required to use CEIS may not be directly comparable across states due to differences in state definitions of significant disproportionality, as indicated above, and other factors.

**Exhibit 3.4: Percentage of Districts Required by SEA to Provide CEIS Due to Significant Disproportionality among States Requiring at Least One District to Provide CEIS (School Year 2008–2009)**

| | Mean | Median | Range |
|---|---|---|---|
| Percentage of districts within SEA | 10.43 | 4.67 | 0.35 – 55.77 |

EXHIBIT READS: Part B program coordinators reporting at least one disproportionate district required a mean of 11 percent of districts to provide CEIS due to significant disproportionality. The median percentage of districts required to provide CEIS in these states is 5 percent. The percentage of districts required to provide CEIS in these states ranges from less than 1 to 56 percent.

N = 29.

### Eighty-Two Percent of LEAs Required to Implement CEIS Target All Schools

The regulations of the 2004 IDEA legislation and subsequent guidance documents from OSEP describe the activities that may be supported with CEIS funds but do not prescribe how the funds may or must be distributed once a district is identified as having significant disproportionality (34 C.F.R. § 300.226; Office of Special Education Programs 2007a, 2008).

Eighty-two percent of districts required to implement CEIS focus on all schools in the district, regardless of whether the individual schools show significant disproportionality (Exhibit 3.5; Appendix D, Exhibit D.5). Eleven percent of districts required to implement CEIS targeted only schools with evidence of significant disproportionality. An additional 7 percent distributed activities or resources in some other way. Examples of these "other" ways of using CEIS activities or resources

included: providing the services to all elementary schools and Positive Behavioral Interventions and Supports (PBIS) schools; targeting middle schools and the high school; using the funds to pay for partial salaries for a psychologist, teacher assistant and teacher at one PK-2 school; and targeting resources to schools that either have discipline difficulties or are in need of improvement for academics.

**Exhibit 3.5: Target Schools for CEIS Activities or Resources among Districts Required to Provide CEIS (School Year 2008–2009)**

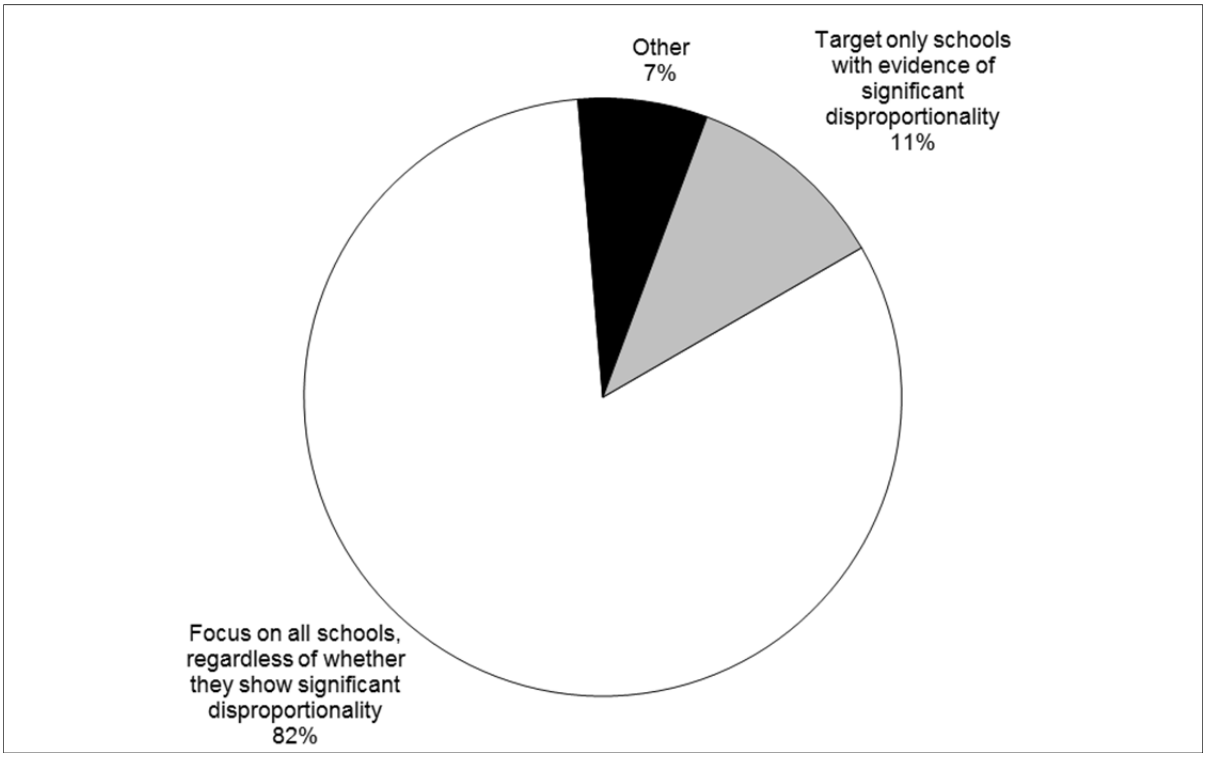


EXHIBIT READS: Eleven percent of districts required to provide CEIS target CEIS activities or resources only to schools with evidence of significant disproportionality.

N = 89.

### Eleven Percent of Districts Voluntarily Provide CEIS with Part B Special Education Program Funds

LEAs that are not identified as having significant disproportionality may choose to use up to 15 percent of their Part B funds to develop and provide CEIS for children who are not yet identified as being in need of special education or related services. Most districts (85 percent) reported neither being required nor volunteering to use Part B funds for CEIS, whereas 11 percent of districts nationally were not required but voluntarily used a portion of their Part B funds to implement CEIS in the 2008–2009 school year (Exhibit 3.6). In Appendix D, Exhibits D.28-D.30 present the use of Part B funds to provide CEIS by region (Exhibit D.28), urbanicity (Exhibit D.29) and district size (Exhibit D.30).

**Exhibit 3.6: Voluntary Use of Part B Special Education Program Funds to Provide CEIS as Reported by Districts (School Year 2008–2009)**

| Use of Part B Program Funds to Provide CEIS | Districts % |
|---|---|
| District is required to use 15 percent of Part B funds for CEIS | 4.48 |
| District is not required but elects to use any portion of Part B funds | 10.91 |
| District does not use any Part B funds for CEIS | 84.61 |

EXHIBIT READS: Four percent of districts are required to use 15 percent of Part B special education program funds to support CEIS. Eleven percent of all districts are not required to use Part B program funds to provide CEIS but elected to do so. Eighty-five percent of all districts are neither required nor elected to support CEIS with Part B program funds.

N = 1,142.

Among districts that are voluntarily using some portion of Part B special education funds for CEIS, 7 percent spent less than 1 percent of funds; 39 percent of districts spent 1–5 percent of funds; 23 percent spent 6–10 percent of funds, and 31 percent spent 11 percent or more of their Part B funds (Exhibit 3.7; Appendix D, Exhibit D.7).

**Exhibit 3.7: Voluntary Use of Part B Special Education Funds to Provide CEIS—Proportion of Funds Used (School Year 2008–2009)**

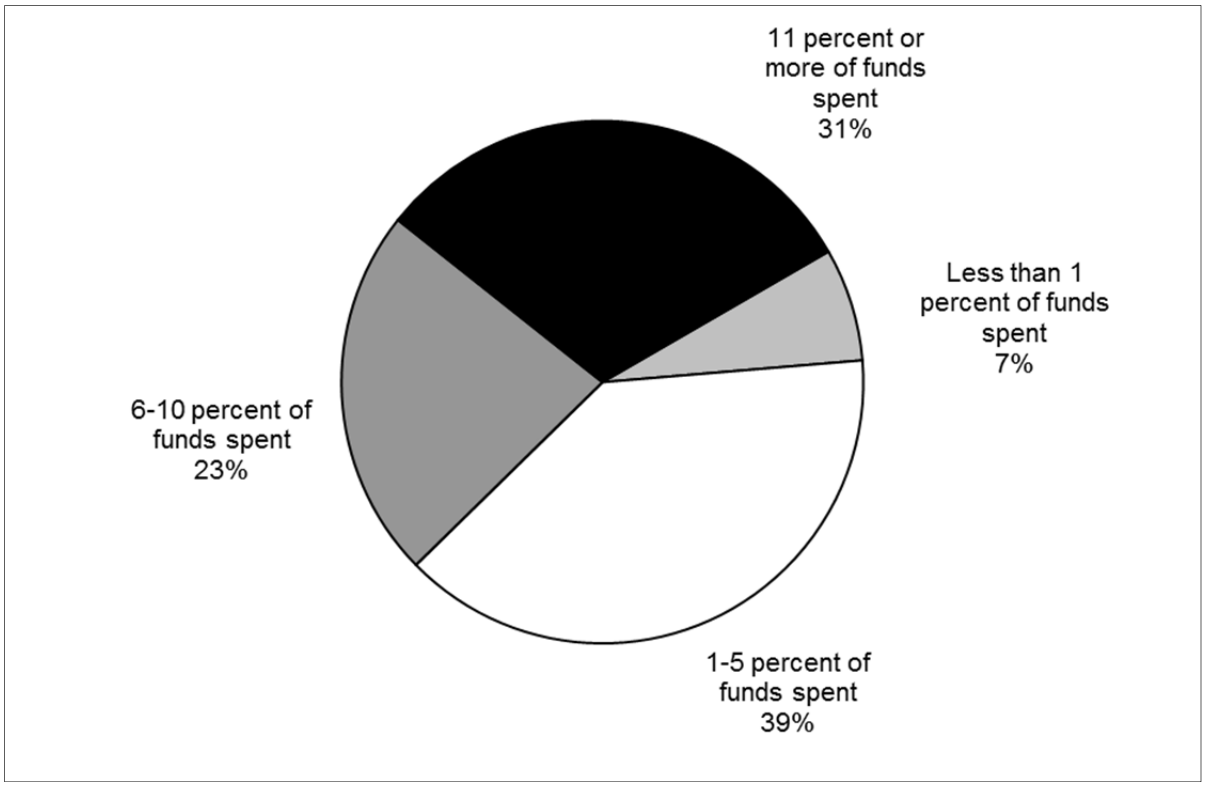


EXHIBIT READS: An estimated 7 percent of districts using Part B funds to provide CEIS allocate less than 1 percent of their Part B program funds to CEIS activities.

N = 155.

### Types of Schools and Activities Supported through CEIS by Part B Special Education Program Funds

As mentioned above, CEIS is defined as services for students in kindergarten through 12th grade, with a particular emphasis on students in kindergarten through 3rd grade (Office of Special Education Programs 2008). OSEP guidance and federal regulations indicate IDEA funds may be used to supplement, not supplant, any federal funds used to support CEIS which includes ESEA funds for school improvement activities [Office of Special Education Programs 2008; 34 C.F.R. § 300.202(a)(3), 300.226(e)].

### CEIS Is Commonly Implemented at the Elementary School Level

The particular school levels for which CEIS activities were used can be seen in Exhibit 3.8 (Appendix D, Exhibit D.8). These data are presented separately for districts required to provide CEIS and those voluntarily providing CEIS. In districts providing CEIS, 93 percent of districts do so at the elementary school level, whether required or electing to provide CEIS. In districts required to provide CEIS, 56 percent do so at the middle school and 41 percent do so at the high school level. In districts electing to provide CEIS, 41 percent do so at the middle school level and 33 percent do so at the high school level. Appendix D also includes the distribution of CEIS by school level by region (Exhibit D.31), urbanicity (Exhibit D.32) and district size (Exhibit D.33).

**Exhibit 3.8: Distribution of CEIS by School Level for Districts Providing CEIS (School Year 2008–2009)**

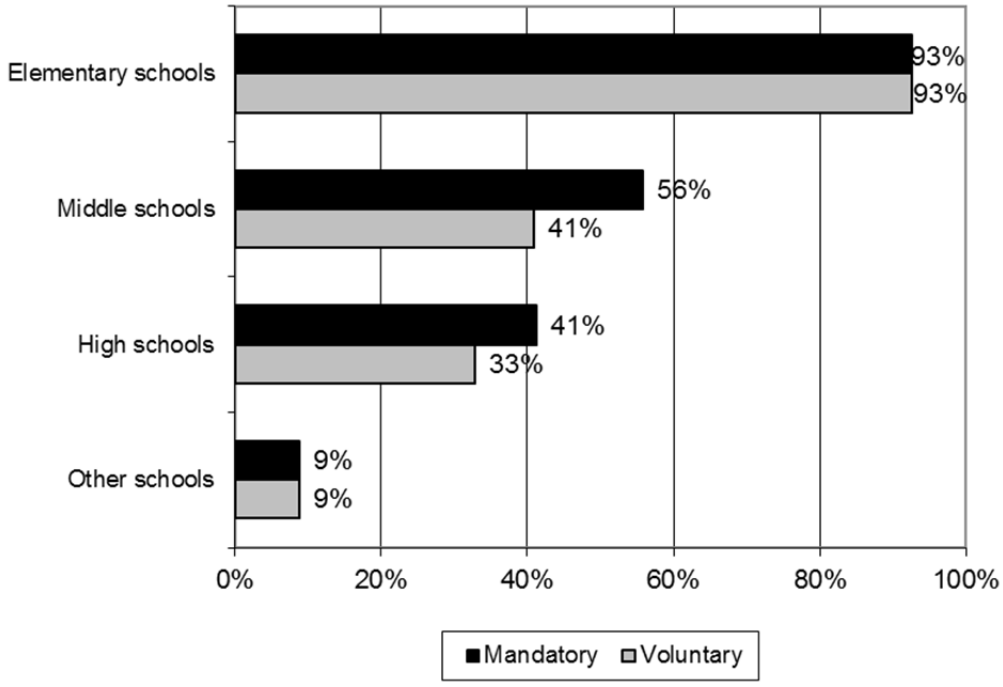


EXHIBIT READS: An estimated 93 percent of districts mandated to provide CEIS conduct CEIS activities in elementary schools. Ninety-three percent of districts electing to provide CEIS conduct CEIS in elementary schools.

Mandatory: For elementary schools, N = 86; for middle schools, N = 61; for high schools, N = 51; for other schools, N = 10.
Voluntary: For elementary schools, N = 160; for middle schools, N = 88; for high schools, N = 68; for other schools, N = 14.

### Common CEIS Areas Are Literacy and RtI

Activities districts may conduct as part of CEIS include professional development for teachers and other school staff designed to enable them to deliver scientifically based academic or behavioral interventions [34 C.F.R. § 300.226(b)]. This includes, for example, instruction on the use of adaptive and instructional software and providing educational and behavioral evaluations, services and supports. The activities for which Part B funds were used to provide CEIS among districts using CEIS are presented in Exhibit 3.9. The percentage of districts required to provide CEIS and that use Part B funds for professional development, instruction or evaluation or to purchase supplies in the area of literacy instruction is 82. The percentage of districts electing to provide CEIS and that support these same activities with Part B funds is 84. Of note, districts required or electing to provide CEIS use Part B funds to support RtI activities (82 percent and 67 percent respectively). Appendix D presents the types of CEIS activities supported by Part B funding by region (Exhibit D.34), urbanicity (Exhibit D.35) and district size (Exhibit D.36).

**Exhibit 3.9: Percentage of CEIS-Mandatory and CEIS-Voluntary Districts Using Part B Special Education Program Funds to Provide CEIS Activities (School Year 2008–2009)**

| Type of Activity Supported by Part B Program Funds | Districts Mandated to Provide CEIS | | Districts Voluntarily Providing CEIS | |
|---|---|---|---|---|
| | Use Part B program funds | Unknown | Use Part B program funds | Unknown |
| | % | % | % | % |
| Literacy instruction | 81.79 | † | 84.33 | 2.59 |
| Response to Intervention (RtI) | 81.65 | 6.52 | 67.07 | 1.52 |
| Behavioral interventions | 63.36 | 7.49 | 60.11 | 1.68 |
| Math instruction | 63.22 | 1.02 | 48.63 | 1.95 |
| Adaptive and instructional software | 55.02 | 4.02 | 41.43 | 2.33 |
| Educational evaluations | 43.00 | 4.75 | 46.30 | 3.81 |
| Behavioral evaluations | 47.47 | 7.92 | 36.51 | 4.79 |
| Other instruction | 17.79 | 17.30 | 21.23 | 18.14 |
| Other | 14.06 | 26.93 | 10.76 | 22.01 |

EXHIBIT READS: Eighty-two percent of districts mandated to provide CEIS reported using Part B funds to provide literacy instruction. No districts mandated to provide CEIS reported they did not know if they used Part B funds to provide literacy instruction. Eighty-four percent of districts voluntarily providing CEIS reported using Part B funds to provide literacy instruction. Three percent of districts voluntarily providing CEIS did not know if they used Part B funds to provide literacy instruction.

† Values suppressed to protect respondent confidentiality.

For districts mandated to provide CEIS, N = 90 for literacy instruction, behavior interventions, math instruction, and other instruction; N = 89 for RtI, adaptive and instructional software; educational evaluations and behavioral evaluations; N = 88 for other.

For districts electing to provide CEIS, N = 166 for literacy instruction, RtI, behavioral interventions, math instruction, adaptive and instructional software and educational evaluations; N = 164 for behavioral evaluations and other instructions; N = 161 for other.

### Exploration of Relationship between CEIS and Eligibility for Grades K–3

Coordinated Early Intervening Services are intended to serve children who are not yet identified for special education and to provide supports in the general education classroom they may not otherwise receive (34 C.F.R. § 300.226). It is the intention of CEIS to intervene early to reduce the number of students identified as eligible for special education and related services. This exploratory analysis was intended to examine the relationship between the use of CEIS and special education eligibility and is based on district reports of the number of students evaluated for special education eligibility and the number of students found eligible, by grade, during the 2007–2008 school year. Districts that reported implementing CEIS during the 2008–2009 school year, whether due to significant disproportionality or not, were compared in three areas to districts that did not report implementing CEIS: (1) the percentage of all students in grades K–3 who were evaluated for special education eligibility in 2007–2008, (2) the percentage of all district students in grades K–3 determined to be eligible for special education in these grades and (3) the percentage of evaluated students determined to be eligible for special education in these grades.[29]

There were no significant differences between districts using CEIS and districts not using CEIS in the percentage of all students evaluated ($p = 0.10$) or the percentage of evaluated students that were determined to be eligible ($p = 0.27$). Districts that reported the use of CEIS exhibited a statistically significant lower percentage of all students in grades K–3 who were determined to be eligible for special education ($M = 2.12$) than districts that did not use CEIS ($M = 2.58$, $p = 0.04$; Exhibit 3.10).

[29] The analyses include a subsample of districts with children with speech and language impairment in the answer to the survey question about number of students who were evaluated and eligible. A portion of school districts did not include children in the category of speech and language impairment in the counts reported by the district.

**Exhibit 3.10: Special Education Evaluation and Eligibility in Kindergarten through Grade 3 by District Implementation of Coordinated Early Intervening Services (CEIS) (School Year 2008–2009)**

| | Districts Using CEIS (Either Voluntary or Mandatory) | Districts not Using CEIS | Difference (Districts Using CEIS – Districts not Using CEIS) | |
|---|---|---|---|---|
| | % | % | Percentage points difference | p-value |
| Percentage of all students evaluated for special education eligibility | 3.16 | 3.57 | 0.41 | 0.103 |
| Percentage of all students determined to be eligible for special education | 2.12 | 2.58 | 0.46 | 0.036* |
| Percentage of evaluated students determined to be eligible for special education | 67.12 | 72.39 | 5.28 | 0.267 |

EXHIBIT READS: The percentage of all students (grades K–3) evaluated in 2008–2009 was 3.16 for districts using CEIS and it was 3.57 for districts not using CEIS. The difference between the two sets of districts is 0.41 percentage points, with a probability value of 0.103.

* P-value is significant at the .05 level.

N = 626.

These exploratory analyses are strictly descriptive and do not imply any causal relationship between the use of CEIS and the area described above. There are potentially many important unmeasured factors that may explain the differences in the percentage of students that were evaluated and found eligible that these analyses do not include.

## Response to Intervention (RtI)

Response to Intervention (RtI) is a term used to describe a range of practices for monitoring progress in the academic and behavioral domains and for providing interventions in these areas. RtI is closely related to the process of identifying, assessing and monitoring the amelioration of students for whom the school has academic or behavioral concerns (Harr-Robins, Shambaugh and Parrish 2009). RtI occurs within the general education setting in collaboration with other experts such as special educators and school psychologists. RtI begins with universal screening, the goal of which is to identify the students most likely to experience academic difficulties. This is accompanied by monitoring student progress in key academic areas using measures that must be valid, reliable and efficient. Universal screening in conjunction with ongoing progress monitoring is intended to provide information about which students may benefit from more intensive instruction. Students who do not show improvement, or "responsiveness," to these subsequent interventions are considered to be at risk and possibly in need of special education services (Hoover, Baca, Wexler-Love and Saenz 2008).

The national Learning Disabilities Summit (2001) highlighted RtI as a promising method for specific learning disabilities (SLD) identification. Then, in 2002, the President's Commission on Excellence

in Special Education recommended intervening early, curriculum-based measurement and a change in criteria for SLD identification (U. S. Department of Education Office of Special Education and Rehabilitative Services 2002). The 2004 IDEA amendments incorporated RtI into the regulations in two ways. First, the amendments allowed RtI to be used as one component of eligibility determination for specific learning disabilities. Second, the 2004 IDEA legislation permits LEAs to use some of their Part B special education funds to provide educational and behavioral evaluations, services, and supports, including the use of scientifically based literacy instruction, as possible means for implementing CEIS (34 C.F.R. § 300.226).

OSEP guidance explicitly linked CEIS and RtI by sanctioning the use of CEIS funds to support RtI "as long as the CEIS funds are used for services to nondisabled students in need of additional academic or behavioral support and supplement, not supplant, other funds used to implement RtI" (Office of Special Education Programs 2008). The federal government has supported the implementation of RtI through funding a number of related national centers, such as the National Research Center on Learning Disabilities (funded in 2001); the Center on Positive Behavioral Interventions and Supports (funded in 2003); the National Center on Student Progress Monitoring (funded in 2003); the National Center for Response to Intervention (funded in 2007); and the Center for Response to Intervention in Early Childhood (funded in 2008).

Systematic information about RtI implementation among states and districts is essential to understand the current implementation of IDEA. Data presented in the following section describe state and district activities related to RtI implementation, leadership of RtI efforts and funding of RtI training and implementation, providing the most complete picture of RtI implementation in the U.S. available to date. Exploratory descriptive analyses, which do not address causal relationships, are presented regarding the use of RtI and special education eligibility.

## Findings on Response to Intervention

### Most SEAs Conduct State-Level Activities Related to RtI, While Fewer Agencies Conduct State-Level Activities Specifically to Support RtI for Preschool-Age Children

This section reports on accounts of current activities to support RtI implementation collected from special education directors of services for preschool-age children and services for children and youth. To guide these informants' responses, the study team defined RtI as:

> *a multi-step approach to providing early and progressively intensive intervention and monitoring within the general education setting. In principle, RtI begins with research-based instruction and behavioral support provided to students in the general education classroom, followed by screening of all students to identify those who may need systematic progress monitoring, intervention, or support. Students who are not responding to the general education curriculum and instruction are provided with increasingly intense interventions through a "tiered" system, and they are frequently monitored to assess their progress and inform the choice of future interventions, including possibly special education for students determined to have a disability.*

All but two Part B special education program coordinators reported that they have a state-level RtI task force, commission or internal working group. Other commonly endorsed activities and resources

include: trainings on RtI by consultant or contractors (40 states); guidelines on RtI (39 states); information on RtI on an SEA website (39 states); trainings on RtI by SEA staff (37 states); and technical assistance to schools interested in RtI (37 states). A full list of activities and service is provided in Exhibit 3.11.

**Exhibit 3.11: Activities Conducted by SEAs Related to RtI (School Year 2008–2009)**

| | States | |
|---|---|---|
| **Type of Activity** | **N** | **%** |
| Has a state-level RtI task force, commission, or internal working group | 49 | 96.08 |
| Has organized trainings on RtI conducted by consultants or contractors | 40 | 78.43 |
| Has issued guidelines on RtI | 39 | 76.47 |
| Has RtI information available on the SEA website | 39 | 76.47 |
| Staff conduct trainings on RtI | 37 | 72.55 |
| Staff provide technical assistance to LEAs and schools that are investigating or implementing RtI | 37 | 72.55 |
| Has provided resources to school districts to explore the use of RtI | 36 | 70.59 |
| Arranges technical assistance from consultants or contractors for LEAs and schools that are investigating or implementing RtI | 34 | 66.67 |
| Has an outside advisory group related to RtI | 29 | 56.86 |
| Has a dedicated full-time position related to RtI | 20 | 39.22 |
| Other | 1 | 1.96 |

EXHIBIT READS: Forty-nine SEAs (96 percent) have a state-level RtI task force, commission, or internal working group.

N = 51.

Additionally, preschool-age special education coordinators in 32 states (63 percent) reported no current RtI-related initiatives specifically for preschool-age children (Exhibit 3.12). Seven states (14 percent) offer RtI training by consultants or provide technical assistance on the implementation of RtI for preschool children to local providers. Six states support a state-level RtI task force, commission or internal working group specifically for preschool-age children. Six states arrange technical assistance from consultants or contractors for local providers who are either investigating or implementing RtI for preschool-age children. Five states have implemented pilot projects related to RtI for preschool-age children.

**Exhibit 3.12: Activities Conducted by State Agencies to Support the Implementation of RtI for Preschool-Age Children (School Year 2008–2009)**

| | States | |
|---|---|---|
| **Type of Activity** | **N** | **%** |
| Has no current initiatives | 32 | 62.75 |
| Organized trainings on RtI for preschool children conducted by consultants or contractors | 7 | 13.73 |
| Staff provide technical assistance to local providers that are investigating or implementing RtI for preschool children | 7 | 13.73 |
| Supports state-level RtI task force, commission, or internal working group specifically for preschool children | 6 | 11.76 |
| Arranges technical assistance from consultants or contractors for local providers that are investigating or implementing RtI for preschool children | 6 | 11.76 |
| Has a pilot initiative for limited number of preschools | 5 | 9.80 |
| Initiative to support statewide implementation of RtI for preschool children | 5 | 9.80 |
| Staff conduct trainings on RtI for preschool children | 5 | 9.80 |
| Information on RtI for preschool children is available on agency website | 4 | 7.84 |
| Provides resources (e.g., grants or RFPs) for preschool providers to explore the use of RtI (e.g., to identify model RtI programs; to assist in implementation) | 3 | 5.88 |
| State guidelines on RtI for preschool children exist | 3 | 5.88 |
| Other | 4 | 7.84 |

EXHIBIT READS: Thirty-two Part B special education program for preschool-age children agencies (63 percent) have no current initiative to support RtI implementation for preschool-age children.

N = 51.

### The Majority of Districts Are Implementing RtI

To describe the extent of RtI practices in use across schools nationally, the IDEA-NAIS survey asked whether RtI is used in at least one school in the district. Data from a nationally representative sample of school districts are provided in Exhibit 3.13. The table shows that a majority of districts (71 percent) reported using RtI, based on the definition of RtI above.[30,31] Appendix D presents the percentage of districts using RtI by region (Exhibit D.37), urbanicity (Exhibit D.38), and district size (Exhibit D.39).

[30] Note that this condition—implementing RtI in at least one classroom in the district or in a school—constitutes "using RtI" in the context of this report.

[31] The study team notes that items in the IDEA-NAIS asking respondents about the use of RtI define RtI as comprising several listed components. It is not possible to know whether respondents endorsed the use of RtI in their district on the basis of just one component of this definition, more than one, or all. It is also important to clarify that the instructions provided were not intended to equate Reading First with RtI; rather, the instructions give districts permission to count Reading First schools if they consider Reading First schools to be an implementation of RtI. Not all, but some Reading First programs use components of RtI.

**Exhibit 3.13: National Estimates of the Percentage of Districts Using RtI (School Year 2008–2009)**

| | Yes | No |
|---|---|---|
| **Implementation** | **%** | **%** |
| RtI is being used in the district | 70.53 | 29.47 |

EXHIBIT READS: Seventy-one percent of districts use RtI.

N = 1,148.

### At Each School Level, Districts Largely Implement RtI in All or None of the Schools in the District.

As reported by the district respondents, 58 percent of districts are implementing RtI in all elementary schools within the district, 31 percent of districts are implementing RtI in all middle schools, and 25 percent of districts are implementing RtI in all high schools. Districts tend to implement RtI in all or none of their district schools. For example, in addition to the 58 percent of districts implementing RtI in all elementary schools (as mentioned above), 34 percent of districts are implementing RtI in no elementary schools, and 9 percent of districts are implementing RtI in some of their elementary schools (Exhibit 3.14, Appendix D, Exhibit D.14).

**Exhibit 3.14: Percentage of Districts Using RtI at Various Proportions of Schools by School Level (School Year 2008–2009)**

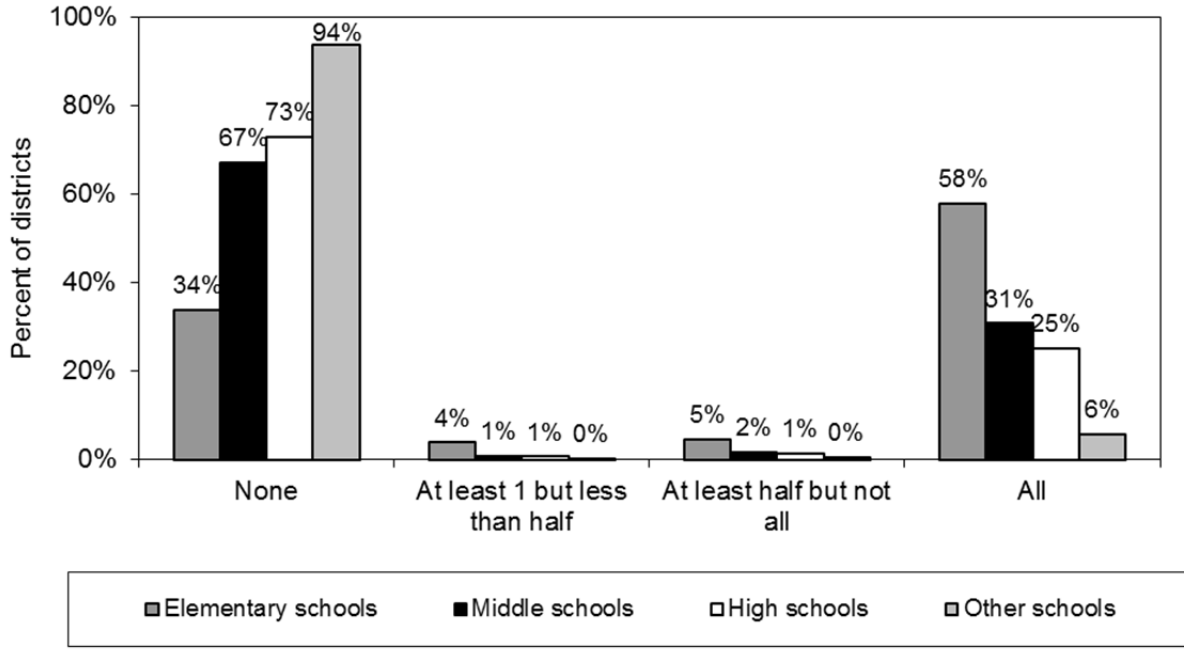


EXHIBIT READS: Thirty-four percent of districts reported using RtI in no elementary schools. Four percent of districts reported using RtI in at least one but less than half of elementary schools. Five percent of districts reported using RtI in half or more but not all elementary schools. Fifty-eight percent of districts reported using RtI in all elementary schools.

For elementary schools, N = 1,139; for middle schools, N = 1,135; for high schools, N = 1,132; for other schools, N = 1,135.

### Nationally, RtI Is Implemented in 61 Percent of Elementary Schools

When examining RtI at each public school level, an estimated 61 percent of elementary schools, 45 percent of middle schools, and 29 percent of high schools nationally used RtI during the 2008–2009 school year as reported by the district respondent (Exhibit 3.15, Appendix D, Exhibit D.15 and also by region in Exhibit D.40, urbanicity in Exhibit D.41 and district size Exhibit D.42).

**Exhibit 3.15: National Estimates of the Percentage of Schools Using RtI by School Level (School Year 2008–2009)**

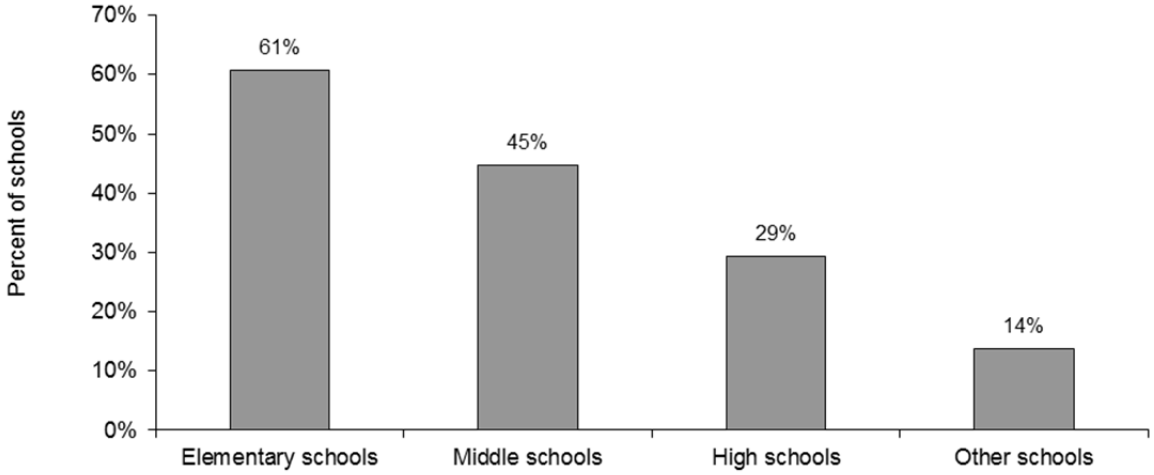


EXHIBIT READS: An estimated 61 percent of public elementary schools used RtI during the 2008–2009 school year.

For elementary schools, N = 1,080; for middle schools, N = 880; for high schools, N = 914; for other schools, N = 405.

### Across School Districts, RtI Is Being Used in Multiple Subject Areas

Across the U.S., RtI is being used in various subject areas, particularly in reading/language arts (Exhibit 3.16). For example, at the elementary school level, 70 percent of districts reported using RtI in reading/language arts, 47 percent reported using RtI in math, 36 percent reported using RtI in behavior and 27 percent reported using RtI in writing.[32] Appendix D includes the percentage of districts using RtI by subject area, school level, region (Exhibit D.43), urbanicity (Exhibit D.44) and district size (Exhibit D.45).

[32] The survey did not provide specific definitions for subject areas.

**Exhibit 3.16: Percentage of Districts Using RtI by Subject Area and School Level (School Year 2008–2009)**

| | Subject Areas | | | | |
|---|---|---|---|---|---|
| | Reading/ language arts | Math | Behavior | Writing | Other |
| School Level | % | % | % | % | % |
| Elementary schools | 70.12 | 47.06 | 36.37 | 27.47 | 1.57 |
| Middle schools | 47.62 | 38.10 | 32.56 | 21.52 | 1.40 |
| High schools | 30.51 | 28.06 | 18.50 | 16.94 | 1.65 |
| Other schools | 8.47 | 6.26 | 7.77 | 3.36 | 0.76 |

EXHIBIT READS: Of districts with elementary schools, 70 percent reported RtI was being used in reading/language arts, 47 percent reported that RtI was being used in math, 36 percent reported that RtI was being used in behavior, 27 percent reported that RtI was being used in writing and 2 percent indicated that RtI was being used in other areas.

For elementary schools, N = 1,082; for middle schools, N = 880; for high schools, N = 914; for other schools, N = 393.

Lastly, the study team presents the percentage of districts nationally using RtI in various subject combinations, by school level, in Exhibit 3.17. For example, in districts where RtI is being used in elementary schools, it is being used in reading/language arts only in 23 percent of districts. RtI is being used in reading plus at least one other subject area in the remaining 77 percent of districts. A common configuration is the use of RtI in reading, math, behavior and writing (in districts where RtI is being used in elementary schools, 28 percent of districts implement this combination in elementary schools; 33 percent in middle schools; 31 percent in high schools).

**Exhibit 3.17: Percentage of Districts Using RtI in Various Combinations of Subject Areas by School Level (School Year 2008–2009)**

| | Elementary Schools | Middle Schools | High Schools | Other Schools |
|---|---|---|---|---|
| | % | % | % | % |
| RtI in reading/language arts only | 22.96 | 13.50 | 7.90 | 14.76 |
| RtI in reading and math | 16.22 | 15.88 | 16.30 | 14.36 |
| RtI in reading and behavior | 6.94 | 5.85 | 4.74 | 4.90 |
| RtI in reading and writing | 1.33 | † | 0.50 | 0.00 |
| RtI in reading, math and behavior | 14.44 | 18.28 | 9.69 | 8.56 |
| RtI in reading, math and writing | 6.86 | 5.14 | 13.65 | † |
| RtI in reading, behavior and writing | 1.23 | 1.77 | 0.73 | 0.00 |
| RtI in reading, math, behavior and writing | 27.77 | 32.77 | 31.02 | 30.99 |
| All other combinations | 2.25 | 6.18 | 15.47 | 22.25 |

EXHIBIT READS: Of districts using RtI in elementary schools, 23 percent of districts reported using RtI in reading only in elementary schools. Of districts where middle schools used RtI, 14 percent of districts reported using RtI in reading only in middle schools. Of districts where high schools use RtI, 8 percent of districts reported using RtI in reading only in high schools.

† Values suppressed to protect respondent confidentiality.

For elementary schools, N = 823; for middle schools, N = 481; for high schools, N = 383; for other schools, N = 89.

### Schools and Parents Receive Information and Support from Districts Regarding RtI

The sections above presented estimates of RtI use by school levels and subject areas. Below, the study team reports on district supports to schools that are implementing RtI. Specifically, 32 percent of districts implementing RtI reported providing support to schools through training, technical assistance, and funding to their schools (Exhibit 3.18). The percentage of districts that reported providing information to parents on understanding IDEA requirements relevant to RtI or understanding how RtI is being implemented in the district is 73. The percentage of districts that reported doing both of these activities related to RtI is 26.

**Exhibit 3.18: Percentage of Districts Providing RtI Support to Schools and Information to Families among Districts Using RtI (School Year 2008–2009)**

| | % |
|---|---|
| Support to schools through training, technical assistance and funding | 32.40 |
| Information provided to parents on understanding IDEA requirements relevant to RtI or understanding how RtI is being implemented in the district | 73.04 |
| Both provided support to schools and provided information to parents | 25.89 |

EXHIBIT READS: Of districts providing support to schools, 32 percent provide support through training, technical assistance and funding.

N = 862.

### Exploration of Relationship between RtI and Eligibility for Special Education in Grades K–3

As described above in reference to CEIS, the use of RtI may be associated with special education eligibility. With the provision of services to students in the regular education setting, the number of students who are referred for evaluation and found eligible for special education is expected to decrease over time. Historically, the process of providing intervention in the general education classroom as a way to identify and provide needed supports prior to making a referral for special education has been called pre-referral intervention, although there are many names for the practice (Rosenfield and Gravois 1996). Data collected through the RtI process and the use of increasingly intensive tiers of intervention prior to a referral may serve as a filter such that only students who are truly in need of services are evaluated. Therefore, a higher percentage of the children are referred than may ultimately be found eligible (Fuchs et al. 2003).

In an exploratory analysis similar to that reported above on CEIS, the study team examined the use of RtI in conjunction with: (1) the percentage of all students in grades K–3 who were evaluated for special education eligibility in 2007–2008, (2) the percentage of all district students in grades K–3 determined to be eligible for special education in these grades and (3) the percentage of evaluated students determined to be eligible for special education in these grades.[33] There were no significant differences between districts reporting the use of RtI in at least one school and those that did not use RtI during the 2007–2008 school year in any of the areas examined (Exhibit 3.19). Note again that these results are descriptive only and do not indicate the presence or absence of a causal relationship between the use of RtI and the proportion of students identified as being in need of special education.

[33] As noted in the discussion of CEIS, the analyses include a subsample of districts that included children with speech and language impairment when answering the survey question about number of students who were evaluated and eligible. In addition, data indicating eligibility are based on the 2007–2008 school year, whereas data indicating use of RtI are based on reported use during the subsequent (2008–2009) school year.

**Exhibit 3.19: Percentage of All Students in Grades K–3 That Were Evaluated and Results for Part B Special Education Program Services During the 2007–2008 School Year by Use of RtI (School Year 2008–2009)**

| | Districts Using RtI at the Elementary School Level | Districts with no Elementary School Using RtI | Difference (Districts Using RtI at the Elementary School Level – Districts with no Elementary School Using RtI) | |
|---|---|---|---|---|
| | % | % | Percentage points difference | p-value |
| Percentage of all students evaluated for special education eligibility | 3.37 | 3.78 | -0.41 | 0.154 |
| Percentage of all students determined to be eligible for special education | 2.41 | 2.62 | -0.21 | 0.327 |
| Percentage of evaluated students determined to be eligible for special education | 71.52 | 69.42 | 2.10 | 0.499 |

EXHIBIT READS: The percentage of elementary school children in school districts using RtI at the elementary school level that were newly evaluated during the 2007–2008 school year is 3. Districts with no elementary schools using RtI evaluated 4 percent of all students. The difference in the percentage of students evaluated between districts using RtI at the one elementary school level and districts with no elementary schools using RtI is -0.41 percentage points.

N = 632.

### RtI Leadership: A Partnership between the General Education and Special Education Staffs

Although RtI has gained attention with its inclusion in the 2004 reauthorization of IDEA, proponents of RtI have frequently emphasized that it is most appropriately conceptualized as either a general education initiative or as a partnership between general and special educators (Elliott and Morrison 2008; Mellard and Johnson 2008; Bender and Shores 2007). Nationally, 75 percent of districts reported that RtI is led by a team of both general and special educators, while 18 percent indicated general educators lead RtI implementation and approximately 8 percent indicated that implementation is led by special educators (Exhibit 3.20; Appendix D, Exhibit D.20).

**Exhibit 3.20: Leadership of RtI Implementation in Districts, among Districts Using RtI (School Year 2008–2009)**

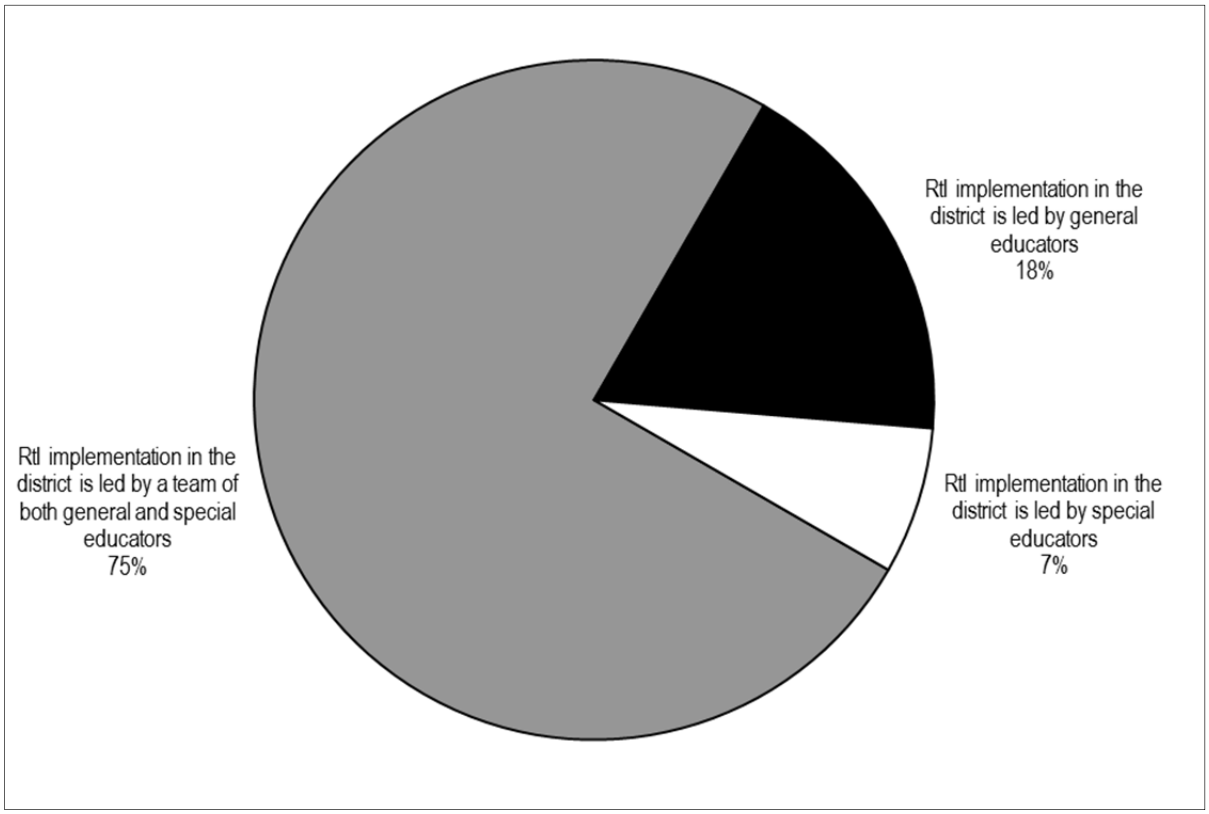


EXHIBIT READS: Among districts using RtI, in an estimated 18 percent RtI implementation is led by general educators.

N = 867.

### RtI Funded by Multiple Sources

As discussed above, the 2004 IDEA legislation allows districts to spend up to 15 percent of their Part B special education funds to provide coordinated early intervening services, including RtI. IDEA funds are by no means the only way that RtI can be funded. Guidance from ED indicates districts may use ESEA Title I and Title III funds in addition to IDEA funds to support RtI implementation (U. S. Department of Education n.d.). Some states also provide guidance to their districts on the issue of other potential funding sources to support RtI implementation.

Districts using RtI during the 2008–2009 school year reported using a variety of funding sources (Exhibit 3.21). Commonly reported sources are: district general funds (80 percent of districts), Title I funds (46 percent of districts) and IDEA funds (41 percent of districts).

Common sources identified as providing the most support for RtI within districts are district general funds (48 percent of districts), IDEA sources (22 percent of districts), and Title I funds (19 percent of districts). Included among IDEA sources are CEIS funds, which were reported used for RtI by 13 percent of districts and identified as providing the greatest source of support for RtI by 7 percent of districts (Exhibit 3.21).

**Exhibit 3.21: Distribution of Funding Sources for District Use of RtI (School Year 2008–2009)**

| Source of Funding | Districts with Any Funding Used % | Districts Where Source Is Providing the Most Support % |
|---|---|---|
| District general funds | 79.70 | 48.08 |
| Combined Title I funds | 45.83 | 19.36 |
| No Child Left Behind (or ESEA) Title I-A School-wide or Targeted Assistance funds | 44.40 | 17.43 |
| NCLB Title I-B Reading First funds | 9.08 | 1.92 |
| Combined IDEA funds | 40.56 | 21.91 |
| IDEA Coordinated Early Intervening Services (CEIS) funds[a] | 12.79 | 6.92 |
| IDEA Part B flow-through funds, other than funds used for CEIS | 19.88 | 6.86 |
| IDEA district discretionary funds, other than funds used for CEIS | 7.09 | 2.26 |
| IDEA state discretionary funds | 5.99 | 1.71 |
| Other sources | 30.00 | 10.56 |
| NCLB Title II-A funds | 19.46 | 5.08 |
| NCLB Title III funds | 3.32 | 0.00 |
| NCLB Title V grants for innovation | 1.60 | † |
| State Improvement Grant (SIG) or State Personnel Development Grant (SPDG) | 8.92 | 4.15 |
| Other | 10.14 | 5.19 |

EXHIBIT READS: Among districts that implemented RtI, 80 percent used district general funds to fund RtI training and implementation; 48 percent of districts used district general funds to provide the most support for RtI.

† Values suppressed to protect respondent confidentiality.

For identified at least one source, N = 857.

[a]Although the survey used the term "Early Intervening Services" (EIS), the current terminology is "Coordinated Early Intervention Services" (CEIS).

## State and Local Policies for Eligibility for Specific Learning Disability

From 1995 through 2004, about 4 percent of students ages 6–21 received special education services as the result of being identified in the category of specific learning disability (SLD) (Office of Special Education Programs 2009). As a proportion of all students served under IDEA, the percentage identified with SLD was 46 percent in 2004 (Office of Special Education Programs 2009). Historically, a larger percentage of older students (i.e., grades 5–8 or 9–12) are identified with SLD than younger students (grades 1–4), suggesting a potential lag in the identification of students with disabilities (Blackorby et al. 2010). Congress addressed this criticism of the prevailing approach to identification of students in the category of SLD in the 2004 legislation, that is, that the prevailing approach led to late identification of SLD because students were required to fail for long periods of time before demonstrating sufficiently large deficits in academic achievement to satisfy this requirement and begin receiving special education services.

The 2004 IDEA regulations state that the SEA "shall not require the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability" [34 C.F.R. § 300.307(a)(1)] and that a state "must permit the use of a process based on the child's response to scientific, research-based intervention" [34 C.F.R. § 300.307(a)(2)]. Therefore, RtI may be used as one component of eligibility determination for specific learning disability.

These revisions, as summarized by Zirkle (2006), include changing the use of a severe discrepancy from mandatory to non-mandatory and allowing the use of RtI for determining eligibility for specific learning disability.[34] These revisions to IDEA were a focus of specific questions of the IDEA-NAIS and are addressed in sections below.

## Findings on State and Local Policies for Eligibility for Specific Learning Disability

#### State Criteria for SLD Vary from the Federal Eligibility Criteria in 18 States

States have discretion in developing eligibility criteria for SLD and so may differ from federal eligibility requirements. To provide descriptive information about state criteria for SLD and how they may differ from federal eligibility requirements, the study team reviewed the regulations from each state and extracted information on criteria for SLD. Specifically, the study team first reviewed the Code of Federal Regulations (C.F.R.) pertaining to disability definitions and eligibility criteria for SLD (34 C.F.R. § 300). It should be noted that all of the disability categories (e.g., autism, mental retardation) reviewed in the IDEA-NAIS use a common set of federal eligibility criteria (34 C.F.R. § 300.306) to determine eligibility, except for the SLD category, which has an additional set of federal eligibility criteria specified (34 C.F.R. § 300.307–300.311).[35] Next, the study team reviewed state definitions and eligibility criteria found in state laws and regulations pertaining to SLD and compared these with the federal definition and eligibility criteria.

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[34] Zirkle (2006) summarizes regulations found in 34 C.F.R. § 300.307 *et seq*.

[35] Data on other disability categories appear in Appendix D, Exhibits D.46–D.52.

For the majority of states (33 states), there is no difference noted between the state and federal eligibility requirements (Exhibit 3.22). States with differences from the federal definition were further reviewed and criteria that varied across states were identified. The criteria are presented below with the states that include the criteria. Of note, states may include more than one of these criteria, so the groups of states are not mutually exclusive. The criteria include: (1) whether the state specifies the types of qualified professionals to complete evaluations; (2) the specified level of discrepancy between achievement and performance among states using the discrepancy method; and (3) whether the state specifies number of data collection points and length of time per intervention prior to eligibility determination. The average percentage of students identified in the SLD category in states that employ the federal eligibility criteria is 6.09 while the average percentages across states that include differences from the federal eligibility criteria range from 3.99 to 5.91. Of note is the range in percentages across states that include the same criterion. For example, in the three states that include the criterion "state specifies the number of data collection points and length of time per intervention prior to eligibility determination," the identification percentages range from 3.57 to 5.24.

**Exhibit 3.22: Percentage of Students in Specific Learning Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students with SLD | | |
|---|---|---|---|---|
| | | Mean (%) | Median (%) | Range (%) |
| State specifies types of qualified professionals who are to complete evaluation (n=2) | GA, IN | 4.95 | 4.95 | 3.57 – 6.32 |
| When using the discrepancy method, state specifies required discrepancy between achievement and expected levels of performance as: | | | | |
| 1 – 1.3 Standard Deviations (n = 5) | AL, ID, MS, NE, NC | 5.02 | 5.43 | 3.79 – 5.67 |
| 1.5 Standard Deviations (n = 6) | HI, MO, OK, TN, VT, WY | 5.91 | 5.32 | 5.24 – 7.96 |
| ≥ 1.75 Standard Deviations (n = 4) | MN, MT, WV, WI | 5.26 | 5.45 | 4.10 – 6.04 |
| State includes additional categories of disability not included in federal definition (e.g., Attention Deficit Disorder) (n=2) | GA, LA | 3.99 | 3.99 | 3.57 – 4.40 |
| State specifies number of data collection points and length of time per intervention prior to eligibility determination (n=3) | GA, MN, TN | 4.30 | 4.10 | 3.57 – 5.24 |
| No difference from federal eligibility criteria (n= 33) | AK, AZ, AR, CA, CO, CT, DE, DC, FL, IL, IA, KS, KY, MD, MA, ME, MI, NV, NH, NJ, NM, NY,ND, OH, OR, PA, RI, SC, SD, TX, UT, VA, WA | 6.09 | 6.06 | 2.30 – 8.47 |
| National state-level average (n=51) | | 5.82 | 5.64 | 2.30 – 8.47 |

EXHIBIT READS: The mean percentage of children diagnosed with SLD in states specifying professionals who can conduct evaluations is 4.95. The median is 4.95 percent and the range is from 3.75 to 6.32 percent.

N = 51.

### Most States Permit the Use of RtI Data or an Alternative Method as well as a Discrepancy Model in the Identification of Students in the Category of Specific Learning Disability

When surveyed about the determination of eligibility for SLD, most SEAs (37) reported allowing the use of an IQ-achievement discrepancy model as well as the inclusion of RtI data or an alternative method in determining eligibility. Additionally 6 states permit the discrepancy model and require the inclusion of RtI data and 7 states use RtI data or an alternative method and disallow the use of the discrepancy model.

**Exhibit 3.23: SEA Use of Discrepancy Model to Determine Eligibility for Special Education for Specific Learning Disability (SLD) (School Year 2008–2009)**

| | States | | |
|---|---|---|---|
| **State Policy** | **N** | **%** | **States Responding Yes** |
| **Allows discrepancy model** | | | |
| The use of an IQ-achievement discrepancy model is permitted and RtI data may be used in determining eligibility | 26 | 50.98 | AK, AL, AZ, CA, KY, MD, ME, MN, MO, MT, ND, NE, NJ, NV, NY, OK, PA, SC, SD, TN, TX, UT, VA, VT, WI, WY |
| The use of an IQ-achievement discrepancy model is permitted and an alternative method (not specifically RtI) may be used to determine eligibility | 11 | 21.57 | AR, HI, ID, KS, MA, MI, MS, NH, OH, OR, WA |
| The use of an IQ-achievement discrepancy model is permitted and RtI data are explicitly required in determining eligibility | 6 | 11.76 | DC, FL, GA, IL, NC, NM |
| **Does not allow discrepancy model** | | | |
| The use of an IQ-achievement discrepancy model is prohibited and RtI data are explicitly required in determining eligibility | 6 | 11.76 | CO, CT, DE, IA, LA, WV |
| The use of an IQ-achievement discrepancy model is prohibited and an alternative method (not specifically RtI) is used to determine eligibility | 1 | 1.96 | IN |
| Other | 1 | 1.96 | RI |
| Total | 51 | 100.00 | |

EXHIBIT READS: Twenty-six SEAs (51 percent) allow the use of an IQ-achievement discrepancy model and allow RtI data to be used in determining eligibility.

N = 51.

### LEAs Use RtI Data and Discrepancy Models for Determination of SLD Eligibility

Based on state policy decisions, districts may use three data sources for determination of SLD among elementary students: data and other information from the RtI process, data based on assessments that demonstrate a discrepancy between expected and actual performance and data from other research-based procedures (34 C.F.R. § 300.307). Fifty-three percent of districts use a discrepancy model in determining special education eligibility for SLD and also incorporate data from the RtI process; 35 percent of districts use discrepancy model data without use of RtI data; and 12 percent of districts use RtI data without use of discrepancy model data for the determination of eligibility in the category of SLD (Exhibit 3.24).

**Exhibit 3.24: Percentage of Districts Using Various Types of Data in Determining Special Education Eligibility in the Category of SLD for Elementary Students (School Year 2008–2009)**

| | Districts |
|---|---|
| **Types of Data** | **%** |
| Use of both RtI data and discrepancy data | 52.81 |
| Data and other information from the RtI process; data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance; as well as data from other, research-based procedures | 30.49 |
| Data and other information from the RtI process as well as data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance | 22.32 |
| Use of discrepancy data without RtI data | 34.70 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance only | 22.13 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance as well as data from other, research-based procedures | 12.57 |
| Use of RtI data without discrepancy data | 12.05 |
| Data and other information from the RtI process as well as data from other, research-based procedures | 9.01 |
| Data and other information from the RtI process only | 3.04 |
| Other | |
| Data from other, research-based procedures only | 0.45 |

EXHIBIT READS: The percentage of districts that use both RtI data and discrepancy data to determine SLD eligibility for elementary school students is 53.

N = 1,107.

### Exploration of a Relationship between Data Used to Determine SLD and Special Education Eligibility

Parallel to the analyses presented in the previous two sections for districts implementing and not implementing CEIS and RtI, the study team conducted exploratory analyses examining the use of RtI data in the determination of eligibility under the category of SLD and general eligibility for special education. The analyses presented examine SLD determination methods and eligibility for special education in any disability category.[36] To conduct these analyses, the study team categorized districts into one of three groups: those that reported use of RtI data without discrepancy data, those that use discrepancy data without RtI data, and districts that use both RtI data and discrepancy data in the process of determining eligibility for SLD.

[36] Analyses specific to SLD eligibility are desirable but these data are not available. As students identified in the SLD category comprise approximately half of the group of students with disabilities, the investigation of the association between the use of SLD identification procedures and general identification percentages was conducted.

Statistical analyses for these three comparisons revealed a statistically significant difference among districts that use RtI data, districts that use discrepancy data, and districts that use RtI data and discrepancy data in the percentage of all students determined to be eligible for special education ($p = 0.01$). No statistically significant difference was observed in the percentage of all students evaluated for special education ($p = 0.05$) or in the percentage of evaluated students who were determined to be eligible for special education ($p = 0.84$; Exhibit 3.25). Pairwise comparisons were conducted for the one significant comparison, with the Benjamini-Hochberg (1995) correction for the use of multiple tests.

**Exhibit 3.25: Percentages of All Students in Grades K–3 That Were Evaluated, and Results by Use of Types of Evaluation Data (School Year 2008–2009)**

| | Districts That Use RtI Data without Discrepancy Data | Districts That Use Discrepancy Data without RtI Data | Districts That Use Both RtI Data and Discrepancy Data | Overall ANOVA |
|---|---|---|---|---|
| | % | % | % | p-value |
| Percentage of all students evaluated for special education eligibility | 2.96 | 3.96 | 3.38 | 0.051 |
| Percentage of all students determined to be eligible for special education | 1.97 | 2.81 | 2.43 | 0.010* |
| Percentage of evaluated students determined to be eligible for special education | 66.57 | 70.90 | 71.83 | 0.837 |

EXHIBIT READS: In districts that use RtI data without discrepancy data, 2.96 percent of all students were evaluated; in districts that use discrepancy data without RtI data, 3.96 percent of students were evaluated and 3.38 percent of all students were evaluated in districts that use both discrepancy and RtI data. The overall ANOVA p-value is 0.051.

* P-value is significant at the .05 level.

N = 626.

Districts that use RtI data only were observed to have a significantly lower percentage of all students determined to be eligible for special education ($M = 1.97$) than districts that use discrepancy data without the use of RtI data ($M = 2.81$, $p = 0.002$; Exhibit 3.26)—a statistically significant difference both before and after adjustments for multiple comparisons.[37]

[37] Results from these exploratory analyses are strictly descriptive and do not imply any causal relationship between RtI and/or discrepancy data and the areas described above. There are potentially many important unmeasured factors that may cause differences in the percentage of students that were evaluated and found eligible that are not controlled for in these analyses. In addition, data indicating eligibility are based on the 2007–2008 school year, whereas data indicating use of RtI in the process of eligibility are based on reported use during the subsequent (2008–2009) school year.

**Exhibit 3.26: Pairwise Comparison of Percentages of All Students in Grades K–3 That Were Evaluated and Results for Part B Special Education Program Services by Use of Types of Evaluation Data (School Year 2008–2009)**

| | Districts That Use RtI Data without Discrepancy Data vs. Districts That Use Discrepancy Data without RtI Data [a] | | Districts That Use RtI Data without Discrepancy Data vs. Districts That Use Both RtI data and Discrepancy Data [a] | | Districts That Use Discrepancy Data without RtI Data vs. Districts That Use Both RtI Data and Discrepancy Data [a] | |
|---|---|---|---|---|---|---|
| | Percentage points difference | p-value | Percentage points difference | p-value | Percentage points difference | p-value |
| Percentage of all students determined to be eligible for special education | -0.84 | 0.002* | -0.46 | 0.056 | 0.38 | 0.087 |

EXHIBIT READS: The difference, in percentage points, of elementary school children found eligible for Part B special education program services in districts using RtI data without discrepancy data and districts using discrepancy data without RtI data is –0.84. This difference is statistically significant ($p$ = 0.002).

* P-value is significant at the .05 level.

N = 626.

## Summary

This chapter presented data and information on state and local policies related to changes in the area of identification of children with disabilities in the 2004 reauthorization of IDEA. The information in the chapter provides the first nationally representative data in a number of important areas, including how states and districts are addressing issues of racial and ethnic disproportionality through use of a new mechanism—Coordinated Early Intervening Services (CEIS)—as well as how widely Response to Intervention (RtI) is being used in the U.S. and for what grades and subjects, and other related aspects of implementation. This chapter also provides information on state and local actions related to changes in criteria for determining specific learning disability (SLD).

States are continuing to refine and revise their definitions of significant disproportionality. Twenty-two states anticipated changes to these definitions in the upcoming year and many states—including some with finalized definitions—appear to have an incomplete process for evaluating whether a district exhibits significant disproportionality across all areas. For example, not all states provided a definition for identification of significant disproportionality in the areas of placement and discipline. Definitions vary across states on the factors used to determine district significant disproportionality in a given year.

While states reported that approximately 3 percent of school districts are required to implement CEIS due to significant disproportionality, district reports revealed that approximately 11 percent of districts are voluntarily using some portion of their Part B special education program funds for CEIS, with approximately 39 percent of these districts spending 5 percent or less of Part B program funds for this purpose. Districts reported the use of CEIS across school levels, but predominantly at the elementary school level (93 percent of district implementing CEIS do so at the elementary level).

Response to Intervention (RtI) was introduced in the 2004 IDEA legislation, both in the context of CEIS and as a method of informing the identification of students in the category of SLD. All states reported state-level initiatives for RtI for school-age children and youth and 71 percent of districts reported that RtI is being used. Use of RtI is particularly prominent at the elementary level. RtI receives support from general education; it is led by staff from both general and special education in approximately three quarters of districts nationally and the primary source of funding for RtI comes from district general funds for 48 percent of districts implementing RtI.

A third area of identification of students for which the IDEA-NAIS provides information is the area of policies and practices related to eligibility under the category of SLD. Based on IDEA-NAIS data, most states (37) reported that they allow the use of an IQ-achievement discrepancy model as well as the inclusion of RtI data. At the district level, 53 percent of districts use both RtI and discrepancy data in eligibility determination for SLD.

# Chapter 4: Efforts to Promote Positive Outcomes for Children and Youth with Disabilities

This chapter focuses on efforts to promote positive outcomes for children and youth with disabilities. The IDEA-NAIS examined two specific aspects of IDEA geared to this goal: (1) establishing and maintaining academic standards for children and youth with disabilities and (2) qualified personnel. The report first reviews relevant federal legislation and technical assistance to provide a context for the findings related to establishing and maintaining developmental and academic standards for children and youth with disabilities ages birth through 21 years and defining and supporting qualified personnel.

Exhibits 4.1 through 4.24 each have a fully sourced version in Appendix E (Exhibits E.1 through E.24). Supplemental exhibits related to the chapter are found in Exhibits E.25 through E.34.

## Establishing and Maintaining Developmental and Academic Standards for Children and Youth with Disabilities

The Education for All Handicapped Children Act of 1975 focused on providing access to a free appropriate public education (FAPE) for children with disabilities (P.L. 94-142). When first enacted in 1986, the IDEA Part C early intervention program and the IDEA Part B special education program focused on states making available, respectively, appropriate early intervention services, and special education and related services. Reauthorizations of IDEA Part B have followed the emphasis on the need for improved outcomes found in general education specific legislation by expanding the focus from access to FAPE to access to the general education curriculum and to improving the performance of children and youth with disabilities with respect to academic standards. Similarly, reauthorizations of IDEA Part C have added provisions requiring that individual outcomes for infants and toddlers be measurable. The 2004 IDEA legislation also requires states to report annually on their progress on specific goals, including child outcomes under the Part C early intervention and Part B special education programs. Below, the study team discusses federal guidance on the development and use of standards for infants and toddlers and preschool-age children with disabilities served by the IDEA Part C program and the IDEA Part B program and then for school-age children and youth with disabilities served by the IDEA Part B program.

### Federal Support and Guidance Related to Developmental and Academic Standards for Infants and Toddlers with Disabilities Served by the IDEA Part C Early Intervention Program and Children with Disabilities Ages Three through Five Served by the IDEA Part B Special Education Program

In the 1990s, GOALS 2000 provided a framework for the identification of standards to measure progress, with the first goal of focusing on school readiness, stipulating that by 2000 “all children in America will start school ready to learn” (P.L. 103-227, §102). The legislation delineates objectives related to this goal, including the receipt of “nutrition, physical activity, experiences, and health care needed to arrive at school with healthy minds and bodies, and to maintain the mental alertness necessary to be prepared to learn” [P.L. 103-227 § 102(1)(B)]. The 1997 IDEA Part C legislation built on both prior IDEA legislation and GOALS 2000 by requiring in the individualized family service plan (IFSP) for infants and toddlers with disabilities a statement of present physical,

cognitive, communication, social or emotional and adaptive developmental levels as well as the expected major outcomes for the infant or toddler and family [P.L. 105-17 § 636 (d)]. The 1997 reauthorization of the IDEA Part B special education program changed the individualized education program (IEP) content requirements to include a statement of measurable annual goals, including benchmarks or short-term objectives; and a statement of how progress would be measured and reported to parents [P.L. 105-17 § 614(d)(A)].

The Good Start, Grow Smart (GSGS) early childhood initiative was introduced in 2002 with the goal of ensuring that young children are equipped with the skills they need to start school ready to learn (Good Start, Grow Smart Interagency Workgroup 2006). This federal initiative involved various agencies (e.g., IDEA Part C early intervention program, IDEA Part B program for children ages 3 through 5, Child Care Development Fund, Head Start, Early Head Start and Title I Preschool) in order to promote a common message and encourage states to develop voluntary early learning guidelines for infants, toddlers and children ages birth through 5 years that align with K through 12 standards. The 2004 IDEA legislation added a new requirement that IFSPs include measurable results or outcomes expected for the infant or toddler and family including pre-literacy and language skills, as developmentally appropriate, as well as criteria, procedures and timelines to measure progress towards those results or outcomes [20 U.S.C. § 1436 (d)]. The 2004 IDEA Part B legislation changed the required components from the 1997 IDEA legislation by requiring a description of the child's present levels of academic achievement and functional performance and requiring measurable academic and functional goals for preschool children [20 U.S.C. §1414(d)(1)(A)(i)(I) and (II)].

### Federal Activity Related to Developing Academic Standards for School-Age Children and Youth Served by the IDEA Part B Special Education Program

GOALS 2000 included the objective that all students would demonstrate competency in subject matter (e.g., English, mathematics, science, etc.) [P.L. 103-227 § 102(3) (A)]. The 1994 reauthorization of the Elementary and Secondary Education Act (ESEA), known as the Improving America's School Act (IASA), required states to develop challenging content and student performance standards [P.L. 103-327 § 1111(b)(1)]. Additionally, states were required to assess students annually and report results—including a comparison between students with disabilities and students without disabilities [P.L. 103-327 § 1111(b)(3)(I)]. The Individuals with Disabilities Education Act Amendments of 1997 (P.L. 105-17) continued the initial emphasis on equal access to education while focusing on improving the educational outcomes of children with disabilities under the IDEA Part B special education program. Specifically, the 1997 IDEA Part B legislation stated students with disabilities were required to have access to the general education curriculum and were to participate in state and local assessments with accommodations and/or alternate assessments if needed.

The 2001 reauthorization of ESEA, known as No Child Left Behind, mandates that states hold individual schools accountable for ensuring that all students reach proficiency on state standards in reading, math, and science by 2014 (34 C.F.R. § 200.15). The ESEA further requires statewide systems of accountability based on challenging academic standards and assessment systems with content aligned to those standards. States are required to report to the public on student performance on state assessments by subgroups, one of which is students with disabilities (20 U.S.C. § 6304 and § 6311).

The 2004 IDEA Part B legislation specifically refers to the 2001 ESEA legislation. For school-age children and youth with disabilities, the 2004 IDEA legislation demonstrates its strengthened focus on academic outcomes and the alignment with standards by specifying that each state must have performance goals and indicators for children and youth with disabilities that are the same as those used as the objectives for progress in the state's definition of adequate yearly progress (34 C.F.R. § 300.157). Additionally, the 2004 IDEA legislation requires that all children with disabilities participate in all general state and district-wide assessment programs, including assessments as required in the 2001 ESEA legislation [20 U.S.C. § 1412(a)(16)].[38] The 2004 IDEA legislation also specified the required elements of an Individualized Education Program (IEP). The 2004 IDEA legislation changed the required components from the 1997 IDEA legislation by requiring that the IEP include a description of the child's present levels of academic achievement and functional performance and requiring measurable academic and functional goals and benchmarks or short-term objectives only for children who take alternative assessments aligned to alternate achievement standards [20 U.S.C. § 1414 (d) (1) (A)(i) (I) and (II)].

### Federal Technical Assistance and Monitoring Related to Standards for Children and Youth with Disabilities

The federal government provides technical assistance related to promoting positive outcomes for children and youth with disabilities. The 2004 IDEA legislation also requires states to report annually on their progress on specific IDEA goals, including child outcomes under the Part C early intervention and Part B special education programs.

The Office of Special Education Programs (OSEP) funds a number of national technical assistance centers to support the implementation of IDEA and to promote emphasis on positive outcomes for children and youth with disabilities. Technical assistance centers focused on outcomes have included the National Center on Accelerating Student Learning, funded from 2000 to 2005; the National Center on Accessing the General Curriculum, funded from 1999 to 2004; the Access Center, active from 2003 to 2008; and the Early Childhood Outcomes Center, which operated in its first funding cycle from 2003 to 2008. Currently OSEP funds the National Center on Educational Outcomes for students with disabilities, which examines policies and practices related to including students with disabilities in state and local accountability systems (funded since 1990) and the Early Childhood Outcomes Center, intended to provide national leadership in helping states implement high quality outcome systems for early intervention and early childhood special education programs (funded for a second cycle in 2008).

The 2004 IDEA includes increased accountability efforts related to child and student outcomes. According to the statute and regulations, the primary focus of federal and state monitoring activities is on "improving educational results and functional outcomes for all children with disabilities" and ensuring that states meet the program requirements, with a particular emphasis on requirements that

[38] Specific requirements for the guidelines are not provided in the federal legislation. States are provided flexibility to adopt alternative academic achievement standards for students with the most severe cognitive disabilities and modified academic achievement standards for students unlikely to achieve grade-level proficiency. The IEP must include a statement of any accommodations that are necessary for the child to participate in the regular assessment. If the IEP team determines that the child must take an alternate assessment, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate [20 U.S.C. § 1414 (d)(1)(A)(i)(VI)].

are most closely related to improving educational results for children with disabilities [20 U.S.C. § 1416 (a)(2)]. Similarly, under Part C, the primary focus of federal and state monitoring must be on improving early intervention results and functional outcomes for all infants and toddlers with disabilities and ensuring that states meet the program requirements, with a particular emphasis on the requirements that are most closely related to improving early intervention results for infants and toddlers with disabilities (20 U.S.C. § 1416(a)(2) and § 1442).

In order to implement the new accountability mechanism in the 2004 IDEA reauthorization, the statute and regulations require states to submit State Performance Plans (SPPs) once every six years and Annual Performance Reports (APRs) for the Part C early intervention program and the Part B special education program. The SPP includes baseline data and rigorous annual state targets for the life of the SPP for a set of required indicators. The statute also requires states to submit and make publicly available their APR on state progress toward meeting these targets and the performance of their LEAs or early intervention service programs in meeting state targets under the SPP/APR (20 U.S.C. § 1416(b)(2)(C)(ii)(I) and § 1442).

In accordance with the 2004 IDEA reauthorization, the U.S. Department of Education issues annual determinations to each state regarding state progress in meeting IDEA requirements both under Part B and Part C. States may be identified as meeting the requirements and purposes, needing assistance in implementing requirements, needing intervention in implementing requirements, or needing substantial intervention in implementing requirements of Part B and Part C [20 U.S.C. § 1416 (d) (2) (A)]. The statute also includes required and optional sanctions and enforcement mechanisms based on the state's determination status [20 U.S.C. § 1416 (e)].

Five indicators[39] in the Part C and Part B SPP/APRs are related specifically to the promotion of positive outcomes for infants, toddlers, children and youth with disabilities. The Part C Indicator 3 requires states to report the percentage of infants and toddlers with IFSPs who demonstrate improved (1) positive social-emotional skills, (2) acquisition and use of knowledge and skills, and (3) use of appropriate behaviors to meet their needs. The Part B Indicators 1 and 2 require the reporting of the percentage of youth with IEPs graduating from high school (Indicator 1) and dropping out of high school (Indicator 2). The Part B Indicator 3 requires a report of the participation and performance of children with disabilities on statewide assessments. The Part B Indicator 7 requires states to report on the percentage of preschool children with IEPs who demonstrate improved (1) positive social-emotional skills, (2) acquisition and use of knowledge and skills, and (3) use of appropriate behaviors to meet their needs.

## Findings on Developmental and Academic Standards

The IDEA-NAIS collected data from state Part C early intervention program coordinators, Part B preschool-age and Part B special education program coordinators for children and youth, as well as Part B special education program administrators in LEAs, to determine how state developmental and academic standards were being used in early intervention and special education programs and the

[39] Please see http:/www2.ed.gov/policy/speced/guid/idea/capr/2010/b2-1820-0578cmeataleexp113012.pdf for the full text of the Part C indicators. For the full text of Part B indicators, please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf.

types of supports provided to personnel regarding the implementation and alignment of IEP goals with state standards.

### More than Half of States Have Early Learning Guidelines for Infants and Toddlers and Nearly All States Have Early Learning Standards for Preschool-Age Children

The IDEA-NAIS assessed the presence and components of early learning guidelines for infants and toddlers and early learning standards for preschool-age children. The IDEA-NAIS provided definitions of early learning guidelines and early learning standards which were not specific to children with disabilities. The IDEA-NAIS defined early learning guidelines as guidelines that describe expectations for young children's learning and development. Early learning standards were defined as describing expectations for children's learning and development prior to kindergarten.

More than half of states have early learning guidelines for infants and toddlers according to Part C early intervention program coordinators, and almost all states have early learning standards for preschool-age children according to Part B preschool-age special education program coordinators. Specifically, 32 Part C program coordinators indicated that their state has early learning guidelines for infants and toddlers, while 48 Part B program coordinators reported their state has early learning standards for preschool-age children (Exhibit 4.1). The agency most often named as being involved in releasing early learning guidelines for infants and toddlers is the education agency (23 of 32 states; Exhibit 4.2). The SEA and at least one other agency were reported to be involved in the release of early learning guidelines in 13 states (see Appendix E, Exhibit E.25).[40]

[40] The IDEA-NAIS did not ask Part B program coordinators what agency was involved in the release of early learning standards.

**Exhibit 4.1: State Early Learning Guidelines for Infants and Toddlers and Standards for Preschool-Age Children (Fiscal Year 2009 and School Year 2008–2009)**

| | For Infants and Toddlers Birth through Age 2 | | For Preschool-Age Children | |
|---|---|---|---|---|
| | Yes | | Yes | |
| | N | % | N | % |
| State has early learning guidelines/standards | 32 | 62.75 | 48 | 94.12 |
| **Among states with guidelines, domains covered:** | | | | |
| Social/emotional | 31 | 100.00 | 46 | 95.83 |
| Communication/language | 31 | 100.00 | 44 | 91.67 |
| Physical/health | 30 | 96.77 | 44 | 91.67 |
| Cognitive | 30 | 96.77 | 40 | 83.33 |
| Approaches to learning | 26 | 83.87 | 37 | 77.08 |
| Other | 5 | 16.13 | 22 | 45.83 |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators reported their state has early learning guidelines for infants and toddlers. Among states with early learning guidelines for infants and toddlers ages birth through age 2, 31 Part C program coordinators (100 percent) reported the early learning guidelines cover the social/emotional domain.

For Part C respondent regarding states having early learning guidelines, N = 51; for domains covered, N = 31.

For Part B respondents, regarding states having early learning standards, N = 51; for domains covered, N = 48.

**Exhibit 4.2**: **State Agency Involved in the Release of Early Learning Guidelines for Infants and Toddlers (Fiscal Year 2009)**

| | Yes | |
|---|---|---|
| | N | % |
| State has general early learning guidelines | 32 | 62.75 |
| **Among states with early learning guidelines, the agency or agencies that released the early learning guidelines:** | | |
| Education | 23 | 74.19 |
| Child care | 14 | 45.16 |
| Human services | 9 | 29.03 |
| Head Start/Early Head Start | 8 | 25.81 |
| Health | 5 | 16.13 |
| Social services | 5 | 16.13 |
| Developmental disabilities | 2 | 6.45 |
| Mental health | 1 | 3.23 |
| Other | 5 | 16.13 |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators (63 percent) reported their state has general early learning guidelines for infants and toddlers ages birth through 2 years. Among states with early learning guidelines, 23 Part C program coordinators (74 percent) reported the education agency is involved in the release of early learning guidelines.

For early learning guidelines, N = 51; for agency releasing early learning guidelines, N = 31.

### Five Domains Are Commonly Addressed in Early Learning Guideline/Standards

The IDEA-NAIS focused on five content domains in either early learning guidelines or early learning standards: (1) physical/health; (2) cognitive; (3) approaches to learning; (4) social/emotional; and (5) communication/language. Respondents could also indicate other content domains addressed by the early learning guidelines or early learning standards in their state.

Thirty-two Part C early intervention program coordinators reported their state has early learning guidelines for infants and toddlers (Exhibit 4.1). Thirty-one of these Part C program coordinators reported that the social/emotional and communication/language domains are included their state's early learning guidelines. Thirty Part C program coordinators reported the inclusion of the physical/health and cognitive domains, with fewer Part C program coordinators (26) reporting the inclusion of approaches to learning. Twenty-five Part C program coordinators reported the inclusion of all five domains in their state's early learning guidelines (Appendix E, Exhibit E.26).

Forty-eight Part B preschool-age special education program coordinators reported their state has early learning standards for preschool-age children (Exhibit 4.1). Forty-six of these Part B preschool-age special education program coordinators reported that the social/emotional domain is included in their state's early learning standards. Forty-four of these Part B preschool-age special education program coordinators reported the communication/language and physical/health domains are addressed in their state's early learning standards. Twenty-two Part B preschool-age special education program coordinators indicated their state's early learning standards address an additional domain (other).

Eleven of these Part B preschool-age special education program coordinators reported their state also has early learning standards in math and science.

### Mandated or Suggested Standards-Based IEPs Are More Common in Special Education than Early Intervention

The inclusion of measurable goals related to early learning guidelines, early learning standards, or regular K–12 education standards in IFSPs/IEPs represents a departure from the traditional approach in special education, which starts with a focus on the strengths and weaknesses of the child, unrelated to a specific academic area (Ahearn 2006). The federal legislation does not use or define the term "standards-based IFSP/IEP"; however, it is used in practice. The National Center on Educational Outcomes provides two definitions: (1) an IEP developed with the state content standards in mind or (2) an IEP which defines services, supports or specialized instruction a child or youth requires to make progress in the standards-based general education curriculum (National Center on Educational Outcomes 2009). The 2004 IDEA legislation requires the federal government to provide IFSP and IEP models but does not specify whether states or districts need to provide mandatory or suggested standards-based IFSPs/IEPs [20 U.S.C. § 1417(a)(e)]. Given the increased focus on writing goals related to states' standards and providing related services to enable students to make progress in a standards-based general education curriculum, the IDEA-NAIS assessed the provision of mandatory or suggested IFSPs/IEPs.

Among the 32 states whose Part C early intervention program coordinator indicated the state has early learning guidelines, 5 had a mandated or suggested standards-based IFSP for infants and toddlers for fiscal year 2009 (Exhibit 4.3). Two of the five states with a mandated or suggested standards-based IFSP had formal policies in place regarding the alignment of the provision of Part C program services with the early learning guidelines (see Appendix E, Exhibit E.27).

**Exhibit 4.3: State Use of Standards-Based IFSPs for Infants and Toddlers (Fiscal Year 2009)**

| | States | |
|---|---|---|
| | N | % |
| State has general early learning guidelines | 32 | 62.75 |
| **Among states with early learning guidelines, state guidance regarding standards-based IFSPs** | | |
| State provides neither a mandated nor suggested IFSP | 27 | 84.38 |
| State provides either a mandated or suggested IFSP | 5 | 15.62 |
| Total | 32 | 100.00 |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators (63 percent) reported that their state has early learning guidelines. In states with early learning guidelines, 27 Part C program coordinators (85 percent) have neither a mandated nor a suggested standards-based IFSP for infants and toddlers ages birth through age 2.

For early learning guidelines, N = 51; for provision of standards-based IFSP, N = 32.

For preschool-age children with disabilities, 23 states had a mandated or suggested IEP for the 2008–2009 school year (Exhibit 4.4). Ten of the 23 Part B preschool-age special education program coordinators in states with a mandated or suggested IEP reported their state also had formal written policies regarding the development and use of standards-based IEPs for preschool-age children with disabilities (Appendix E, Exhibit E.28). Twenty-seven states had a mandated or suggested standards-

based IEPs for children and youth for the 2008–2009 school year (Exhibit 4.4). Fifteen of the 27[41] Part B special education program coordinators who reported the provision of a mandated or suggested standards-based IEP reported their state had formal written policies regarding the development and use of standards-based IEPs (Appendix E, Exhibit E.28).

[41] One of the 27 state Part B special education program coordinators who reported their SEA had provided a mandated or suggested standards-based IEP did not answer the NAIS item regarding the provision of formal written policy.

**Exhibit 4.4: Requirements for Use of Standards-Based IEPs for Preschool-Age Children and Children and Youth (School Year 2008–2009)**

| | Preschool-Age Children | | | Children and Youth | | |
|---|---|---|---|---|---|---|
| | States | | | States | | |
| | N | % | States responding yes | N | % | States responding yes |
| SEA provides neither a mandated nor suggested IEP | 28 | 54.90 | AR, CA, CT, DC, DE, FL, GA, KS, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NV, OK, OR, PA, SD, TN, TX, UT, WA | 23 | 46.00 | AR, CA, DC, DE, FL, KS, MA, ME, MN, MO, MT, NE, NH, NJ, NV, NY, OH, OR, SD, UT, WA, WI, WY |
| SEA provides a suggested IEP | 17 | 33.33 | AK, CO, ID, IL, IN, KY, LA, NE, NM, NY, OH, RI, SC, VA, VT, WI, WV | 19 | 38.00 | AL, AZ, CO, CT, GA, IL, IN, MD, MI, MS, NC, ND, NM, OK, PA, RI, TX, VA, VT |
| SEA provides a mandated IEP | 6 | 11.76 | AL, AZ, HI, IA, MA, WY | 7 | 14.00 | HI, IA, ID, KY, LA, SC, TN |
| SEA provides both a mandated and suggested IEP | 0 | 0.00 | | 1 | 2.00 | AK |
| Total | 51 | 100.00 | | 50 | 100.00 | |

EXHIBIT READS: Twenty-eight Part B preschool-age special education program coordinators (55 percent) reported that their state provides neither a mandated nor a suggested IEP for preschool-age children. Twenty-three SEAs (46 percent) reported that they provide neither a mandated nor suggested IEP for children and youth.

For Part B preschool-age respondents, N = 51; for Part B respondents, N = 50.

### Training and Professional Development on Standards-Based IEPs for Children and Youth Is Offered by More States than Training on Standards-Based IEPs/IFSPs for Preschool-Age Children and Infants and Toddlers

Training on standards-based IFSPs is provided in eight states for personnel working with infants and toddlers. In 16 states, training on the development of standards-based IEPs for preschool-age children with disabilities is provided. Training on standards-based IEPs for children and youth is provided in 36 states.

The most common topics across states in the training or professional development provided on the development of standards-based IFSPs for infants and toddlers and IEPs for preschool-age children are linking assessment to instruction (addressed by 100 percent of the states that provide training or professional development on standards-based IFSPs for infants and toddlers and in 88 percent of the states that provide training or professional development on standards-based IEPs for preschool-age children; Exhibits 4.6 and 4.7) and assessment of child performance/skills (addressed by 75 percent of the states that provide training or professional development on standards-based IFSPs for infants and toddlers and 88 percent of the states that provide training or professional development on standards-based IEPs for preschool-age children; Exhibits 4.6 and 4.7). The most common topics across states that provide training or professional development on the development of standards-based IEPs for children and youth are assessment of student performance (addressed by 86 percent of the SEAs that provide training or professional development on standards-based IEPs; Exhibit 4.8) and assessment of children's current skills (addressed by 86 percent of the SEAs that provide training or professional development on standards-based IEPs; Exhibit 4.8).

All eight states that provide training or professional development on standards-based IFSPs target Part C early intervention program providers, while seven of those states also target Part C program service coordinators and administrators (Exhibit 4.5). The most common audience among staff targeted for the training or professional development offered by states on the development of standards-based IEPs for children and youth is special education staff. Special education staff is targeted in 45 states (88 percent) that provide training on standards-based IEPs for preschool-age children and in all 36 states (100 percent) that provide training or professional development on standards-based IEPs for children and youth (Exhibit 4.9, Appendix E, Exhibit E.9).

**Exhibit 4.5: Target Audience for State Agency Training or Professional Development on Alignment of Early Learning Guidelines and Early Intervention Services, for Infants and Toddlers (Fiscal Years 2008 and 2009)**

| | States | |
|---|---|---|
| | N | % |
| State agency provided any training/professional development | 8 | 25.00 |
| **Among states that provided training/professional development, target audience:** | | |
| Part C early intervention providers | 8 | 100.00 |
| Service coordinators | 7 | 87.50 |
| Administrators | 7 | 87.50 |
| Other | 3 | 37.50 |

EXHIBIT READS: Among 32 states that have early learning guidelines for infants and toddlers, eight Part C early intervention program coordinators (25 percent) reported the state provide training or professional development on the alignment of early learning guidelines and the provision of Part C program services. Among states that have early learning guidelines for infants and toddlers and provide training or professional development related to the early learning guidelines, eight Part C program coordinators (100 percent) indicated states target Part C program providers for training and professional development.

For provision of training/professional development, N = 32; for target audience, N = 8.

**Exhibit 4.6: Topics Covered by Professional Development on Standards-Based IFSPs for Infants and Toddlers (Fiscal Year 2008 or 2009)**

| | States | |
|---|---|---|
| | N | % |
| State provided training or professional development on standards-based IFSPs | 8 | 25.00 |
| **Among states providing training or professional development related to standards-based IFSPs, covered topics were:** | | |
| Linking assessment to instruction | 8 | 100.00 |
| Assessment of student/child current performance/skills | 6 | 75.00 |
| Developing standards-based goals | 3 | 37.50 |
| Other | 3 | 37.50 |

EXHIBIT READS: Among the 32 states with early learning guidelines, eight Part C early intervention program coordinators (25 percent) reported their state provides training or professional development on standards-based IFSPs. Among the eight Part C program coordinators reporting their state provides training or professional development on standards-based IFSPs, eight (100 percent) reported the professional development addresses linking assessment to instruction as a covered topic.

For provision of training/professional development, N = 32; for topics covered, N = 8.

**Exhibit 4.7: Topics Covered by the Professional Development on Standards-Based IEPs for Preschool-Age Children (School Year 2007–2008 or 2008–2009)**

| | States | |
|---|---|---|
| | N | % |
| State provided training or professional development on standards-based IEPs | 16 | 31.37 |
| **Among states providing training or professional development related to standards-based IEPs, covered topics were:** | | |
| Linking assessment to instruction | 14 | 87.50 |
| Assessment of children's current skills | 14 | 87.50 |
| Developing standards-based goals for cognitive skills | 11 | 68.75 |
| Developing standards-based goals for social/emotional learning | 11 | 68.75 |
| Developing standards-based goals for communication, learning skills | 11 | 68.75 |
| Developing standards-based goals for physical/health | 10 | 62.50 |
| Developing standards-based goals for approaches to learning | 10 | 62.50 |
| Other | 4 | 25.00 |

EXHIBIT READS: Among the 16 states (32 percent) reported to provide training or professional development on standards-based IEPs for the preschool-age population, 14 (88 percent) Part B preschool-age special education program coordinators indicated the state professional development covers the topic of linking assessment to instruction.

For providing training or professional development, N = 51; for topics covered, N = 16.

**Exhibit 4.8: Topics Covered by the Professional Development on Standards-Based IEPs for Children and Youth (School Year 2007–2008 or 2008–2009)**

| | States | |
|---|---|---|
| | N | % |
| SEA provided training or professional development on standards-based IEPs | 36 | 70.59 |
| **Among SEAs providing training or professional development related to standards-based IEPs, covered topics were:** | | |
| Assessment of student's current performance | 31 | 86.11 |
| Use of instructional strategies, supports, and accommodations necessary for students with disabilities to achieve standards-based goals | 31 | 86.11 |
| Developing standards-based goals for academic content areas | 30 | 83.33 |
| Use of testing accommodations | 29 | 80.56 |
| Developing standards-based goals for academic achievement | 28 | 77.78 |
| Other | 1 | 2.78 |

EXHIBIT READS: Among the 36 SEAs (71 percent) reported by the Part B special education program coordinator to provide training or professional development on standards-based IEPs for children and youth, 31 (86 percent) were reported to cover the topic of assessment of student's current performance.

For provision of training or professional development, N = 51; for topics covered, N = 36.

**Exhibit 4.9: Percentage of States Providing Training or Professional Development on Standards-Based IEPs for Preschool-Age Children and Children and Youth Targeting Specific Audiences (School Years 2007–2008 and 2008–2009)**

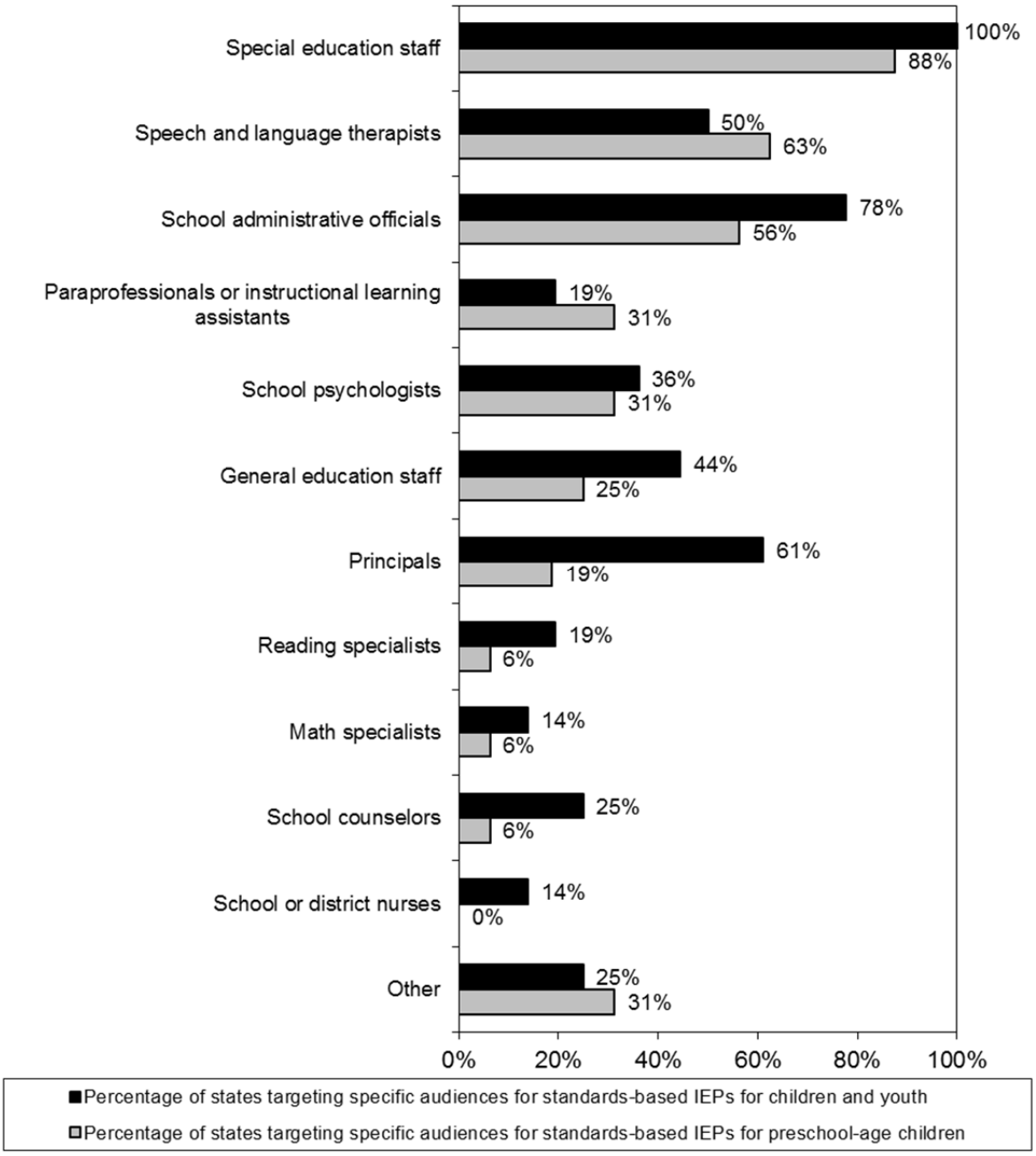


EXHIBIT READS: Eighty-eight percent of Part B preschool-age special education program coordinators reported their state provides special education staff with training or professional development on the development of standards-based IEPs. All Part B special education program coordinators reported their SEA provides training or professional development on the development of standards-based IEPs to special education staff.

For Part B preschool-age special education program respondents, regarding provision of professional development or training, N = 51; for the specific audience targeted, N = 16.

For Part B special education program respondents, regarding provision of professional development or training, N = 51; for the specific audience targeted, N = 36.

### More than One Third of Districts Provide Policies or Training on the Development of Standards-Based IEPs

School districts may provide policy and training or professional development on the development of standards-based IEPs. More than a third of districts (39 percent) have such policies (Exhibit 4.10). Nearly all (89 percent) of districts with formal written policies provide some training or professional development on the development of standards-based IEPs.

**Exhibit 4.10: District Policies on Standards-Based IEPs (School Year 2007–2008 and 2008–2009)**

| | Districts |
|---|---|
| | % |
| District has formal written policies regarding the development of standards-based IEPs | 38.74 |
| Among districts with formal written policies regarding the development of standards-based IEPs, district personnel received some training or professional development on the development of standards-based IEPs | 89.14 |

EXHIBIT READS: The percentage of district Part B special education program administrators who reported having formal written policies regarding the development of standards-based IEPs is 39. The percentage of district Part B program administrators who reported having formal written policies regarding the development of standards-based IEPs and also provide training or professional development on the development of standards-based IEPs is 89.

For districts having formal written policies regarding the development of standards-based IEPs, N = 1,145. For training or professional development on the development of standards-based IEPs, N = 512.

## Qualified Staff

The 2004 IDEA reauthorization states that supporting high quality, intensive pre-service preparation and professional development for all staff who work with children with disabilities is required to ensure that such staff have the skills and knowledge necessary to improve the academic achievement and functional performance of children with disabilities [P.L. 108-446 § 601(c)(E)]. The second component of positive educational outcomes for children and youth with disabilities examined in the IDEA-NAIS is new requirements included in the 2004 Amendments to IDEA related to qualified staff.

The provision of early intervention services and special education and related services to infants and toddlers and children and youth with disabilities involves a range of staff. Below, the study team discusses requirements for staff in the Part C early intervention program and the Part B special education programs.

### Federal Requirements Related to IDEA Part C Early Intervention Program Qualified Personnel

The IDEA legislation requires early intervention services be provided by "qualified personnel" and includes a non-exhaustive list of the types of personnel that may provide Part C early intervention program services. The 2004 IDEA reauthorization added the following additional examples to the list of qualified personnel: "registered dietitians" as opposed to "nutritionists," and vision specialists. Other qualified personnel identified in the list include: special educators, audiologists, therapists

specializing in speech-language, occupational, physical, or family therapy, psychologists, social workers, vision specialists, nurses, pediatricians and other physicians and orientation and mobility specialists.

The IDEA Part C early intervention program legislation requires that personnel be "appropriately and adequately prepared and trained" to provide Part C program services [20 U.S.C. § 1435(a)(9)]. States are required to have "qualifications that are consistent with any State-approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which such personnel are providing early intervention services" for professional personnel. The 2004 reauthorization removed the requirement that each state ensure that such qualified personnel providing Part C program services meet the "highest" state licensure for such personnel. Each state determines the particular requirements for certification, licensing or registration for professional personnel providing early intervention services. Additionally, states using paraprofessionals and assistants must allow for paraprofessionals and assistants who are "appropriately trained and supervised in accordance with State law, regulations, or written policy" to assist in the provision of services [20 U.S.C. § 1435(a)(9)]. There is no federal requirement that Part C program personnel—including Part C program special educators—have a college degree, unlike the requirement for Part B program special education teachers.

### Federal Requirements Related to Part B Special Education Program Qualified Staff

Four categories of staff are involved in the provision of preschool and elementary and secondary school education services: special education teachers, related service personnel, paraprofessionals and assistants [P.L. 108-446 § 612(a)(14)]. Preschool teachers working in elementary or secondary school settings must meet highly qualified criteria. Preschool teachers working in settings that are not in elementary or secondary schools do not need to meet the highly qualified criteria. This section first addresses the development of standards for qualified special education teachers and then the development of standards for qualified related personnel including paraprofessionals and assistants.

#### *Requirements for Special Education Teachers*

Part B special education program education services are provided by special education teachers. The requirements an individual special education teacher in an elementary or secondary school must meet to be determined qualified changed from the 1997 IDEA legislation to the 2004 IDEA legislation to reflect similar changes for general education teachers. The 1997 IDEA legislation required all preschool, elementary and secondary special education and related services personnel, including teachers be "appropriately and adequately prepared and trained" [P.L. 105-17 § 612(a)(15)(A)]. States were required to establish and maintain standards which were "consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services" [P.L. 105-17 § 612(a)(15)(A)(B)(i)]. States were able to adopt a policy providing a three-year timeframe for the most qualified individuals making "satisfactory progress" toward meeting the state requirements in geographic areas with shortages [P.L. 105-17 § 612(a)(15)(C)].

The 2004 IDEA legislation includes more specific language and requirements than the 1997 IDEA legislation. First, qualifications for preschool, elementary and secondary special education teachers must include "content knowledge and skills to serve children with disabilities" [20 U.S.C. § 1412(a)(14)(A)]. Second, special education teachers in elementary and secondary schools are required

to meet the ESEA definition of "highly qualified" as provided in 20 U.S.C. § 6319(a)(2) with slight modifications [20 U.S.C. §1412(a)(14)(C)]. Specifically, IDEA requires that all special education teachers in public elementary and secondary schools and related programs (such as early childhood or preschool programs under the management of an LEA) be "highly qualified" special education teachers. The 2004 legislation uses the ESEA definition of "highly qualified" (34 C.F.R. § 300.18(a); 34 C.F.R. § 200.56) but includes a number of modifications for special education teachers. Both the IDEA and ESEA regulations state that a teacher who is highly qualified under IDEA shall be considered highly qualified for purposes of the ESEA [34 C.F.R. § 200.56(d); 34 C.F.R. § 300.18(g)].

The ESEA requires that to be "highly qualified" a teacher must: (1) have a bachelor's degree, (2) have full state certification or licensure and (3) demonstrate subject-matter knowledge for the subjects they teach. Middle and high school teachers are able to demonstrate competency in their subject in any one of six ways: (1) having a major in the subject, (2) earning credits equal to a major in the subject, (3) passing the state content test, (4) meeting a state's High Objective Uniform State Standards of Evaluation[42] (HOUSSE) requirements, if a current teacher, (5) earning an advanced certificate in the subject from the state, or (6) having a graduate degree in the subject (34 C.F.R. § 200.56). States have discretion in certification or licensing requirements and the particular subject-matter test and required scores. States have received federal guidance on the requirements for new special education teachers [34 C.F.R. §300.18(a) through (d) and (g)(2)]; however, states vary in the credentials they require, the specific tests teachers are required to pass, and, in cases where states require the same test, in minimum passing scores.

Similar to the ESEA, the 2004 IDEA legislation included separate requirements for new and veteran special education teachers. Designation of a new elementary or secondary school special education teacher as a highly qualified special education teacher requires individuals to meet the ESEA requirements with several exceptions. As is the case under the ESEA, the IDEA requires that special education teachers have full state certification as a special education teacher or must have passed the state special education teacher licensing examination. They may not have any element of the certification or licensure requirements waived on an emergency, temporary or provisional basis [20 U.S.C. § 1401(10)(B)(11)]. The first distinction from the ESEA rules is that elementary, middle and secondary special education teachers teaching core academic subjects exclusively to students who are assessed against alternate academic achievement standards may meet either the highly qualified teacher requirements for the appropriate grade span they are teaching (elementary, middle or secondary) or the highly qualified teacher requirements for the grade span in which their students are assessed [34 C.F.R. § 300.18 (c)]. For example, a secondary school special education teacher whose students are all assessed at the elementary level may be deemed highly qualified by meeting the requirements for either elementary or secondary school. Another modification of the ESEA rules is that new special education teachers teaching more than one core academic area may be deemed highly qualified if they meet the highly qualified requirements for one core academic area and meet the HOUSSE requirements for the other area(s) within two years [34 C.F.R. § 300.18(d)]. Finally, ED has clarified that states may develop separate HOUSSE standards for special education teachers and may include single HOUSSE evaluations that cover multiple subjects [34 C.F.R. § 300.18(e)].

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[42] ESEA allows states to develop an additional way for current teachers to demonstrate subject-matter competency and meet highly qualified teacher requirements known as HOUSSE. Demonstration of competency may consist of a combination of teaching experience, professional development and knowledge in the subject garnered over time in the profession [20 U.S.C §7801 (23)].

By the 2005–2006 school year, all veteran special education teachers (usually defined as teaching special education one or more years) who taught core academic subjects were required under the 2004 IDEA legislation either to: 1) pass a rigorous state academic test in subjects taught, 2) complete an undergraduate academic major in subjects taught, 3) complete a graduate degree in subjects taught, 4) complete coursework equivalent to an undergraduate academic major, advance certification or credentialing, or 5) complete a state's HOUSSE procedures (34 C.F.R. § 300.18). States have flexibility in developing their HOUSSE requirements provided that the requirements: address both grade-appropriate academic subject-matter knowledge and teaching skills; are aligned with challenging state academic content and student academic achievement standards; provide objective, coherent information about a teacher's attainment of core content knowledge in the academic subjects in which the teacher teaches; are applied uniformly to all teachers in the same academic subject and teaching in the same grade level throughout the states; and take into consideration the time the teacher has been teaching in the academic subject [ESEA § 9101 (23)(c)(ii)].

***Requirements for Related Service Providers, Paraprofessionals and Assistants***

Federal requirements regarding Part B special education related service providers stipulate that qualified staff must meet qualifications consistent with state-approved or state-recognized certification, licensure, registration or comparable requirements for their specific discipline [P.L. 105-17 § 612(a)(15)(B)(i)]. The 2004 legislation added language that the related service provider may not have a waiver for any requirement for emergency, temporary or provisional reasons [20 U.S.C. § 1412(a)(14)(B)(ii)]. States must allow paraprofessionals and assistants, when "appropriately trained and supervised, in accordance with State law, regulations or written policy" to assist in the provision of services to preschool- and school-age children and youth with disabilities [20 U.S.C. § 1412(a)(14)(B)(iii)].

### Federal Technical Assistance and Monitoring Related to Qualified Staff

OSEP currently funds a number of technical assistance centers to promote the emphasis on qualified staff. These centers include the National Center to Improve Recruitment and Retention of Qualified Personnel for Children with Disabilities, which was established in 2008; the National Center to Inform Policy and Practice in Special Education Professional Development, which was established in 2007; and the National Comprehensive Center for Teacher Quality, which was jointly funded by the Office of Elementary and Secondary Education (OESE) and OSEP in 2005. Under IDEA Part D, OSEP also provides funds to assist SEAs in reforming and improving their systems for personnel preparation and professional development in early intervention and educational and transition services, in order to improve results for children with disabilities. This includes State Professional Development Grants (SPDGs) and State Improvement Grants (SIGs).

States are required to report the total number of personnel by job category and the number of personnel who are "qualified" to the Data Accountability Center (DAC). States report separately for the Part C early intervention program and the Part B special education program. The most recent available Part C program data are from 2002—predating the 2004 IDEA reauthorization which is the focus of the IDEA-NAIS—and do not report on qualified personnel; those earlier data are not included in this report. The Part B program data are from 2006 and are included in this report.

## Findings on Qualified Staff

This section examines activities of early intervention and special education agencies and LEAs with regard to qualified staff. The study team uses the term "staff" to be fully inclusive of teachers, professionals in other fields, paraprofessionals and assistants. The term "personnel" is used for the Part C early intervention program staff, as federal legislation does not differentiate between teachers, related service providers or paraprofessionals. The term "teacher" is used for individuals providing instruction in the public elementary and secondary schools—or those individuals who are required to be determined as "highly qualified teachers." This includes early childhood and preschool teachers in states that provide early childhood or preschool programs as part of the state's elementary and secondary school system (34 C.F.R. § 300.18; Office of Special Education Programs 2007b). The IDEA-NAIS data collection included items for the Part C program coordinator which asked about "special educators" to represent Part C program educators, a particular category of Part C program personnel [20 U.S.C. § 1432(4)(F)].

First, the study team presents findings related to the percentage of qualified staff—specifically, special education program staff (teachers, related service providers, and paraprofessionals).[43] Second, the study team presents IDEA-NAIS data regarding early intervention program licensing and regulations required for qualified personnel, then the special education program licensing and regulations for teachers and other personnel. Third, the study team discusses the findings related both to new and veteran special education teachers working in the Part B program. The final section presents district findings regarding positions which are difficult to fill with qualified staff and the strategies or incentives districts use to fill those positions.

**Nationally, almost 90 Percent of Special Education Teachers for Preschool-Age Children with Disabilities and School-Age Children and Youth with Disabilities Are Highly Qualified and over 80 Percent of Paraprofessionals Are Qualified. However, There Is Substantial Variation across States in the Percentage of Both Qualified Teachers and Qualified Paraprofessionals.**

Fall 2006[44] state data indicate that 88 percent of special education teachers for preschool-age children and 89 percent of special education teachers for school-age children meet the highly qualified teacher provisions of IDEA and ESEA (Appendix E, Exhibit E.29). States range in the percentage of highly qualified special education teachers for preschool-age children from a low of 56 percent of teachers in the state to a high of 100 percent of teachers in the state. For special education teachers for school-age children, states range from a low of 46 percent of teachers in the state to a high of 100 percent of teachers in the state (Appendix E, Exhibit E.29).

National data from Fall 2006 regarding the percentage of paraprofessionals who are qualified indicate that 84 percent of paraprofessionals for preschool-age children are qualified and 87 percent of paraprofessionals for school-age children are qualified (Appendix E, Exhibit E.30). States range in

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[43] Part C program staff data are not presented for two reasons: (1) data are no longer collected and the most recent data available are from 2002; and (2) the data do not enable reporting of the percentage qualified.

[44] The IDEA-NAIS did not collect data on the number of qualified personnel as these data are publicly available from the Data Accountability Center (DAC). The most recent data available from the DAC regarding personnel qualifications are from Fall 2006, which are reported here although that is not one of the focal years of the IDEA-NAIS. The Part C program data are not reported as the most recent data are from Fall 2002 and report only the number of personnel, not the number of qualified personnel.

the percentage of qualified paraprofessionals for preschool-age children from a low of 3 percent in the state to a high of 100 percent in the state (Appendix E, Exhibit E.30). The percentage of qualified paraprofessionals providing services to school-age children and youth ranges from a low of 1 percent in the state to a high of 100 percent in the state (Appendix E, Exhibit E.30).

Data from each of the 50 states and Washington, D.C. regarding the number of related service providers and number of certified related service providers in the fall of 2006 are available from the Data Accountability Center (Exhibit 4.11). Nationally, the percentage of certified related service providers across 11 certified categories ranges from a low of 85 percent of interpreters to a high of 98 percent of psychologists. States vary in the percentage of certified related service providers for each category.

**Exhibit 4.11: Percentage of Certified Related Service Professionals Serving School-Age Children and Youth by Profession (Fall 2006)**

| | Average | Minimum | Maximum |
|---|---|---|---|
| Psychologists | 97.99 | 89.55 | 100.00 |
| Counselors and rehabilitation | 96.70 | 76.67 | 100.00 |
| Medical/nursing staff | 96.09 | 56.36 | 100.00 |
| Social workers | 95.89 | 60.00 | 100.00 |
| Physical education teachers and recreation and therapeutic recreation specialists | 95.05 | 57.89 | 100.00 |
| Speech-language pathologists | 94.35 | 0.00 | 100.00 |
| Occupational therapists | 93.86 | 0.00 | 100.00 |
| Audiologists | 93.32 | 0.00 | 100.00 |
| Physical therapists | 92.53 | 0.00 | 100.00 |
| Orientation and mobility specialists | 91.01 | 0.00 | 100.00 |
| Interpreters | 84.96 | 0.00 | 100.00 |

EXHIBIT READS: Nationally, 98 percent of psychologists providing services to school-age children and youth served by the Part B school-age special education program are certified. States range in the percentage of certified psychologists from a low of 90 to a high of 100.

For psychologists, counselors and rehabilitation, social workers, occupational therapists, physical therapists and interpreters, N = 51.

For physical education teachers and recreation and therapeutic recreation specialists, speech-language pathologists and audiologists, N = 49.

For medical/nursing staff, N=47.

For orientation and mobility specialists, N = 46.

### Part C Early Intervention Program Special Educators Are Licensed by the SEA in 38 States and May Meet Licensing Requirements in Various Ways

Although the Part C early intervention program lead agency may be a non-education agency, in most states the SEA was reported as having responsibility for overseeing licensing and certification of special educators. The SEA is responsible for licensing Part C program special educators in 38 states (Appendix E, Exhibit E.13).

Part C early intervention program special educators are required to be licensed or certified by the state to be qualified personnel [20 U.S.C. § 1435(a)(9)]. In many states, multiple options are available for obtaining state licensure or certification for Part C program special educators. In most states (42), early intervention program special educators can qualify for licensing/certification through an undergraduate or graduate degree program (Exhibit 4.12). In one-half of the states (25), passing an exam/proficiency test also qualifies for Part C program licensing/certification. The age ranges of students for which special educator certification or credential is applicable varies across states, and is provided in Appendix E, Exhibit E.31.

**Exhibit 4.12: Certification/Licensure Requirements for Part C Early Intervention Program Special Educators (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **Requirements** | **N** | **%** |
| Undergraduate or graduate degree program | 42 | 84.00 |
| Exam/proficiency test | 25 | 50.00 |
| Coursework (not leading to a degree) | 14 | 28.00 |
| Portfolio | 13 | 26.00 |
| Other | 8 | 16.00 |

EXHIBIT READS: An undergraduate or graduate degree program is a requirement for Part C early intervention program special educators in 42 states (84 percent).

N = 50.

### It Is Most Common for SEAs to License and Certify Special Education Teachers for Preschool-Age and School-Age Children

The SEA is responsible for licensing preschool-age special education teachers in 46 states and school-age elementary and secondary school special education teachers in 43 states (Exhibit 4.13). States vary in the certification type required of preschool special education staff, which may include teachers and related service personnel, with many states allowing multiple approaches. The most common type of required certification is the early childhood special education certification (24 states, Exhibit 4.14). Twelve states each require an early childhood special certification or a blended early childhood and special education certification. An undergraduate or graduate degree program is required to meet state certification/licensure requirements for preschool special education staff (i.e., teachers, related service personnel, and paraprofessionals) in 45 states and is optional in an additional 2 states. In more than half the states (35), passing an exam/proficiency test is required (Exhibit 4.15).

**Exhibit 4.13: Agency Responsible for Licensing/Certification of Special Educators by IDEA Program Early Intervention Special Educators, Preschool Special Education Teachers and Special Education Teachers (Fiscal Year 2009 and School Year 2008–2009)**

| | Early Intervention Special Educators | | Preschool Special Education Teachers | | Special Education Teachers | |
|---|---|---|---|---|---|---|
| | States | | States | | States | |
| | N | % | N | % | N | % |
| SEA | 37 | 72.54 | 46 | 90.20 | 43 | 84.31 |
| Part C lead agency | 16 | 31.37 | — | — | — | — |
| State licensing and certification agency that is not part of the SEA (or the Part C lead agency) | 5 | 9.80 | 4 | 7.84 | 7 | 13.73 |
| Other | 3 | 5.88 | 1 | 1.96 | 1 | 1.96 |

EXHIBIT READS: Licensing and certification for Part C program special educators is overseen by the SEA in 37 states (73 percent). SEAs oversee licensing and certification of preschool special education teachers in 46 states (90 percent) and for elementary and secondary school special education teachers in 43 states (84 percent).

For Part C respondents, N = 51; for Part B preschool-age respondents, N = 51; for Part B respondents, N = 51.

**Exhibit 4.14: State Certification/Licensure Requirements for Preschool Special Education Staff (School Year 2008–2009)**

| | States | |
|---|---|---|
| **Requirements** | **N** | **%** |
| Early childhood special education certification | 24 | 47.06 |
| Blended early childhood/early childhood special education certification | 12 | 23.53 |
| Special education certification | 12 | 23.53 |
| General early childhood certification plus preschool special education add-on or endorsement | 11 | 21.57 |
| Special education certification plus preschool special education add-on or endorsement | 9 | 17.65 |
| General early childhood certification (including special education requirements) | 4 | 7.84 |
| General early childhood certification (no special education requirements) | 2 | 3.92 |
| Other | 9 | 17.65 |
| No certification/licensure required | 0 | 0.00 |
| Total | 51 | — |

EXHIBIT READS: Twenty-four Part B preschool-age special education program coordinators (47 percent) reported state certification/licensure requirements for preschool special education staff include an early childhood special education certification.

N = 51.

**Exhibit 4.15: Ways in Which Preschool Special Education Staff Qualify for Certification (School Year 2008–2009)**

| | Required | | Optional | | Not Applicable | |
|---|---|---|---|---|---|---|
| | States | | States | | States | |
| Methods | N | % | N | % | N | % |
| Undergraduate or graduate degree program | 45 | 90.00 | 2 | 4.00 | 3 | 6.00 |
| Exam/proficiency test | 35 | 70.00 | 3 | 6.00 | 12 | 24.00 |
| Coursework (not leading to a degree) | 12 | 24.00 | 5 | 10.00 | 33 | 66.00 |
| Portfolio | 6 | 12.00 | 5 | 10.00 | 39 | 78.00 |
| Other | 8 | 16.00 | 2 | 4.00 | 40 | 80.00 |

EXHIBIT READS: Forty-five Part B preschool-age special education program coordinators (90 percent) reported that their state requires an undergraduate or graduate degree program for certification of preschool special education staff. Two Part B preschool-age program coordinators (4 percent) reported that in their state an undergraduate or graduate degree program is an option requirement for certification of preschool special education staff. Three Part B preschool-age program coordinators (6 percent) reported that an undergraduate or graduate degree programs is neither required nor an optional requirement for certification of preschool special education staff.

N = 50.

### New Teacher Requirements for Special Education Teachers Vary among States

The 2004 Amendments to IDEA include requirements for new public school teachers to be designated highly qualified special education teachers. The 2004 IDEA legislation does not differentiate between preschool teachers who are employed by the public school system and elementary and secondary school teachers employed by the public school system. The 2004 IDEA legislation uses the ESEA definition of "highly qualified" (34 C.F.R. § 300.18(a); 34 C.F.R. § 200.56), which has three requirements: (1) a bachelor's degree, (2) full state certification or licensure and (3) demonstration of subject-matter knowledge for the subjects they teach. States have discretion in certification or licensure requirements, the particular subject-matter test required and minimum passing scores. The IDEA-NAIS data collection did not include items specific to new teachers as other data sources—state websites and regulations—provided state-by-state information on requirements.

A review of state regulations for a highly qualified determination for new special education teachers revealed a number of ways in which states permit the demonstration of subject-matter competency (Exhibit 4.16). The most common option permitted across states is for an individual to pass a state-specified subject-matter content test (40 states or 78 percent of states). Degrees in the content area are accepted as demonstration of subject-matter competency by 32 states or 63 percent of states. Credit hours equal to a major are accepted as demonstration of subject-matter competence in 31 states or 61 percent of states. Forty states have regulations which indicate individuals could demonstrate subject-matter competency by passing a specific content test including the Educational Testing Service (ETS) *Praxis Series: Teacher Licensure and Certification* or a non-Praxis series test could be used to demonstrate subject-matter competency (e.g., the Georgia Assessments for the Certification of Educators, or GACE).

**Exhibit 4.16: State Options for New Elementary or Secondary Teachers to Demonstrate Subject-Matter Competency for Identification as Highly Qualified Special Education Teachers**

| Overall | Total N | States | % |
|---|---|---|---|
| Specific state content test | 40 | AL, AK, AZ, AR, CA, CO, CT, DC, FL, GA, HI, ID, IL, IN, KS, KY, LA, MD, MA, MI, MN, MS, MO, NE, NV, NJ, NM, NY, ND, OR, PA, SD, TN, TX, UT, VT, VA, WV, WI, WY | 78.43 |
| Undergraduate major in content area | 32 | AL, AK, AZ, AR, CA, CO, CT, DC, GA, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, NV, NJ, NM, NY, OR, PA, SD, TN, TX, UT, VA, WY | 62.75 |
| Credit hours equal to major | 31 | AL, AK, AZ, AR, CA, CO, DC, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, MS, MT, NE, NV, NJ, NM, NY, OR, PA, TN, TX, UT, VA | 60.78 |
| Graduate degree in content area | 25 | AL, AZ, AR, CA, CT, DC, IL, IN, KY, LA, ME, MD, MA, MN, NE, NV, NM, NY, OK, OR, SD, TN, TX, UT, VA | 49.02 |
| Professional educator certificate | 10 | AL, FL, GA, IL, MD, MT, NV, NM, NY, TX | 19.61 |
| National board certification | 16 | AZ, AR, CO, DC, FL, ID, IL, ME, MD, MA, MI, NE, NJ, NM, OR, UT | 31.37 |
| HOUSSE is an option | 17 | AZ, CO, CT, IL, KS, ME, MD, MA, MO, MT, NE, NV, NJ, NY, OK, VA, WV | 33.33 |
| Other | 5 | CA, CO, MT, VT, WY | 9.80 |

EXHIBIT READS: Forty (78 percent) states accept a passing grade on a specific state content test as demonstration of subject-matter competence.

N = 51.

Systematic examination of the Praxis state-specific websites demonstrated that 40 states use at least one Educational Testing Service (ETS) *Praxis Series: Teacher Licensure and Certification* in either the licensing certification or highly qualified determination processes.[45] Each year, state agencies that use a Praxis test report to ETS on their testing policies. To explore the variation in minimum passing score on comparable tests, the study team examined the ETS-compiled state information on state-specific web pages. The compiled information does not include the distinction between tests which are specific for special education teachers and tests which are specific for general education teachers for all states. Therefore, these data could include state required scores for general education teachers, special education teachers, or both general and special education teachers

A review of the Praxis website in September 2009 identified 40 states using 63 tests in the areas of elementary education, special education and secondary school English. The particular tests required by states for certification differ as do the minimum passing scores. State-specific web pages hosted by Praxis for 38 states permit at least one of eleven Praxis tests for certification and/or determination of highly qualified status in elementary education (Exhibit 4.17). For example, 35 Praxis-provided state testing requirement pages reported the state accepts one specific test of mathematics content and

[45] See http:/www.ets.org/portal/site/ets/menuitem.fab2360b1645a1de9b3a0779f1751509/?vgnextoid=48c05ee3d74f4010VgnVCM10000022f95190RCRD&WT.ac=Praxis+Brochure+and+Front+Door.

knowledge test for elementary education certification. The *Mathematics Content Knowledge* test has a minimum possible score of 100 and a maximum possible score of 200; the minimum passing score on the test across states has a range of 33 points. Test requirement pages for 24 states indicated at least one of two tests of content knowledge are accepted for elementary school special education certification or highly qualified status. The tests have a minimum possible score of 100 and a maximum possible score of 200; there is a 16-point spread on the minimum passing score for one test (*Elementary Education: Content Knowledge*) across states, a 26-point spread on the minimum passing score for the second test (*Education of Exceptional Students: Core Content Knowledge*) across states, and some states require additional tests.

State-specific test requirements provided by Praxis indicate that 37 states[46] require one of four tests for certification or highly qualified status in English at the secondary school level (Exhibit 4.17). The most common test among states that use the Praxis tests for secondary school English is *English Language, Literature and Composition: Content Knowledge* (34 of 37 states). The test has a minimum possible score of 100 and a maximum possible score of 200; the minimum passing score on the test has a range of 30 points across states.

### Options for Veteran Special Education Teachers to Meet Highly Qualified Status

High, Objective, Uniform State Standard of Evaluation (HOUSSE) requirements are another way that states can designate highly qualified elementary and secondary special education teachers. HOUSSE requirements are provided as an option by states under the 2004 Amendments to IDEA so that veteran teachers can demonstrate competency in each subject they teach (34 C.F.R. § 300.18). New elementary and secondary school special education teachers who teach more than one core academic subject may use HOUSSE to attain the highly qualified determination in the additional core subject areas in some states.

Most states used HOUSSE subject-matter requirements for veteran special education teachers at all school levels for the 2008–2009 school year. As reported by the state respondents, 41 states use HOUSSE requirements for elementary school teachers, 44 states for middle school teachers and 45 states for high school teachers (Exhibit 4.18; Appendix E, Exhibits E.18, E.32 and E.33, respectively). Across all three school levels, the most common HOUSSE requirement is classroom experience (elementary schools 32 percent, middle schools 34 percent and high schools 36 percent; Exhibit 4.18, Appendix E, Exhibits E.18, E.32 and E.33, respectively).

[46] From Exhibit 4.18, there are 34 states which accept the *English Language, Literature and Composition: Content Knowledge* test for either certification or highly qualified status. Three other states (IN, ME, RI) accept the *Middle School English Language Arts* test for either certification or highly qualified status.

**Exhibit 4.17: Summary of Praxis Series Tests Used by States for Certification, Licensure or Highly Qualified Status in Selected Subject Matter Areas**

| Subject-Matter Area | Number of States | States | Praxis Test Number and Name | Minimum Passing Score | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Min | Max | Mean | Median | Mode |
| Elementary education | 35 | AL, AK, AR, CO, CT, DE, DC, HI, ID, IN, KS, KY, LA, ME, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, SC, SD, TN, UT, VT, VA, WV, WI, WY | 0061 Mathematics: Content Knowledge (Graphing calculator required) | 123 | 156 | 134.94 | 136 | 136 |
| Elementary education | 23 | AL, AK, CO, DE, DC, ID, IA, KY, LA, ME, MD, MN, MS, NH, NJ, OH, RI, SD, TN, UT, VT, VA, WI | 0014 Elementary Education: Content Knowledge (Calculator Allowed) | 137 | 153 | 145.04 | 145 | 143 |
| Elementary education | 22 | CT, DC, HI, ID, IN, KS, KY, LA, ME, MD, MN, MS, MO, OH, OR, PA, SC, SD, TN, UT, WV, WY | 0353 Education of Exceptional Students: Core Content Knowledge | 136 | 162 | 151.62 | 152 | 150 |
| Elementary education | 18 | AK, CT, HI, IN, IA, KS, MS, MO, NE, NV, NC, ND, PA, SC, TN, UT, WV, WY | 0011 Elementary Education: Curriculum, Instruction, and Assessment | 150 | 168 | 159.50 | 159 | 164 |
| Elementary education | 15 | HI, ID, KY, LA, ME, MN, MS, NV, ND, OH, RI, SC, TN, UT, WV | 0522 Principles of Learning and Teaching: Grades K-6 | 152 | 169 | 162.27 | 162 | 161 |
| Elementary education | 15 | AR, HI, ID, KY, LA, MN, MS, MO, OH, SC, SD, TN, UT, WV, WY | 0523 Principles of Learning and Teaching: Grades 5 – 9 | 152 | 168 | 158.73 | 159 | 157 |
| Elementary education | 9 | CT, DC, HI, MD, NV, NC, RI, SC, UT | 0012 Elementary Education: Content Area Exercises (Calculator prohibited) | 135 | 150 | 144.86 | 148 | 148 |
| Elementary education | 9 | AR, HI, LA, ME, MN, OH, SD, TN, UT | 0521 Principles of Learning and Teaching: Early Childhood | 155 | 172 | 162.89 | 160 | 172 |
| Elementary education | 6 | IN, NV, NJ, NC, OH, SC | 0200 Introduction to the Teaching of Reading | 510 | 560 | 545.00 | 550 | 560 |
| Elementary education | 3 | AK, TN, WV | 0432 General Science: Content Knowledge, Part 2 (Calculators Prohibited) | 136 | 149 | 144.67 | 149 | 149 |

| Subject-Matter Area | Number of States | States | Praxis Test Number and Name | Minimum Passing Score | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Min | Max | Mean | Median | Mode |
| Elementary education – specifically special education | 4 | MS, NC, PA, RI | 0511 Fundamental Subjects | 142 | 160 | 150.00 | 149 | NA |
| Secondary: English | 34 | AL, AK, AR, CO, CT, DE, DC, HI, ID, IL, KS, KY, LA, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, SC, SD, TN, UT, VT, VA, WV, WI, WY | 0041 English Language, Literature and Composition: Content Knowledge | 142 | 172 | 159.97 | 160 | 160 |
| Secondary: English | 31 | AL, AK, CT, DE, HI, IN, KS, KY, LA, ME, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, RI, SC, SD, TN, UT, VT, VA, WV, WY | 0049 Middle School English Language Arts | 145 | 165 | 156.13 | 156 | 160 |
| Secondary: English | 9 | AK, AR, CT, KY, NV, OR, SC, UT, VT | 0042 English Language, Literature and Composition: Essays | 145 | 160 | 155.00 | 155 | 160 |
| Secondary: English | 9 | AR, DC, HI, LA, MD, NV, NC, TN, UT | 0043 English Language, Literature and Composition: Pedagogy | 130 | 155 | 145.63 | 147.5 | 150 |

EXHIBIT READS: Eighteen states use scores from Praxis test 0011 (Elementary Education: Curriculum, Instruction, and Assessment) for certification, licensure or determination of highly qualified status. The minimum passing score among the states is 150. The maximum passing score is 168. The mean passing score is 159.50. The median passing score is 159. The modal passing score is 164.

N = 43.

**Exhibit 4.18: Elements Required in HOUSSE Certification for Current Special Education Teachers in Elementary, Middle and High Schools (School Year 2008–2009)**

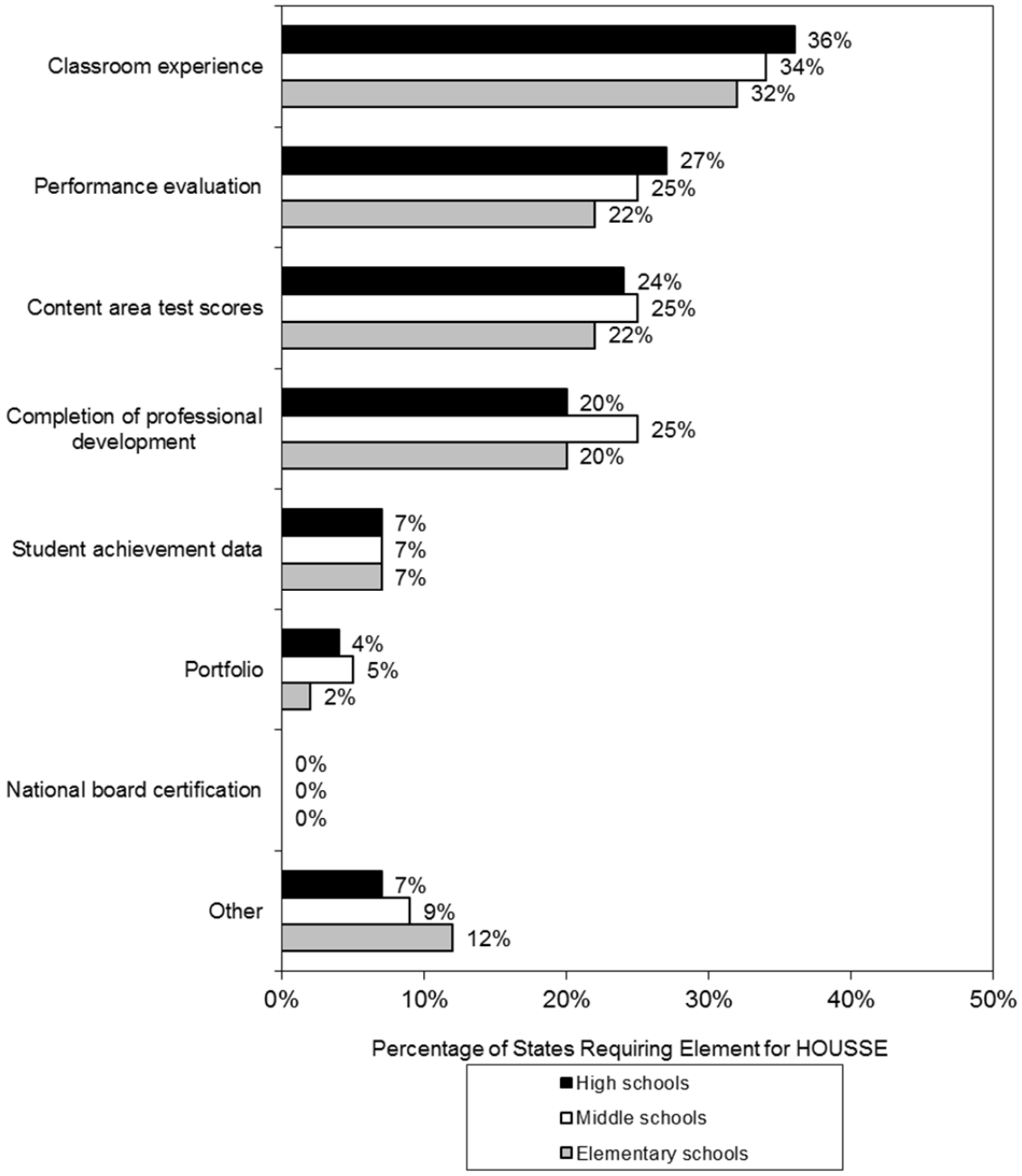


EXHIBIT READS: Among SEAs reported to allow HOUSSE by the Part B program coordinator, 32 percent require classroom experience for elementary school teachers, 34 percent require classroom experience for middle school teachers and 36 percent require classroom experience for high school teachers.

For use of HOUSSE certification, N = 51. For specific elements used in elementary schools, N = 41. For specific elements used in middle schools, N = 44. For specific elements used in high schools, N = 45.

HOUSSE requirements may also include optional elements. For example, more than 50 percent of states provide elementary school special education teachers the option of meeting HOUSSE requirements through national board certification (32 statest), completion of professional development (27 states) and/or content area test scores (24 states; Appendix E, Exhibit E.19). Secondary school teachers may also meet HOUSSE requirements through optional elements (Appendix E, Exhibits E.32 and E.33). Among states using HOUSSE for current middle school special education teachers, the most common optional element is national board certification (31 states) followed by completion of professional development including additional coursework (27 states; Appendix E, Exhibit E.32). The most common optional element for states which allow HOUSSE for current high school special education teachers is national board certification (31 states) followed by completion of professional development including additional coursework (28 states; Appendix E, Exhibit E.33).

District special education directors reported on the funded full-time-equivalent (FTE) special education positions which were either left vacant (or filled by a long-term substitute) in the 2008–2009 school year or had staff leave the position or the district (departures). Nationally, 5 percent of funded FTE positions for special education teachers of preschool-age children were vacant in the 2008–2009 school year (Exhibit 4.19). Eleven percent of funded FTE positions for preschool special education teachers had the staff person leave either special education or the district. Five percent of funded FTEs of special education teachers for school-age children and youth FTEs were left vacant in the 2008–2009 school year. Twelve percent of funded FTE positions for school-age special education teachers had the staff person leave either special education or the district.

**Exhibit 4.19: National Estimates of the Percentage of Funded Full-Time Equivalent Vacancies or Departures (School Year 2008–2009)**

| | Special Education Teachers for Preschool-Age Children | | Special Education Teachers for School-Age Children | |
|---|---|---|---|---|
| **Implementation** | **Vacancies** | **Departures** | **Vacancies** | **Departures** |
| Full-time equivalent (FTE) positions | 5.29 | 10.94 | 5.21 | 12.53 |

EXHIBIT READS: Of the 829 Districts that reported the number of FTE funded positions and number of FTE positions left vacant for ages 3 through 5, the average percentage of funded positions that were vacant is 5 percent.

Special education teachers for preschool-age, vacancies N = 829; departures N = 816.

Special education teachers for school-age, vacancies N = 1,092; departures N = 1,076.

### Districts Have Difficulty Finding Qualified Secondary School Special Education Applicants Particularly in Mathematics

About half of the district Part B special education program administrators (51 percent; Exhibit 4.20; Appendix E, Exhibit E.20) reported their district routinely had difficulty finding qualified special education applicants over the past three years. This is consistent with previous research (McLeskey, Tyler and Flippin 2004). Among the districts indicating that qualified applicants have been difficult to find, more than half reported having difficulty over the prior three school years finding qualified special education teachers who serve children in high school (58 percent; Exhibit 4.20; Appendix E, Exhibit E.20). At the high school level, qualified mathematics and science special education teachers

were reported as difficult for districts to find (mathematics 49 percent; science 38 percent of districts with shortages). Qualified special education teachers who serve children in middle school were reported as difficult to find in just under half the districts with shortages (49 percent of districts with shortages).

### Finding Qualified Teachers to Work with Children and Youth with Emotional Disturbances or Behavioral Disorders Is Also Difficult for Districts

Also among the districts indicating that qualified applicants have been difficult to find, more than half reported difficulty in finding qualified teachers who primarily serve children with emotional disturbance/behavior disorders (55 percent of districts with shortages; Exhibit 4.20, Appendix E, Exhibit E.20). Teachers for other disability categories were also reported to be hard to find in some districts, particularly teachers who serve students with autism (46 percent of districts with shortages). Appendix E includes types of special education teachers districts routinely have difficulty finding qualified applicants by region (Exhibit E.35), urbanicity (Exhibit E.36) and district size (Exhibit E.37).

**Exhibit 4.20: Types of Special Education Teachers for Which District Has Routinely Experienced Difficulty Finding Qualified Applicants over the Past Three Years (School Years 2006–2007, 2007–2008, and 2008–2009)**

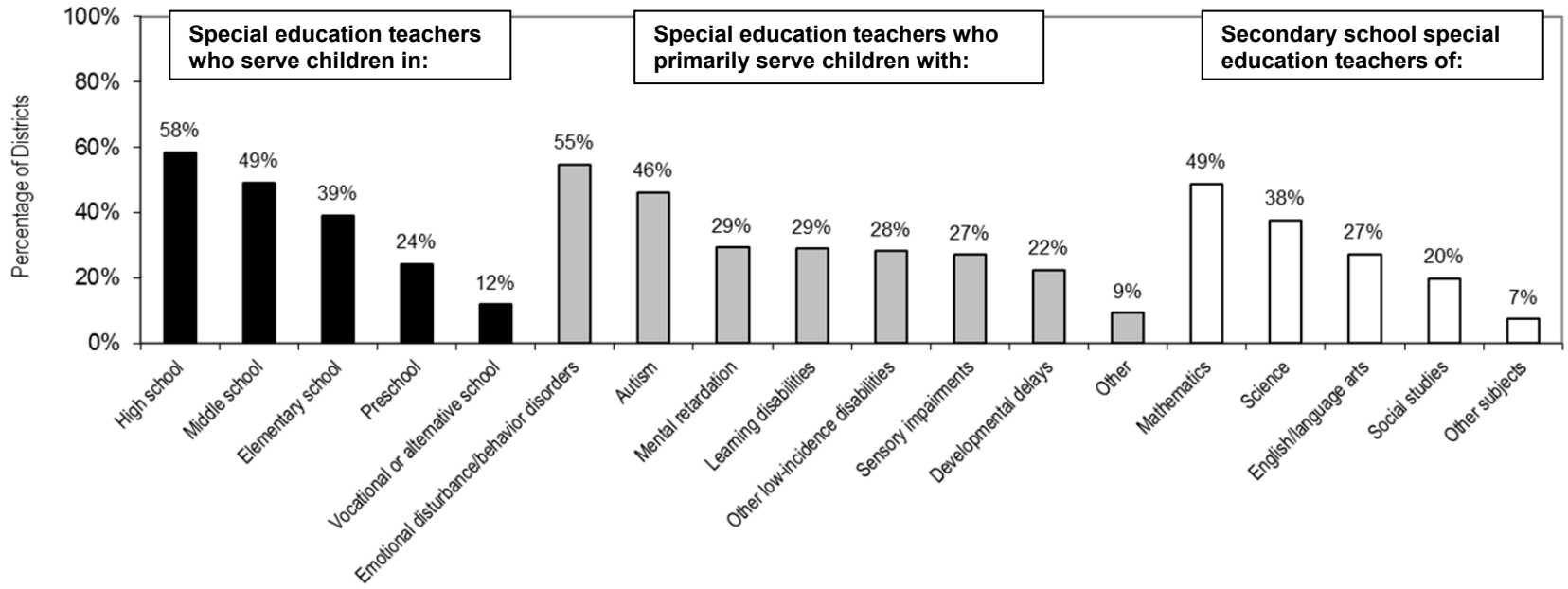


EXHIBIT READS: Among districts reported by Part B special education program administrator as having difficulty finding qualified applicants, 58 percent reported difficulty finding high school special education teachers.

For experiencing difficulty in finding qualified applicants, N = 1,148. For particular types of teachers, N = 725, except for secondary school special education teachers of social studies and other subjects, N = 724

.

### States Use Various Strategies to Increase the Number of Qualified Special Educators, Qualified Preschool Special Education Staff and Highly Qualified Teachers

States vary somewhat in the strategies used in a two-year period to increase the number of qualified special educators for the Part C early intervention program (fiscal years 2008 and 2009) or the number of qualified preschool special education staff (2007–2008 and 2008–2009 school years) and highly qualified elementary and secondary special education teachers (2007–2008 and 2008–2009 school years). The most common strategy employed by states is collaboration with universities to create programs and curricula to ensure that graduates meet standards. This strategy was reported in 31 states to increase the number of qualified special educators, in 27 states to increase the number of qualified preschool special education staff and in 33 states to increase the proportion of highly qualified elementary and secondary special education teachers (Exhibit 4.21). Other common strategies are the provision of alternative routes to certification for persons with a bachelor's degree (reported in 13 states to increase the number of qualified special educators, in 18 to increase the number of qualified preschool special education staff, and in 31 to increase the proportion of highly qualified elementary and secondary special education teachers) and alternative routes to certification in special education for those with a content area certification or a special education degree (in 9 states to increase the number of qualified special educators, in 22 to increase the number of qualified preschool special education staff, and in 36 to increase the proportion of highly qualified elementary and secondary special education teachers). Appendix E includes the strategies used to increase the number of qualified special educators, qualified preschool special education staff, and highly qualified teachers by region (Exhibit E.38), urbanicity (Exhibit E.39) and district size (E.40).

### Districts Use Financial and Non-Financial Incentives to Increase Their Proportion of Highly Qualified Special Education Teachers

The IDEA-NAIS asked district administrators about district efforts to increase the proportion of currently employed special education teachers that are qualified, the recruitment of qualified staff, and the use of pay incentives for staff retention. Most district special education administrators (64 percent) indicated that they provide time or funding for teachers to participate in professional development opportunities to increase the proportion of currently employed special education teachers that are highly qualified (Exhibit 4.22). Another way to increase numbers of highly qualified special education teachers is to recruit qualified staff. A frequently reported recruitment strategy is the use of mentoring or induction programs (33 percent of all districts; 47 percent of districts with difficulty finding qualified applicants; Exhibit 4.23). Strategies used to recruit special education teachers are reported by region (Appendix E, Exhibit E.41), urbanicity (Appendix E, Exhibit E.42) and district size (Appendix E, Exhibit E.43). A third approach to increasing the proportion of highly qualified elementary and secondary special education teachers is via pay incentives for staff retention (Exhibit 4.24). Pay incentives are used for staff who have attained National Board for Professional Teacher Standards certification (16 percent of all districts; 21 percent of districts with difficulty finding qualified applicants). Nationally, 20 percent of districts reported using at least one of the financial incentives for retention purposes (Appendix E, Exhibit E.34). Incentives used to retain current special education teachers are reported by region (Appendix E, Exhibit E.44), urbanicity (Appendix E, Exhibit E.45) and district size (Appendix E, Exhibit E.46).

**Exhibit 4.21: Strategies Used by States to Increase the Number of Qualified Special Educators, Qualified Preschool Special Education Staff and Highly Qualified Teachers (Fiscal Years 2008 and 2009, School Years 2007–2008 and 2008–2009)**

| | Qualified Special Educators (Fiscal Years 2008 and 2009) | | Preschool Special Education Staff (School Years 2007–2008 and 2008–2009) | | Highly Qualified Special Education Teacher (School Years 2007–2008 and 2008–2009) | |
|---|---|---|---|---|---|---|
| | States | | States | | States | |
| **Strategy** | **N** | **%** | **N** | **%** | **N** | **%** |
| Collaborate with universities to create programs and curricula to ensure that graduates meet standards | 31 | 62.00 | 27 | 52.94 | 33 | 64.71 |
| Provide alternative routes to certification in special education for persons with a bachelor's degree | 13 | 26.00 | 18 | 35.29 | 31 | 60.78 |
| Provide funding for teachers to participate in professional development opportunities | 11 | 22.00 | 16 | 31.37 | 26 | 50.98 |
| Provide alternative routes to certification in special education for persons with content area certification/a special education degree | 9 | 18.00 | 22 | 41.18 | 36 | 70.59 |
| Pay for tutoring to prepare teachers for certifications tests/licensure exams | 1 | 2.00 | 3 | 5.88 | 10 | 19.61 |
| Pay fees for tests/licensure exams | 1 | 2.00 | 1 | 1.96 | 15 | 29.41 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | — | — | — | — | 7 | 13.73 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | — | — | — | — | 13 | 25.49 |
| Other | 10 | 20.00 | 6 | 11.76 | 8 | 15.69 |
| None of the above | 9 | 18.00 | 11 | 21.57 | 2 | 3.92 |

EXHIBIT READS: Thirty-one Part C early intervention program coordinators (62 percent) reported that in their state, collaboration with universities to create programs and curricula to ensure graduates meet state standards is a strategy used to increase the number of qualified early intervention special educators. Twenty-seven Part B preschool-age special education program coordinators (53 percent) reported their state collaborates with universities to create programs and curricula to ensure that graduates meet state standards for qualified preschool special education staff. Thirty-three Part B special education program coordinators (65 percent) reported their state collaborates with universities to create programs and curricula to ensure that graduates meet state standards for highly qualified special education teachers.

For Part C respondents, N = 50; for Part B preschool-age program respondents, N = 51; for Part B program respondents, N = 51.

**Exhibit 4.22: Strategies Used by Districts to Increase the Proportion of Currently Employed Special Education Teachers That Are Highly Qualified (School Years 2007–2008 and 2008–2009)**

| | Among All Districts | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants |
|---|---|---|---|
| | Yes | Yes | Yes |
| Strategy | % | % | % |
| Provide time or funding for teachers to participate in professional development opportunities | 63.62 | 76.08 | 50.65 |
| Pay fees for tests/licensure exams | 18.85 | 24.76 | 12.71 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 14.21 | 15.28 | 13.09 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 10.19 | 14.21 | 6.01 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 6.34 | 7.73 | 4.89 |
| Other | 1.72 | 2.06 | 1.35 |
| None of the above | 30.74 | 18.03 | 43.96 |

EXHIBIT READS: Sixty-four percent of district special education administrators reported their district provides time or funding for teachers to participate in professional development opportunities as a strategy to increase the proportion of highly qualified elementary and secondary special education teachers. Seventy-six percent of district special education administrators who reported that their district routinely had difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers. Fifty-one percent of district special education administrators who reported that their district routinely had no difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers.

For among all districts, N = 1,135 except for other, N = 1,137.

For districts having difficulty, N = 717, except for other, N = 718.

For districts having no difficulty, N = 419.

**Exhibit 4.23: Supports or Incentives for Recruitment of New Special Education Teachers (School Year 2008–2009)**

| Support/Incentive | Among All Districts<br>Yes<br>% | Among Districts That Routinely Had Difficulty Finding Qualified Applicants<br>Yes<br>% | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants<br>Yes<br>% |
|---|---|---|---|
| Mentoring or induction programs | 33.49 | 46.61 | 19.83 |
| Placement of a teacher on a higher step of the salary schedule | 6.10 | 9.47 | 2.59 |
| Bonus supplement to regular compensation | 4.20 | 6.37 | 1.94 |
| Signing bonus | 4.17 | 6.02 | 2.25 |
| Permanent salary augmentation or adjustment to normal base salary | 3.92 | 4.87 | 2.92 |
| Payoff of student loans | 1.62 | 2.75 | 0.44 |
| Relocation assistance | 1.05 | 1.62 | 0.46 |
| Finder's fee to existing staff for new teacher referrals | 0.20 | 0.39 | 0.00 |
| Other | 3.98 | 6.24 | 1.64 |
| None of the above | 57.13 | 40.89 | 74.04 |

EXHIBIT READS: Thirty-three percent of district special education administrators reported their state using mentoring or induction programs as a strategy to recruit special education teachers. Forty-seven percent of district special education administrators who reported their districts had difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers. Twenty percent of district special education administrators who reported their districts experienced no difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers.

For among all districts, N = 1,145.

For among districts routinely having difficulty finding qualified applicants, N = 724.

For among districts having no difficulty finding qualified applicants, N = 421.

**Exhibit 4.24: Pay Incentives Used by Districts to Retain Current Special Education Teachers (School Year 2008–2009)**

| | Among All Districts | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | Among Districts That Routinely Had NO difficulty Finding Qualified Applicants |
|---|---|---|---|
| | Yes | Yes | Yes |
| | % | % | % |
| Attained National Board for Professional Teaching Standards certification | 16.00 | 20.62 | 11.16 |
| Teach students with certain disabilities | 3.26 | 4.59 | 1.89 |
| Demonstrate excellence in teaching | 3.14 | 2.79 | 3.50 |
| Teach certain academic subjects | 2.39 | 3.32 | 1.43 |
| Teach in hard-to-staff schools | 1.62 | 2.46 | 0.70 |

EXHIBIT READS: Sixteen percent of district special education administrators reported their district offers pay incentives for attaining National Board for Professional Teaching Standards certification to retain current special education teachers. Twenty-one percent of district special education administrators who reported their district routinely had difficulty in finding qualified applicants reported offering pay incentives for attaining National Board for Professional Teaching Standards certification. Eleven percent of district special education administrators who reported their district routinely had no difficulty in finding qualified applicants reported the district offered pay incentives for attaining National Board for Professional Teaching Standards certification.

For among all districts, N = 1,142 expect for demonstrate excellence in teaching, N = 1,143.

For among districts having difficulty findings qualified applicants, N = 723, except for teach students with certain disabilities, N = 722.

For among districts not having difficulty finding qualified applicants, N = 419, except for attained National Board for Professional Teaching Standards certification, N = 418.

## Summary

The 2004 IDEA legislation built on prior special education (1997 Amendments to IDEA, P.L. 105-17) and general education (GOALS 2000, P.L. 103-227; IASA, P.L. 103-327; NCLB, P.L. 107-110) legislation to ensure that children and youth with disabilities both have equal access to education and receive a quality education. Children and youth with disabilities are expected to achieve high standards, have access to the same curriculum and participate in statewide accountability systems. This chapter presented findings on efforts by states and districts to ensure children and youth with disabilities are given access to high standards and qualified personnel.

The 2004 IDEA legislation requires measurable goals related to academic readiness or achievement. States provide standards, professional development and training and guidance to assist the IFSP/IEP team in writing documents which expect, and assist, children and youth with disabilities to achieve high standards. Thirty-two states have early learning guidelines which describe expectations for

infants' and toddlers' learning and development. Forty-eight states have early learning standards which describe expectations for children's learning and development prior to kindergarten.

Early learning guidelines, early learning standards and K–12 education standards are used to develop standards-based IFSPs/IEPs for children or youth with disabilities. Five states provide mandated or suggested standards-based IFSPs for infants and toddlers with disabilities. Twenty-three states provide mandated or suggested standards-based IEPs to ensure preschool-age children with disabilities achieve high standards. Twenty-seven states had a mandated or suggested standards-based IEP for school districts for the 2008–2009 school year.

Training and professional development on standards-based IFSPs/IEPs are most frequently provided for those developing IEPs for older children and youth. Eight states provide training or professional development on the alignment of state guidelines and early intervention services. Sixteen states provide training or professional development related to standards-based IEPs for preschool-age children. Thirty-six SEAs provide training or professional development for standards-based IEPs for children and youth. At the district level, more than a third of the special education administrators reported having formal written policies regarding the development of standards-based IEPs.

The 2004 IDEA amendments also expanded definitions for qualified staff. State data for Fall 2006 indicate that most preschool, elementary and secondary school special education teachers meet the highly qualified teacher provisions of IDEA. The specific requirements for licensing or certification vary by state; however, there are common elements which are frequently associated with education.

In most states (42), early intervention special educators qualify for licensing/certification through an undergraduate or graduate degree program. In 45 states, an undergraduate or graduate degree was required for certification of preschool special education staff. ESEA, and thus IDEA, requires that new elementary and secondary school teachers have a bachelor's degree. States also may vary in the credentials they require, the specific tests teachers are required to pass and, in cases where states require the same test, in minimum passing scores.

States and districts reported some difficulties in hiring highly qualified staff, with 5 percent of funded FTEs of special education teachers for preschool-age children and school-age children and youth left vacant in the 2008–2009 school year. More than half of the district special education administrators (51 percent) reported routinely having difficulty finding qualified applicants over the past three years. Among districts reporting difficulty in hiring, 58 percent of districts reported problems hiring high school teachers and 49 percent reported difficulty hiring middle school teachers. Thirty-nine percent of districts reporting challenges in hiring reported difficulty hiring elementary school teachers. The most common strategy employed by states to increase the number of qualified special educators (31 states), the number of qualified preschool special education staff (27 states) and the proportion of highly qualified elementary and secondary special education teachers (33 states) was to collaborate with universities. To increase their proportion of currently employed highly qualified special education teachers, most districts (64 percent) provide time or funding for teachers to participate in professional development opportunities. To recruit these teachers, 33 percent districts use mentoring or induction programs and, to retain these teachers, about 16 percent of districts provide a pay incentive for staff who have attained National Board for Professional Teacher Standards certification.

# Chapter 5: Promoting Parent Participation and Dispute Resolution

The Education for All Handicapped Children Act of 1975 (P.L. 94-142) established rights and protections for parents and children under federal law regarding the provision of special education and related services. The 2004 reauthorization of IDEA (P.L. 108-446) continues to promote and strengthen parents' participation in their child's early intervention and special education. The 2004 IDEA legislation also continues to delineate and protect the rights of children and youth with disabilities, including the right to register complaints and resolve disputes, as well as the procedures that must be in place to protect and discharge that right.

IDEA cites decades of research illustrating that one way to improve educational efficiency may be by "strengthening the role and responsibility of parents and ensuring that families [of children and youth with disabilities] have meaningful opportunities to participate in the education of their children at school and at home" [20 U.S.C. § 1400(c)(5)B)] and emphasizes that "parents and schools should be given expanded opportunities to resolve their disagreements in positive and constructive ways" [20 U.S.C. § 1400(c)(8)]. This emphasis on the important role of parents extends to the Part C early intervention program as illustrated in the section of the law stating that Congress finds there is an urgent and substantial need "to enhance the capacity of families to meet the special needs of their infants and toddlers with disabilities" (20 U.S.C. § 1431).

The emphasis on protecting the rights of children with disabilities and their parents is not new, nor is the emphasis on providing educators and parents the tools needed to improve the educational results of children with disabilities [P.L. 108-446 § 601(c) and § 601(d)]. The 2004 IDEA reauthorization strengthened existing federal regulations concerning procedural safeguards and continued the facilitation of less adversarial method of dispute resolution procedures, such as mediation, rather than engagement in procedures such as impartial due process hearings which tend to be time-consuming and costly and may cause further damage to the relationship between parents and school personnel (Yell 2006; The Advocacy Institute and The Children's Law Clinic 2009).

The chapter is comprised of two sections—one focusing on parent participation and a second focusing on dispute resolution. Each section follows a similar format, beginning with the important issues in the topic being discussed, federal support and guidance on the topic, federal technical assistance and monitoring related to the topic and a presentation of findings related to the topic.

Exhibits in the chapter (Exhibit 5.1 through Exhibit 5.12) have fully sourced versions which appear in Appendix G as Exhibit G.1 through Exhibit G.12. Supplemental tables for the chapter are found in Appendix G as Exhibit G.13 through Exhibit G. 20.

## Promoting Parent Participation

The 2004 IDEA legislation continues to promote parents' participation in the education of their children and youth with disabilities. More than 30 years of research suggests that children perform better in school when their parents are involved in their education, including understanding their child's needs, supporting their education and having the opportunity to participate in decisions

affecting their child's education, especially for parents of youth with disabilities (Cotton and Wikelund 2001). Studies report children and youth of parents who are involved in their education are more likely to have: higher academic achievement, greater participation in higher-level programs, better attendance, higher graduation rates, increased enrollment in postsecondary education, more positive attitudes towards school and better behavior in and out of school (Henderson and Mapp 2002; Blank, Melaville and Shah 2003). In addition, research has demonstrated that the earlier this involvement takes place, the greater the benefits for the child and the family (Bailey et al. 1998; Dunst 2002).

Research also suggests that family involvement in students' education benefits students with disabilities. The National Longitudinal Transition Study (NLTS) produced the first compelling evidence for a relationship between parental involvement and student outcomes—youth with disabilities in grades 7 through 12 whose parents are more involved in their education miss fewer days of school and are less likely to fail courses than youth whose parents are less involved (Wagner et al. 1993). The second National Longitudinal Transition Study (NLTS2) found that parents' activities in support of their child's education are positively correlated with achievement and other outcomes—youth whose families are more involved are closer to grade level in reading, tended to receive better grades, and have higher rates of involvement in organized groups with friends (Newman 2005). Blackorby et al. (2005) report similar findings for elementary school children.

Parent participation includes becoming educated and being actively involved in the decision-making process for matters related to education and services children receive. Education for parents of children or youth with disabilities may focus on understanding the child's disability, learning about IDEA or understanding their legal rights. The study team specifically focused on parent participation as it relates to the provision of training and education to assist parents in participating in and advocating for their child's early intervention and education by working with early intervention, special education and related service providers.

IDEA provides resources and mandates to increase communication between parents and the agencies providing early intervention, special education or related services while also supporting parent involvement in both the system and their child's early intervention and education process. For example, IDEA legislation requires the participation of a parent or other responsible adult in a number of activities related to the education of their children with disabilities. Parents are members of the teams which develop individualized family service plans (IFSPs) for infants and toddlers with disabilities and their families under the Part C program (20 U.S.C. § 1436(a)(3); 34 C.F.R. §303.343), or if their child is older, the team which develops the individualized education program (IEP) for children and youth with disabilities under the Part B program [20 U.S.C. § 1414 (d)(1)(B)]. The process of developing either the IFSP or IEP requires consideration of parent concerns [20 U.S.C. §1414(d)(3)(A) and § 1436(d)(2)]. Parents must be notified of the IFSP/IEP meeting with sufficient time to enable them to attend the meeting. IFSP/IEP meetings are to be scheduled at a mutually agreed upon time and in a mutually convenient location.

Parents must be members of statewide advisory bodies under both Part C and Part B. IDEA Part C eligibility requires that the membership of the state interagency coordinating council (ICC) include parents of children with disabilities under age 12 (20 percent) and at least one parent of a child with disabilities age 6 or younger. To meet eligibility criteria for the Part B program, states are required to include parents of children with disabilities on their state advisory panels who, along with individuals

with disabilities, are required to be the majority of the advisory panel [20 U.S.C. § 1412(a)(21)(B) and (C)]. The 2004 IDEA reauthorization built upon the requirement by specifying the advisory panel should include parents of children with disabilities ranging in age from birth through 26 years.

IDEA requires that informed written consent be provided before the initial evaluation of the child for eligibility for special education and related services [20 U.S.C. § 1414(a)(1)(D)]. The Part C early intervention program requires that family-directed assessments be offered to families as part of the evaluation and assessment process. These assessments are to be designed to determine the resources, priorities and concerns of the family and to identify the supports and services necessary to enhance the family's capacity to meet the developmental needs of their child [34 C.F.R. 303.322(d)]. Parents of infants and toddlers may accept or refuse specific services for their infant or toddler, self or another family member without losing the other early intervention services in the IFSP they want for their child or family [P.L. 108-446 § 639(a)(3)].

IDEA includes guidance, support and technical assistance to help parents achieve these goals. Specifically, there are two federally funded organizations which assist parents—the Parent Training and Information Centers (PTIC) and Community Parent Resource Centers (CPRC). Federal technical assistance is provided to states, districts and parents of children with disabilities through Parent Training and Information Centers (PTIs), Community Parent Resource Centers (CPRCs), and technical assistance centers including the regional technical assistance centers (RPTACs) and the Center for Appropriate Dispute Resolution (CADRE). The State Performance Plan/Annual Performance Report (SPP/APR) monitors efforts to promote parent participation.

Parent Training and Information Centers (PTIs) were initially funded in 1976; today, there is at least one PTI in every state. Each PTI provides training and information to address the needs of parents living its geographic service area, including, for example: helping parents understand their child's or youth's disability; educating parents about available services and programs; and supporting parental involvement in the decision-making regarding the education of their child (Technical Assistance Alliance for Parent Centers 2008). The PTIs provide advocacy, educational and training opportunities for parents with the goal of assisting parents of children and youth with disabilities to understand the IDEA procedural safeguards including the use of alternative dispute resolution methods such as mediation (P.L. 108-446 § 671).

Community Parent Resource Centers (CPRCs), originally established in the 1990 reauthorization of IDEA (P.L. 103-336), are located in over 20 states with the specific purpose of meeting the needs of underrepresented parents—including low-income parents, parents of children with limited English proficiency and parents with disabilities. The goal of the CPRC is to provide parents with the information and training needed to participate effectively in helping their child with a disability. CPRCs focus on families who may be isolated from other sources of information and support (P.L. 108-446 § 672). The nature and function of the CPRC has not changed from the 1997 reauthorization, with the exception of specifying the goal of helping the parent of a child with a disability meet academic achievement goals—a reflection of the increased emphasis the 2004 IDEA reauthorization placed on the quality and progress of the education and services children and youth with disabilities are receiving.

In addition to the state centers, the Office of Special Education Programs (OSEP) funds one national center and six regional parent technical assistance (RPTAC) centers—all of which were first funded

in 1984 (Pacer Center 2010). These seven centers are known as the Technical Assistance Alliance for Parent Centers (or the Alliance). The Alliance facilitates a unified technical assistance system to assist and coordinate PTIs and CPRCs in building their content knowledge and expertise in regular and special education laws, policies and practices (20 U.S.C. § 1473). Areas of technical assistance provided by the national and regional centers include: dissemination of scientifically based research and information; reaching underserved populations, including parents of low-income and limited English proficiency (LEP) children with disabilities; and promotion of alternative methods of dispute resolution, including mediation.

In addition to the parent centers, OSEP funds the Center for Appropriate Dispute Resolution in Special Education (CADRE), a national resource for dispute resolution in special education established in 1998 which "works to increase the nation's capacity to effectively resolve special education disputes, reducing the use of expensive adversarial processes" (Center for Appropriate Dispute Resolution in Special Education [CADRE] 2010). More details about CADRE can be found later in this chapter.

The 2004 IDEA reauthorization accountability mechanism is comprised of the State Performance Plan (SPP) and the Annual Performance Report (APR). The Part C early intervention program and the Part B special education program each have an APR indicator specifically related to monitoring parent involvement. The Part C program Indicator 4[47] requires reporting on the percentage of families participating in the Part C program who report that early intervention services have helped the family: (a) know their rights; (b) effectively communicate their children's needs; and (c) help their children develop and learn. The Part B Indicator 8 measures the percentage 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.[48]

## Findings on Activities to Promote Parent Participation

### Most States Provide Support to Provider Agencies and School Districts Focused on Parent Participation for Children and Youth with Disabilities

States implement various strategies to support provider agencies and school districts to promote the participation of parents and families of children with IFSPs or IEPs. Across state early intervention and special education programs, the majority reported that the program provides workshops or professional development on increasing parent involvement to early intervention providers (31 states), preschool-age special education staff (36 states), and LEAs (39 states) (Exhibit 5.1). In the majority of states, the program provides technical assistance related to promoting parent involvement to early intervention providers (28 states), preschool-age special education staff (35 states), and LEAs (46 states). Another common activity is the provision of written guidance related to parent involvement to early intervention providers (26 states), preschool-age program staff (14 states) and LEAs (24 states).

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47 Please see http:/www2.ed.gov/policy/speced/guid/idea/capr/2010/b2-1820-0578cmeataleexp113012.pdf for the full text of the Part C indicators. For the full text of Part B indicators, please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf.

48 For the full text of Part B indicators, please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf.

**Exhibit 5.1: Supports to Early Intervention Providers, Preschool-Age Program Staff, and LEAs to Promote the Participation of Parents of Children and Youth with IFSPs/IEPs (Fiscal Year 2009 and 2008–2009 School Year)**

| | Early Intervention Providers | | Preschool-Age Program Staff | | LEA Staff | |
|---|---|---|---|---|---|---|
| | Yes | | Yes | | Yes | |
| Agency Supports | N | % | N | % | N | % |
| Workshops or professional development on increasing parent involvement | 31 | 62.00 | 36 | 70.59 | 39 | 78.00 |
| Technical assistance related to promoting parent involvement | 28 | 56.00 | 35 | 68.63 | 46 | 92.00 |
| Written guidelines related to parent involvement | 26 | 52.00 | 14 | 27.45 | 24 | 48.00 |
| Funds to provider agencies to help parents participate in IEP/IFSP meetings | 21 | 42.00 | 8 | 15.69 | 9 | 18.00 |
| Other activity | 5 | 10.00 | 9 | 17.65 | 7 | 14.00 |
| None of the above | 7 | 14.00 | 3 | 5.88 | 2 | 4.00 |

EXHIBIT READS: Sixty-two percent of Part C (or 31) programs provide workshops or professional development on increasing parental involvement to early intervention providers; 71 percent provide the workshops to preschool-age program staff; and 78 percent provide workshops to LEAs.

For Part C respondents, N = 50; for Part B preschool-age program respondents, N = 51; for Part B program respondents, N = 50.

### The Majority of Early Intervention and Special Education Programs Collaborate with Parent Training and Information Centers (PTIs)

All states have at least one federally funded Parent Training and Information Center (PTI) to provide training and information to parents of children with disabilities with the goal of helping them to become effective advocates (Technical Assistance Alliance for Parent Centers 2009). PTIs provide resources (e.g., training, workshops, or written materials) to parents of children and youth with disabilities. The most common form of collaboration between PTIs and state early intervention programs (32 programs), preschool-age special education programs (38 programs) and special education programs (41 programs) is dissemination of information regarding each other's services (Exhibit 5.2).

**Exhibit 5.2: Methods of Program Collaboration with Federally Funded Parent Training and Information Centers (PTIs) in States Aware of PTI in Their State (Fiscal Year 2009 and 2008–2009 School Year)**

| | State Early Intervention Programs | | Preschool-Age Special Education Programs | | Special Education Programs | |
|---|---|---|---|---|---|---|
| | Yes | | Yes | | Yes | |
| | N | % | N | % | N | % |
| **In programs that reported awareness of a PTI in their state, types of collaboration between program and PTI:** | | | | | | |
| Dissemination of information regarding each other's services | 32 | 72.73 | 38 | 77.55 | 41 | 80.39 |
| Family/parent outreach efforts | 27 | 61.36 | 21 | 42.86 | 34 | 66.67 |
| Development of training/guidance materials | 22 | 50.00 | 24 | 48.98 | 40 | 78.43 |
| Development or delivery of professional development | 17 | 38.64 | 28 | 57.14 | 36 | 70.59 |
| Delivery of technical assistance | 16 | 36.36 | 23 | 46.94 | 38 | 74.51 |
| Promotion of alternative dispute resolution models | 6 | 13.64 | 12 | 24.49 | 28 | 54.90 |
| Other activity | 10 | 22.73 | 8 | 16.33 | 16 | 31.37 |
| None of the above | 5 | 11.36 | 2 | 4.08 | 0 | 0.00 |

EXHIBIT READS: Among Part C early intervention program coordinators who were aware of their state Parent Training and Information Center (PTI), 73 percent (32) collaborate on the dissemination of information regarding each other's services. Among Part B preschool-age special education program coordinators who were aware of their state PTI, 78 percent (38) collaborated on the dissemination of information regarding each other's services. Among Part B special education program coordinators who were aware of their state PTI, 80 percent (41) collaborate on the dissemination of information regarding each other's services.

For Part C respondents, N = 44; for Part B 619 respondents, N = 49; for Part B respondents, N = 51.

### More than Half of All School Districts Make Written Materials Available and Less than Half Offer Workshops or Discussion/Support Groups to Parents of Children and Youth with Disabilities

At the local level, school districts use outreach activities and strategies to support parents and promote parent participation in their child's education including making written materials available to parents and offering workshops or discussion/support groups on specific topics for parents of children and youth with disabilities (Exhibit 5.3).

Common topics of the written materials for parents across districts include understanding IDEA and their legal rights (86 percent of districts); understanding their child's disability (69 percent); assessment participation (67 percent); strategies for the transition from preschool to school (58 percent); and using interventions for children with behavioral challenges (58 percent). Common topics of workshops or discussion/support groups provided to parents by districts are using interventions for children with behavioral challenges (38 percent of districts), workshops or discussion/support groups on understanding their children's disabilities (37 percent of districts) and strategies to make a successful transition from preschool to school (34 percent).

**Exhibit 5.3: Topics Addressed in District Offerings to Parents of Children and Youth with IFSPs/IEPs (2008–2009 School Year)**

| Topics | Made Written Materials Available | Offered Workshops or Discussion/ Support Groups | Made Written Materials Available AND offered Workshops or Discussion/ Support Groups |
|---|---|---|---|
| | % | % | % |
| Understanding the law and their legal rights under IDEA | 85.80 | 25.18 | 20.38 |
| Understanding their child's disability | 69.23 | 37.10 | 24.37 |
| Participating in state- or district-wide assessments | 67.11 | 22.39 | 16.10 |
| Using strategies for making a successful transition from preschool to school | 58.38 | 34.11 | 23.95 |
| Using interventions for children with behavioral challenges | 57.50 | 37.56 | 23.93 |
| Using alternate dispute resolution procedures | 44.54 | 10.94 | 7.02 |
| Developing and implementing a standards-based IEP | 42.43 | 17.89 | 10.84 |

EXHIBIT READS: On the topic of understanding the law and their legal rights under IDEA, 86 percent of districts make written materials available, 25 percent offer workshops or discussion or support groups, and 20 percent do both.

N = 1,140.

## Dispute Resolution

Parents and children have rights and protections under federal IDEA law regarding the provision of early intervention services and special education and related services. Since 1975 when the Education for All Handicapped Children Act of 1975 (P.L. 94-142) was first enacted, federal law has provided rights and protections for children and parents regarding special education and related services. The 2004 IDEA reauthorization identifies a purpose of the law to give parents and schools "expanded opportunities to resolve their disagreements in positive and constructive ways" [20 U.S.C. § 1400(c)(8)]. The 2004 IDEA reauthorization continues to protect the rights of children and youth with disabilities and their parents, and these are included throughout IDEA particularly in the sections related to Procedural Safeguards [20 U.S.C. § 1415 and 1439].

Disputes may arise from disagreements regarding the early intervention services and special education and related services designed for, or delivered to, children with disabilities. A dispute may involve any number of topics, including issues relating to the identification, evaluation, educational placement or provision of appropriate early intervention services or a free appropriate public education (FAPE).

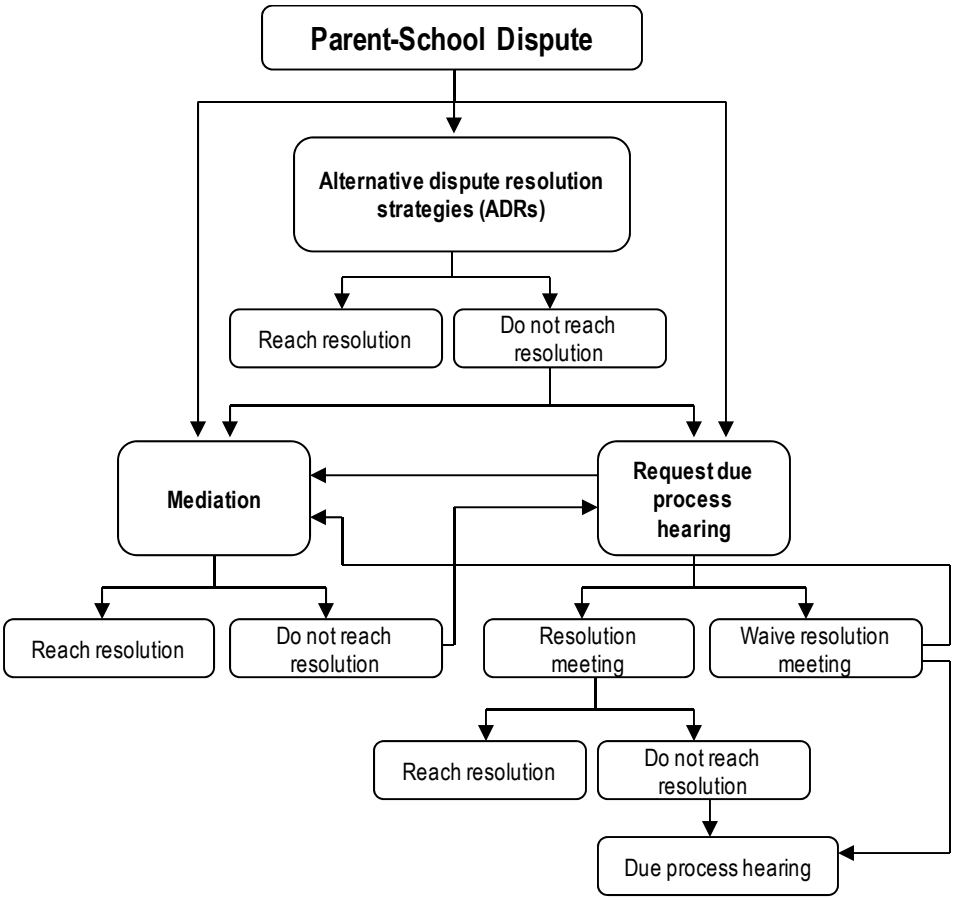
States have some latitude in the development of their dispute resolution system as the federal law defines the minimum requirements. The particular path a dispute takes from disagreement to resolution may vary due to whether the dispute is under Part C or Part B of IDEA, differences in state law or choices that disputants make.

Both Parts C and B identify three mechanisms for dispute resolution: state complaints, due process hearings and mediation. First, a parent (or any other individual or organization) may file a written complaint with the state agency alleging a violation of IDEA and the state agency must issue a written decision, generally within 60 days. Second, a parent may request a due process hearing. IDEA 2004 legislation added a resolution process when parents request a due process hearing, providing the parties an opportunity for a pre-hearing meeting to resolve the dispute. Under Part C, a state may choose to use its Part B procedures or use a more simplified Part C due process hearing procedure. Third, a parent may request mediation to resolve a dispute (independent and regardless of whether a state complaint or due process hearing request is filed). Regardless of which path a parent may take, the timelines for state complaints and due process hearings must be followed, unless a specific extension is granted.

A much simplified flowchart illustrating the due process hearing and mediation procedures under Part B is shown in Exhibit 5.4. The exhibit illustrates various dispute resolution options along with some pathways that may be followed; however, the exhibit is a simplified representation of a process that is highly variable. For example, states and districts may differ on the particular steps taken to address a dispute; and states, districts and cases may differ on the particular order in which steps to address a dispute are taken.

While IDEA specifies three dispute resolution procedures, there are many paths that a parent may follow when faced with a disagreement, and local programs or school districts and parents may begin with a less adversarial strategy such as a conversation outside of the IFSP or IEP meeting or bringing a facilitator to an IFSP or IEP meeting to discuss the disputed issues. If these discussions do not result in an agreement, then the issue may move to procedures such as mediation or a request for a due process hearing. There is not a prescribed or predictable order in which these strategies and procedures occur but, in general, parents and providers or schools tend to use less adversarial strategies including mediation to resolve disagreements before moving to procedures such as due process hearings (U. S. General Accounting Office 2003).

**Exhibit 5.4: Illustration of How ADR, Mediation, and Due Process Hearings May Interact in Resolving Disputes**




Adapted from Mediation and Resolution Session Flow Chart, in *Preparing for Special Education Mediation and Resolution Sessions: A Guide for Families and Advocates*. The Advocacy Institute and The Children's Law Clinic at Duke University School of Law (November 2009).

Congress added mediation in 1997 and resolution meetings in 2004, thus encouraging use of less adversarial methods of dispute resolution rather than procedures such as due process hearings, which tend to be time consuming and costly and may damage relationships between parents and school personnel.

Since 1986, IDEA legislation has included dispute resolution procedures related to infants and toddlers with disabilities and their families who are receiving early intervention services through the Part C early intervention program (20 U.S.C. § 1439). Part C program state lead agencies are permitted either to follow Part C program mediation and due process procedures or to adopt applicable Part B due process hearing and mediation procedures (34 C.F.R. § 303.420).

Part C includes separate provisions for the "timely administrative resolution of complaints by parents" [P.L. 108-446 § 639 (a)(1)]. The rights provided to infants and toddlers and their parents include: confidentiality; acceptance or declination of any service without jeopardizing other early intervention services; access to records related to assessment, screening, eligibility determinations and the development and implementation of the IFSP; the assignment of a surrogate for the parent in

cases when the parents are not known or cannot be found or the infant or toddler is a ward of the state; written prior notice to parents, in their native language when possible, of proposals, changes, or refusals to initiate actions related to identification, evaluation, placement or provision of appropriate early intervention services; and use of mediation [P.L. 108-446 § 639(a)].

The procedural safeguards established for children and youth receiving services under Part B special education are "to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education" [20 U.S.C. § 1415(a)]. Included are: the opportunity to review all records relating to their child and to participate in meetings regarding identification, evaluation and educational placement of the child; the opportunity to obtain an independent educational evaluation of their child; protections of the rights of the child when the parents are not known, including the assignment of a surrogate; receipt of written notice in the parents' native language of proposals, including refusals, related to the initiation or change of the identification, evaluation or educational placement of a child; and specific dispute resolution procedures including due process hearings and mediation [20 U.S.C. § 1415(b)].

Specific dispute resolution procedures under Part B for children and youth with disabilities and their parents are also described in the 2004 IDEA legislation (20 U.S.C. § 1415) and its implementing regulations. Key changes and additional refinements to the existing statutes brought by the 2004 IDEA Part B legislation regarding due process procedures are specific to the procedure and addressed in the next section with the definition of the procedure.

### Specific Strategies to Resolve Disagreements in State Systems Meeting IDEA Part B Federal Requirements

This section describes the various strategies that may be used to resolve disagreements. Dispute resolution procedures such as due process hearings and potential resulting litigation can become very adversarial and damage relationships between parents and school districts (Reiman et al. 2007, Mueller 2009). In addition, they can be very costly and time-consuming. Costs increase as more adversarial procedures are required; for example, one source reported that that the average costs for mediation and due process cases were between $8,000 and $12,000 per case, compared with $95,000 per case for litigation (Daggett 2004). In addition, the average time period from filing for a due process hearing to adjudication is estimated at about four months, but some cases that go on to be appealed through the civil court system can take years (Crabtree n.d.).

#### *Alternative Dispute Resolution Strategies*

A diverse range of early conflict resolution strategies are used to resolve disputes or conflicts between parents and early intervention or school personnel (Henderson 2008). Sometimes referred to as "alternative dispute resolution strategies" (ADRs), they are both preventative and responsive in nature (Reiman et al. 2007). An ADR may be any process used to resolve a dispute outside of the courtroom. The 2004 reauthorization of IDEA encourages two specific ADR methods: mediation under Parts B and C and resolution meetings under Part B, which are discussed separately. The specific ADRs offered by an LEA or state lead agency will vary, but mediation is always available. If Part B due process hearing procedures are used then resolution meetings must be available once a due process hearing is requested.

Parents and schools involved in ADR may develop stronger communication and relationships in addition to addressing their disagreement. Parent and teacher education and training related to problem-solving and conflict resolution may lead to enhanced capacity to resolve disagreements. The goal is to resolve the issue in a less adversarial and collaborative manner. Examples of ADRs include: parent-to-parent assistance, facilitated IEP meetings where a neutral third party facilitates the IEP meeting (Pagano 2008), or conciliation in which a neutral third party might participate in telephone calls and meetings with each party over a period of time to work out a mutually acceptable resolution (Beekman 2000).

*Mediation.* Mediation is a voluntary, confidential process that is used to allow parents, early intervention and special education providers and school district personnel to resolve disputes in a forum less adversarial and contentious than a due process hearing (34 C.F.R. § 300.506). Initially adopted by a few states in 1975, Congress added formal mediation in the 1997 IDEA reauthorization in recognition of the need for additional and less adversarial dispute resolution approaches to resolve differences between parents and agencies. Mediation involves a trained, impartial professional who facilitates discussions and communication between parents and early intervention or school personnel in efforts to identify concerns, clarify positions, and generally help the parties to express and understand each other's views. The goal of the mediation is to reach a mutually agreed-upon solution which best serves the educational needs of the child. The end result of a successful mediation is a legally binding mediation agreement. IDEA 2004 added a requirement that the mediation agreement is enforceable in state or district court [20 U.S.C. § 1415(e)(2)(F) and § 1439(a)(8)]. Another change in the 2004 IDEA legislation is that mediation is to be available to resolve any special education dispute, not just those in which a hearing is requested as was the case in the 1997 IDEA law.

*Resolution Meeting.* Resolution meetings are a new dispute process procedure added in the 2004 reauthorization of IDEA Part B. A resolution meeting gives parents and the school district a chance to work together to avoid a due process hearing. Upon the request for a Part B program due process hearing, the 2004 IDEA legislation requires school districts to hold a resolution meeting with the parents, relevant members of the IEP team (e.g., special education teacher, classroom teacher) and a representative of the school district authorized to make decisions (20 U.S.C. § 1415 (f)(B); 34 C.F.R. § 300.510). The purpose of the meeting is for the parents to discuss the due process complaint and supporting facts so that the LEA has the opportunity to resolve the dispute. The mandatory resolution meeting must be held within 15 days of the time that a parent files a due process complaint and prior to the initiation of a due process hearing. A resolution meeting may be waived if both the parents and the school district agree in writing or if they engage in mediation. School districts may not bring an attorney unless the parents bring one. If a written settlement agreement is reached in the resolution meeting it may be voided by a party within three business days [20 U.S.C. § 1415 (f)(1)(B)(iv)]. The time sensitive requirements of the resolution meeting and other formal procedural safeguards are intended to resolve the dispute as quickly as possible to avoid adversely affecting a child's educational program by unnecessary delays (Pagano 2008). Resolution meetings, unlike mediations, are not confidential.

***Due Process Hearing***

Parents and agencies (under certain circumstances) have the option to request a due process hearing, the most adversarial of the due process procedures [20 U.S.C. § 1439(a)(1) and § 1415(f)]. A due process hearing is an administrative hearing with a focus on evaluating and resolving the dispute.

Part B special education program due process hearings are quasi-legal procedures in which parents and school personnel present arguments and evidence to an impartial hearing officer (34 C.F.R. §300.511). Only issues raised in the filed due process complaint may be addressed in the hearing without agreement by both parties [20 U.S.C. § 1415 (f)(3)(B)]. The due process hearing must be requested within two years of the date when "the parent or agency knew or should have known about the alleged action that forms the basis of the complaint" [20 U.S.C. § 1415 (f)(3)(C)]. There are two exceptions to the timeline: (1) the LEA specifically misrepresents resolution of the problem or (2) the LEA withholds information from the parent required by law to be provided to the parent [20 U.S.C. § 1415 (f)(3)(D)]. The person(s) who hears the argument cannot be employed by the public agency that is involved in the education or care of the child or have a conflict of interest in the case [20 U.S.C. § 1415 (f)(3)(A)]. The hearing officer must possess knowledge of IDEA and standard legal practice related to hearings and must be able to render and write appropriate decisions in accordance with standard legal practice [20 U.S.C. §1415(f)(3)(A)]. Hearing decisions may be appealed in an impartial review by the SEA if the hearing is conducted by the LEA or by the court [20 U.S.C. § 1415 (g) and (i)]. In due process hearings, attorneys often represent the parents and the school district, which can make them very costly to the parents as well as the school district or state (Office of Special Education Programs 2006).

IDEA Part B identifies a number of due process hearing rights, including, for example, the right of each party to present evidence and to confront and cross-examine witnesses. The hearing officer makes a determination based on substantive grounds of whether the child received FAPE (34 C.F.R. 300.513). A final due process decision must be issued within 45 days of the expiration of the 30-day resolution period or within the adjusted time periods described in 34 C.F.R. §300.510(c). The timeline may be extended by the hearing officer at the request of either party. Requests for due process hearings may also be withdrawn if a resolution or settlement is reached prior to the date of the hearing (Office of Special Education Programs 2006).

The 2004 IDEA Part B legislation made two important changes regarding due process hearings. First, the 2004 IDEA reauthorization requires a resolution meeting—or preliminary meeting—unless the parents and the school district waive the meeting or agree to mediation [20 U.S.C. § 1415(f)(1)(B)(i)]. Second, there are now timeframes for specific actions related to the due process hearing—for example, if a written settlement agreement is reached in the resolution meeting it may be voided by a party within three business days [20 U.S.C. § 1415 (f)(1)(B)(iv)].

***Expedited Due Process Hearing***

Expedited due process hearings may be requested by parents or school districts on the placement or disciplinary decision regarding a child or youth with a disability served under IDEA Part B (34 C.F.R. § 300.532). The expedited due process hearing is similar to a due process hearing but on a shorter timeframe. Parents may request expedited hearings for disagreements regarding a change in placement for a child or youth who violates a code of student conduct or the results of a manifestation determination (e.g., decision as to whether the child or youth's misconduct was a manifestation of the student's disability). Under IDEA, school districts can also request an expedited due process hearing if they believe that the current placement of the student is substantially likely to result in injury to the child or youth or others (34 C.F.R. § 300.532). If an expedited due process hearing is requested, the hearing must occur within 20 school days of the request being filed, with the hearing officer making a determination within 10 school days after the hearing [34 C.F.R. § 300.532(c)(2)].

***Signed Written Complaints to States***

In addition to having the option to request a due process hearing, parents and other individuals or organizations also have the right to file a signed written complaint that alleges that a public or private agency has violated a requirement of IDEA (34 C.F.R. § 300.151-153 and 34 C.F.R. § 303.510-512). Signed written complaints must be filed within one year of the alleged violation (34 C.F.R. § 300.153). Under Part B and C, the responsible agency (Part C program lead agency or SEA) is required to conduct an investigation, if the state agency determines that an investigation is necessary; review all relevant information; and issue a letter of findings within 60 days of the signed written complaint being received unless exceptional circumstances exist [34 C.F.R. § 300.152(a) and (b) and § 303.512(a)]. If the issue(s) contained in the signed written complaint is also the subject of a due process hearing, the part of the signed written complaint that is being addressed in the hearing is set aside until the due process hearing has been completed [34 C.F.R. § 300.152 and § 303.512(c)].

OSEP funds the Center for Appropriate Dispute Resolution in Special Education (CADRE), which operates as the National Center on Dispute Resolution in the United States. CADRE supports the 50 states, Bureau of Indian Affairs and other U.S.-affiliated entities in the use of conflict resolution options. CADRE works with state and local agencies providing early intervention or special education services as well as parent centers, families and educators with the goals of increasing collaboration between families and providers and the use of less adversarial processes. These goals are supported by activities including: maintenance of an on-line national resource related to dispute resolution, provision of customized training, and support of peer-to-peer dialogue (CADRE n.d.).

The SPP and APR, discussed earlier, continue to require the collection and reporting of state data on the implementation of these dispute resolution procedures. The Part C early intervention program, as well as the Part B special education program, have four indicators related to these dispute resolution procedures: (1) percentage of signed written complaints with reports issued that were resolved within the applicable timeline (Indicator 10 and Indicator 16 respectively); (2) percentage of due process hearing requests that were fully adjudicated within the applicable timeline (Indicator 11 and Indicator 17 respectively); (3) percentage of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (Indicator 12 under Part C which is applicable if Part B due process procedures are adopted and Indicator 18 respectively); and (4) percentage of mediations held that resulted in mediation agreements (Indicator 13 and Indicator 19 respectively; 20 U.S.C. § 1416(a)(3)(B) and 1442).[49]

## Findings on Implementing Dispute Resolution Procedures

### The Majority of Part C Early Intervention Programs Use Part C Program Regulations to Resolve Disputes

The state Part C early intervention and Part B special education programs must implement a statewide mechanism through which disputes are resolved (P.L. 108-446 § 615). State Part C programs may choose to use a state system designed to meet federal regulations regarding procedural safeguards for their Part C program or to use a state system designed to meet the federal requirements regarding

[49] Please see http:/www2.ed.gov/policy/speced/guid/idea/capr/2010/b2-1820-0578cmeataleexp113012.pdf for the full text of the Part C indicators. For the full text of Part B indicators, please see http:/www2.ed.gov/policy/speced/guid/idea/bapr/2010/b2-1820-0624bmeastabletechedits10-29-09.pdf.

procedural safeguards for the Part B program. Most state Part C programs (34 states or 67 percent) report using Part C program-specific regulations to resolve disputes related to early intervention matters (Exhibit 5.5). Seventeen Part C programs report that their regulations are adopted or modified from the state system designed to meet federal requirements for the Part B program. Most Part C programs led by a department of health/human services use their own regulations (29 states or 78 percent, Exhibit 5.6). In contrast, most Part C programs with a department of education as the lead agency adopted the regulations used in the Part B program (6 states or 55 percent).

**Exhibit 5.5: Source of Regulations Used by Part C Early Intervention Programs to Resolve Disputes Related to Early Intervention (Fiscal Year 2008)**

| | Yes | |
|---|---|---|
| **Source of Regulations for Part C Programs** | **N** | **%** |
| Its own regulations | 34 | 66.67 |
| Regulations either adopted or modified from the Part B special education program | 17 | 33.33 |
| Total | 51 | 100.00 |

EXHIBIT READS: Sixty-seven percent of Part C programs (34) use their own regulations to resolve disputes related to early intervention for infants and toddlers with disabilities.

N = 51.

**Exhibit 5.6: Source of Regulations Used by Part C Early Intervention Programs to Resolve Disputes Related to Early Intervention by Lead Agency Type (Fiscal Year 2008)**

| Source of Regulations for Part C Program | Department of Health/Human Services (n = 37) | | Department of Education (n = 11) | | Co-Led Agencies (n = 2) | |
|---|---|---|---|---|---|---|
| | **N** | **%** | **N** | **%** | **N** | **%** |
| Its own regulations | 29 | 78.38 | 4 | 36.36 | 0 | 0.00 |
| Regulations adopted from Part B special education program | 4 | 10.81 | 6 | 54.55 | 2 | 100.00 |
| Regulations modified from Part B special education program | 4 | 10.81 | 1 | 9.09 | 0 | 0.00 |

EXHIBIT READS: Seventy-eight percent of Part C early intervention programs led by a state health/human services agency use their own regulations to resolve disputes related to early intervention services. Thirty-six percent of Part C programs led by an SEA use their own regulations to resolve disputes related to early intervention services. Two Part C programs co-led by a health/human services and an education agency use regulations adopted from the state Part B special education program to resolve disputes related to early intervention services.

N = 50. One Part C program coordinator did not provide the name of the Part C program lead agency in one state, which was reported to use its own regulations to resolve disputes related to early intervention services.

The IDEA-NAIS uses data collected by CADRE and the Data Accountability Center (DAC) on the number of dispute resolution events for state early intervention and special education programs. In this section we report the number of dispute resolution events for infants and toddlers age birth through 2 (Part C program) and children and youth ages 3 through 21 years (Part B program).

Overall, dispute resolution events were reported by some Part C early intervention and Part B special education programs during 2008 (fiscal year 2008 and the 2007–2008 school year respectively).[50] Twenty-nine Part C state programs and two Part B state programs reported that they did not hold any dispute resolution events (Exhibit 5.7).

**Exhibit 5.7: Number of State Programs Reporting No Dispute Events for Part C Early Intervention and Part B Special Education Programs during Fiscal Year 2008 or the 2007–2008 School Year**

| | Part C Programs | Part B Programs |
|---|---|---|
| States | 29 | 2 |

EXHIBIT READS: Twenty-nine Part C programs reported no dispute resolution events for fiscal year 2008. Two Part B programs reported no dispute events for the 2007–2008 school year.

For Part C, N = 45; for Part B, N = 46.

In the sections that follow, the study team presents a comprehensive picture of the total number of dispute resolution events and number of dispute resolution events per 10,000 infants and toddlers with disabilities or children and youth with disabilities for a five-year period spanning 2003 through 2008.[51] Data from Washington D.C. are not included in the summary tables because the data were unlikely enough to be considered outliers. Results for the 50 states and Washington D.C. can be found in Appendix G (Exhibits G.15 and G.16).

**There were seven or fewer dispute resolution events for every 10,000 infants and toddlers receiving services under the Part C early intervention program for the 2003–2004 through 2007–2008 school years**. The IDEA-NAIS uses data from CADRE and the Data Accountability Center on the number of dispute resolution events for a five-year period spanning 2003 through 2008. The number of dispute resolution events and number of disputes per 10,000 infants and toddlers receiving services through the Part C program are presented in Exhibit 5.8.

[50] Part C data from IDEA-NAIS are for the fiscal year while Part C data from CADRE or DAC are for school years.

[51] Results are from APR/SPP data that are publicly available from CADRE for the school years of 2003–2004 to 2005–2006 and from the Data Accountability Center (DAC) for school years 2006–2007 and 2007–2008. The IDEA-NAIS collected counts of dispute resolution events for fiscal year 2007 (Part C programs) and the 2007–2008 school year (Part B programs) which are presented in Appendix Exhibits G.17 and G.18 and Exhibits G.19 and G.20 respectively. The IDEA-NAIS used the dispute resolution procedure terminology from the Study of State and Local Implementation and Impact of the Individuals with Disabilities Education Act 1997 (SLIIDEA) conducted by Abt Associates for the U.S. Department of Education in 2006. The CADRE and DAC data are based on the APR/SPP reporting requirements and use slightly different terms than those used in SLIIDEA and IDEA-NAIS. Appendix F describes the congruence between different data sources on the incidence of dispute resolution events and includes a crosswalk of terminology

**Exhibit 5.8: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Infants and Toddlers with Disabilities Receiving Services under Part C Early Intervention Programs in the 50 States by Dispute Resolution Method (2003–2004 through 2007–2008 School Years)**

| | 2003–2004 | | 2004–2005 | | 2005–2006 | | 2006–2007 | | 2007–2008 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served |
| Signed written complaints | 173 | 6.37 | 171 | 6.09 | 172 | 5.84 | 162 | 6.07 | 185 | 6.95 |
| Due process hearings requested | 186 | 6.85 | 200 | 7.13 | 135 | 5.07 | 110 | 4.12 | 111 | 3.51 |
| Due process hearings completed | 13 | 0.48 | 24 | 0.85 | 17 | 0.64 | 14 | 0.52 | 18 | 0.57 |
| Resolution meetings held | — | — | 1 | 0.21 | 0 | 0.00 | 2 | 0.58 | 1 | 0.28 |
| Mediations held | 48 | 1.77 | 57 | 2.03 | 70 | 2.38 | 75 | 2.81 | 83 | 2.62 |

EXHIBIT READS: In the 2003–2004 school year, the Part C early intervention programs of the 50 states had 173 signed written complaints filed, or 6.37 signed written complaints per 10,000 infants and toddlers receiving early intervention services.

For 2003–2004, N = 50.

For 2004–2005, N = 50.

For 2005–2006, for signed written complaints and mediations held, N = 50; for due process hearings requested, N = 48; for due process hearings completed, N = 47; for resolution meetings, N = 45.

For 2006–2007, for signed written complaints, due process hearings requested, due process hearings completed and mediations held, N = 49; for resolution meetings, N = 12.

For 2007–2008, for due process hearings requested, due process hearings completed and mediations, N = 49; for signed written complaints, N = 49; for resolution meetings, N = 13.

**The number of requests for due process hearings exceeded the number of due process hearings completed under Part C.** For the Part C early intervention program, the frequency of due process hearing requests was higher than the frequency of dispute resolution hearings that were completed across each year from 2003–2004 through 2007–2008. For example, in 2003–2004 there were 6.85 hearings requested and 0.48 hearings completed per 10,000 infants and toddlers served. These data suggest that the majority of hearing requests do not result in an actual hearing.

**From 2003–2004 to 2007–2008, there was an increase in mediations conducted and a decrease in due process hearings requested under Part C**. The number of mediations conducted for each 10,000 infants and toddlers served grew from 1.77 in 2003–2004 to 2.62 in 2007–2008, a relative increase of over 50 percent. Across the same years, the number of due process hearing requests for each 10,000 infants and toddlers served decreased by almost half from 6.85 to 3.51.

**There were 23 or fewer dispute resolution events for every 10,000 preschool- and school-age children and youth served for the 2003–2004 through 2007–2008 school years.** The number of dispute resolution events and number of disputes per 10,000 individuals receiving services through Part B programs are presented in Exhibit 5.9.

**The number of requests for due process hearings far exceeded the number of due process hearings completed under Part B.** Similar to the Part C program, across each year from 2003–2004 through 2007–2008, the number of requests for due process hearings exceeded the number of due process hearings completed. For example, there were 21.74 hearing requests per 10,000 preschool- and school-age children served in 2003–2004 and 3.36 hearings completed per 10,000 preschool- and school-age children served in 2003–2004. These data suggest that the majority of hearing requests do not result in an actual hearing.

**From 2003–2004 to 2007–2008, there was a decrease in due process hearings completed under Part B**. For preschool- and school-age children, the frequency of most types of dispute resolution events remained relatively stable from the 2003–2004 through the 2007–2008 school year, with the exception of due process hearings (Exhibit 5.10). While the frequency of due process hearing requests remained relatively stable (22 requests per 10,000 children and youth served in 2003–2004 to 21 requests per 10,000 children and youth served in 2007–2008), the number of due process hearings completed for each 10,000 children and youth served decreased by more than half, from 3.36 in 2003–2004 to 1.61 in 2007–2008.

**Exhibit 5.9: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Children and Youth with Disabilities Receiving Services under Part B in the 50 States by Dispute Resolution Event (2003–2004 through 2007–2008 School Years)**

| | 2003–2004 | | 2004–2005 | | 2005–2006 | | 2006–2007 | | 2007–2008 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served | Total events | Events per 10,000 served |
| Signed written complaints | 5916 | 8.94 | 6094 | 9.09 | 5798 | 8.65 | 5220 | 8.11 | 5497 | 8.32 |
| Due process hearings requested | 14392 | 21.74 | 15496 | 23.12 | 14583 | 21.77 | 13828 | 20.71 | 13894 | 21.02 |
| Due process hearings completed | 2223 | 3.36 | 2215 | 3.30 | 1718 | 2.56 | 1370 | 2.05 | 1064 | 1.61 |
| Resolution meetings held | — | — | — | — | 3678 | 5.49 | 9073 | 13.65 | 8090 | 12.24 |
| Mediations held | 5924 | 8.95 | 6382 | 9.52 | 3651 | 6.06 | 5377 | 8.05 | 4989 | 7.55 |

EXHIBIT READS: In the 2003–2004 school year 5,916 signed written complaints were filed for preschool- and school-age children and youth with disabilities ages 3 through 21. Nine signed written complaints were filed per 10,000 preschool- and school-age children and youth served under preschool-age and school-age Part B programs in the school year 2003–2004.

For 2003–2004, N = 50.

For 2004–2005, N = 50.

For 2005–2006, N = 50 except for mediations held, N = 49.

For 2006–2007, for due process hearings, due process hearings completed and mediations, N = 50; for signed written complaints and resolution meetings, N = 49.

For 2007–2008, N = 50.

## Topics of Disputes

Disagreements between parents of children and youth with disabilities and service providers can occur for a variety of reasons. Below, the issues identified as part of dispute resolution events are presented for the three key dispute resolution procedures that are included in the SLIIDEA, the IDEA-NAIS and the SPP/APR data: (1) due process hearings requested (early intervention); (2) due process hearings completed (special education); and (3) mediations held (early intervention and special education). Since topic data are not required in the SPP/APR, this section contains data from the SLIIDEA and the IDEA-NAIS.

### Early Intervention Services as Set Forth in the IFSP Is the Most Common Reason for Due Process Hearing Requests and Mediations in Part C Programs in Fiscal Year 2008

The topics involved in Part C early intervention program disputes were not included in SLIIDEA, so information on the topics involved in Part C program disputes is only available for fiscal year 2008. This information is available for the eight Part C programs that reported on topics involved in due process hearing requests and the ten Part C programs that reported on topics involved in mediations. The most common reason for both dispute resolution events is early intervention services as set forth in the IFSP (Exhibit 5.10). Fifty-two percent of due process hearing requests and 71 percent of mediations in fiscal year 2008 involved this topic.

**Exhibit 5.10: Topics of Dispute Resolution Procedures for Infants and Toddlers Receiving Services under the Part C Early Intervention Program by Dispute Resolution Procedure (Fiscal Year 2008)**

| | Due Process Hearings Requested | Mediations Held |
|---|---|---|
| | % | % |
| Early intervention services, as set forth in the IFSP | 51.72 | 70.83 |
| Environment/setting | 0.00 | 8.33 |
| Family cost, including the use of private insurance | 3.45 | 8.33 |
| Evaluation for early intervention services | 0.00 | 4.17 |
| Transition | 0.00 | 4.17 |
| Eligibility for early intervention services | 3.45 | 0.00 |
| Procedural safeguards | 3.45 | 0.00 |

EXHIBIT READS: Survey results from eight Part C early intervention programs that reported on the topics of due process hearings requested indicated that 52 percent of due process hearings requested concerned the issue of early intervention services as set forth in the IFSP. For the ten Part C programs that reported on the topics of mediations held, the results indicate that 71 percent of mediations held concerned the issue of early intervention services, as set forth in the IFSP.

For due process hearings requested, N = 8.

For mediations held, N = 10.

**Educational Placement and Student's Educational Program as Set Forth in the IEP Are the Two Most Common Topics for Due Process Hearings Completed and Mediations in Special Education Programs in the 2003–2004 and the 2007–2008 School Years**

The two most common topics for disagreements for children and youth receiving services in the Part B special education program across both dispute resolution procedures in the 2003–2004 and the 2007–2008 school years are educational placement and educational program (i.e., goals, objectives, services, supports) as set forth in the IEP (Exhibit 5.12).

As reported earlier, from the 2003–2004 through the 2007–2008 school years, the frequency of due process hearings completed decreased (Exhibit 5.10). The percentage of due process hearings completed that concerned any one topic increased over the same period (Exhibit 5.11). For example, the child's educational placement was a topic in 31 percent of due process hearings completed in the 2003–2004 school year and 49 percent of due process hearings completed in the 2007–2008 school year.

**Exhibit 5.11: Topics of Disputes at the State Level for Children and Youth Receiving Services under Part B Programs by Dispute Resolution Method (2003–2004 and 2007–2008 School Year)**

| | Due Process Hearings Completed | | Mediations Held | |
|---|---|---|---|---|
| | 2003–2004 | 2007–2008 | 2003–2004 | 2007–2008 |
| | % | % | % | % |
| Educational placement | 30.83 | 49.32 | 35.34 | 38.72 |
| Student's educational program, as set forth in the IEP | 27.85 | 49.32 | 30.37 | 36.66 |
| Related services | 7.77 | 27.56 | 15.68 | 17.47 |
| Eligibility of students for special education services | 5.24 | 16.55 | 12.05 | 6.36 |
| Evaluation of students for special education services | 11.62 | 31.91 | 12.26 | 20.24 |
| Tuition reimbursement | 13.36 | 23.89 | 5.17 | 9.80 |
| Discipline | 2.56 | 12.12 | 5.46 | 8.16 |
| Procedural safeguards | 3.58 | 11.95 | 4.19 | 2.99 |

EXHIBIT READS: Survey results from 42 SEAs that reported on topics of due process hearings completed indicate that in the 2003–2004 school year, 31 percent of due process hearings completed concerned the issue of educational placement. SEAs that reported on the topic of due process hearings completed in the 2007–2008 school year indicated 49 percent concerned educational placement. Survey results from 37 SEAs that reported on the topics of mediations held indicated that in the 2003–2004 school year, 35 percent of mediations held concerned the issue of educational placement. Survey results from 36 SEAs that reported on the topics of mediations held indicated that in the 2007–2008 school year, 39 percent of mediations held concerned the issue of educational placement.

For due process hearings completed in 2003–2004, N = 42; in 2007–2008, N = 34.

For mediations held in 2003–2004, N = 37; in 2007–2008, N = 36.

The percentage of due process hearings completed that concerned students' educational program as set forth in the IEP, related services, eligibility for special education services and each of the remaining topics shown in Exhibit 5.12 also increased from 2003–2004 to 2007–2008. The largest increases in due process hearings completed for specific topics include: the child's educational

program as set forth in the IEP (a 22 percentage point increase), related services (a 20 percentage point increase), evaluation of students for special education services (a 20 percentage point increase) and educational placement (a 19 percentage point increase). These increases may indicate an increase in the complexity of the due process hearings completed and/or in the reporting procedures for topics. The SLIIDEA and IDEA-NAIS data collection allowed agencies to report multiple topics for each dispute resolution event so it is possible that the total number of topics for each event increased as the disputes became more complicated over time and concerned more issues.

## Summary

The chapter focused on two closely related areas: (1) state and local efforts to promote parent participation and (2) dispute resolution procedures used to resolve disagreements between parents of children with disabilities and provider agencies and educators.

Across state early intervention and special education programs, the majority reported that the program provides technical assistance and workshops or professional development to early intervention providers (31 and 28 states respectively), preschool-age special education staff (36 and 35 states), and LEAs related to promoting and/or increasing parent participation (39 and 46 states). Most programs also collaborate with the federally funded PTIs to disseminate information regarding each other's services (32 state early intervention programs, 38 preschool-age special education programs, and 41 special education programs). Most Part C early intervention programs (34 programs) reported using Part C program regulations to resolve disputes related to early intervention matters. Twelve Part C programs reported that their dispute regulations are adopted from Part B programs and five Part C programs reported that they use regulations that have been modified from the Part B program regulations.

Twenty-nine Part C early intervention programs reported that they did not conduct any dispute resolution procedures in fiscal year 2008. From 2003–2004 through 2007–2008 annually, there were seven or fewer dispute resolution events for every 10,000 infants and toddlers receiving services under the Part C early intervention program. The frequency of due process hearing requests was higher than the frequency of dispute resolution hearings that were completed across each of these years. These data suggest that the majority of hearing requests do not result in an actual hearing. Across these years, there was an increase in mediations and a decrease in due process hearing requests.

There were 23 or fewer dispute resolution events for every 10,000 children and youth served in special education for the 2003–2004 through 2007–2008 school years. Similar to the Part C program, across these years, the number of requests for due process hearings exceeded the number of due process hearings completed. These data again suggest that the majority of hearing requests do not result in an actual hearing. While the frequency of due process hearing requests remained relatively stable, the number of due process hearing completed for each 10,000 children and youth served decreased by more than half from 2003–2004 to 2007–2008.

Early intervention services as set forth in the IFSP is the most common reason for dispute resolution procedures reported in the Part C early intervention program. Fifty-two percent of due process hearing requests and 71 percent of mediations held in fiscal year 2008 concerned this topic. Educational placement and educational program (i.e., goals, objectives, services, supports) as set forth

in the IEP are the two most common topics of disagreement between parents of children and youth with disabilities receiving services in the Part B special education program across dispute resolution procedures in the 2003–2004 and the 2007–2008 school years (due process hearings completed and mediations held).

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# Appendix A: Technical Appendix

## Introduction

This appendix describes the study team's study design and sampling and analysis plans used in assessing state and local implementation of the Individuals with Disabilities Education Improvement Act (IDEA).

## Study Design

The IDEA National Assessment Implementation Study (IDEA-NAIS) is a descriptive study based primarily on four surveys that provide a comprehensive national picture of the state and local implementation of IDEA for children ages birth to 21 years with a focus on the changes resulting from the 2004 reauthorization of IDEA. The core tasks for the study were to: (1) develop and field a one-time set of surveys of state and local special education administrators and state early intervention administrators, (2) collect relevant extant data from sources including state websites and national databases; and (3) provide analyses of survey responses (e.g., means) to describe how states and school districts are implementing IDEA.

Three state-level surveys were fielded to collect data from: (1) state Part B school-age special education (Part B 611) program coordinators responsible for programs providing special education services to children and youth; (2) state Part B preschool-age (Part B 619) program coordinators[52] who oversee preschool programs for children with disabilities (ages 3 to 5 years old), and (3) state Part C early intervention program coordinators who are responsible for early intervention programs serving infants and toddlers (ages birth to 2 years old). A fourth survey was fielded at the district level to collect data from local Part B program administrators. Questionnaires requested data about policies and practices in place for the 2008–2009 school year. The study team also included, where appropriate, relevant items from surveys of state and local administrators that were conducted for earlier studies, such as those completed for the National Assessment of the 1997 Amendments to IDEA (e.g., Study of State and Local Implementation and Impact of IDEA—SLIIDEA), to examine changes over time in IDEA implementation. The state questionnaires were fielded as mail surveys. The district-level questionnaire was administered as a web-based survey.

Below, the study team describes the target population for each of the three state-level surveys and the sampling design for the sample of local educational agency (LEA) administrators who received the district-level survey.

## Sampling: State-Level Surveys

#### State Part B Special Education Program Coordinators Survey

Implementation questions spanning all four of the major topic areas for the implementation study require state-level data on special education programs, policies and services in order to provide a

[52] Note that in some states, the Part B preschool-age and school-age coordinators are the same person and in other states, they are different people.

comprehensive picture of how state education agencies are implementing IDEA, with a particular focus on changes resulting from the 2004 reauthorization of IDEA. State special education directors are the most appropriate respondents for the majority of items addressed in this survey, given their experience, knowledge and daily responsibility for the oversight of special education services in the state (Schiller et al. 2006). Part B program coordinators from all 50 states and the District of Columbia were surveyed for this questionnaire; there are no sampling considerations.

### State Part B Preschool-Age Special Education Program Coordinator Survey

The preschool program administrator, commonly referred to as the Part B 619 program coordinator, is the most appropriate respondent from which to obtain information on the study topics as they relate to preschool special education programs, policies and practices. In most states, there is an administrator specifically for preschool programs serving children with disabilities. This may not be the same official responsible for programs for school-age students with disabilities referenced above; the Part B preschool-age program coordinator may be located in a separate agency (e.g., early care) or office from the State Part B program coordinator. This survey was administered to a census of state Part B preschool-age program coordinators; there are no sampling considerations.

### State Part C Early Intervention Program Coordinator Survey

State level information about Part C programs for infants, toddlers and their families was gathered through a survey of State Part C program coordinators. The survey addressed the organization and structure of Part C program in each state, as well as policies and procedures related to eligibility and identification, coordination with the Part B preschool-age program, funding and financing, staffing and personnel requirements, early learning standards, family involvement and disputes and mediation. The Part C program coordinator at the lead agency for each state's Part C program is the respondent most knowledgeable about these topics and about how IDEA is being implemented for this population of children. Similar to the other state-level surveys, the study team administered the Part C program survey to the census of state Part C program coordinators; there are no sampling considerations for this survey.

## Sampling: District-Level Survey

Implementation questions spanning all of the implementation study areas require data on district special education policies and practices. Our experience collecting data on local special education issues suggests that the local Part B program administrator is the most appropriate respondent for the majority of items to be addressed due to their expertise and role in the district. Unlike the state surveys for which the study team surveyed the population of respondents, the study team administered the district survey to a sample of 1,200 local school districts, selected in accordance with the sampling plan provided below.

It was not feasible for burden and cost reasons to survey the full population of over 18,250 school districts in the United States (U.S. Department of Education National Center for Education Statistics 2008). Thus, a stratified sample of school districts was drawn as discussed below. The sample of districts for IDEA-NAIS was chosen with two goals in mind: (1) to be nationally representative so as to enable a national description of IDEA implementation; and (2) to have sufficient overlap with the Year 4 SLIIDEA respondents to allow for longitudinal analyses. To meet these two goals, a sample of

400 districts (S1 districts) was selected from the 849 districts that responded to the Year 4 SLIIDEA district survey. Additionally, an independent sample of 800 additional districts (S2 districts) was selected from the 2006–2007 national population of school districts. This approach yielded a total sample of 1,200 school districts. The expected precision (95 percent confidence interval) of an estimated proportion for the sample of 1,200 LEAs with an 80 percent response rate is plus or minus 3.9 percentage points. See Attachment A.1 for the calculation of minimum detectable effects for district-level proportions using the IDEA-NAIS district sample.

The sampling frame and sampling method for the two components of the district sample are described below.

### The Sampling Frame of Districts

***The Sampling Frame of Districts for the S1 Sample.*** The sampling frame of districts for the S1 sample consists of the 849 districts that responded to the Year 4 SLIIDEA district survey for the 2004–2005 school year.

***The Sampling Frame of Districts for the S2 Sample.*** The sampling frame of districts for the S2 sample was created from the 2006–2007 Common Core of Data (CCD) available from the National Center for Education Statistics (NCES). The most recent school year for which the CCD is available is 2006–2007. A preliminary list of potential districts consisted of all district-level records (n=18,250) in the 2006–2007 CCD. For reasons described below, we omitted 5,475 of the records from the preliminary list from the final sampling frame.

***Deletions from the Preliminary List to Create the S2 Sampling Frame.*** Districts in the preliminary sampling frame list were omitted for the following reasons:

- The target population for this study is districts from the 50 U.S. states and the District of Columbia. Districts that did not meet this criteria, for example districts in Puerto Rico and the U.S. Virgin Islands, were removed from the list (n=15). This exclusion also makes the sampling frame for IDEA-NAIS similar to the sampling frame used for SLIIDEA.
- Education agencies that had closed or were not yet opened at the time of the reference year were removed from the list (n=683). These districts no longer exist or are not currently providing services to children with disabilities.
- Districts where the number of schools (variable name sch06) is 0 or -2 (data not expected or collected) or the number of students (variable name member06) is 0 or -1 (data missing) or -2 (data not expected or collected) were removed from the list (n=2,164). Districts that had 0 schools do not serve any children with disabilities. Districts with number of students missing were excluded because the number of districts to be sampled from each of the region-by-urbanicity strata was determined by allocation proportional to the number of students within each district; when this data are missing we cannot do this.
- Districts that have a grade span listed in the CCD as UGUG (ungraded, students in classes or programs without standard grade) or NN (data not expected or collected) were removed from the list (n=1,812). These districts serve very specialized populations (e.g., incarcerated youth) and are not eligible for this study.

- Agencies that are regional, state, federal or other (non-local) were removed from the list, based on the NCES classification in the CCD data set (n=3,961). This exclusion makes the sampling frame for IDEA-NAIS similar to the sampling frame used for SLIIDEA.
- Districts that responded to the Year 4 SLIIDEA district survey sample were removed from the list for the S2 sampling frame as they were included in the S1 sampling frame (n=849).
- After deletions from the preliminary S2 sampling frame, the final S2 sampling frame included 12,775 districts.

Exhibit A.1 shows the total number of districts in the target population, sampling frame, and sample. The sample of S1 districts was selected to be representative of the U.S. population of public school districts that was in existence at the time of the SLIIDEA study. The sample of S2 districts was selected to be representative of the U.S. population of public school districts that currently exists, excluding the 843 districts that responded to the Year 4 SLIIDEA survey. The combined group of S1 and S2 districts was weighted to be representative of the current U.S. population of public school districts.

**Exhibit A.1: Number of Districts in the Population, Frame and Sample**

| | S1 Districts | S2 Districts | S1 & S2 Districts Combined |
|---|---|---|---|
| Target population | 13,318 | 12,744 | 13,587 |
| Sampling frame | 843 [a] | 12,775 [b] | 13,618 [b] |
| Selected sample | 400 | 800 | 1,200 |

[a] There were six fewer districts in the S1 sampling frame than the 849 districts that responded to the Year 4 SLIIDEA survey because these districts no longer met the eligibility criteria for inclusion in the current study.

[b] The sampling frame for the S2 districts appears larger than the target population because in the CCD data set from which the sampling frame was derived, the New York City school district appeared as 32 separate districts. The target population for the combined sample of S1 and S2 districts is the current total number of U.S. districts that meet eligibility criteria, which is 12,744 + 843 = 13,587.

### *Region and Urbanicity Classifications*

The population of school districts in both sampling frames was stratified by four Census regions and three categories of urbanicity creating 12 strata for sample selection. Urbanicity was defined according to the metro status code variable on the corresponding CCD data sets (see Exhibits A.2 and A.3 respectively). Region was defined according to the four Census regions (see Exhibit A.4). These strata are used for face validity, rather than to produce estimates for subgroup analyses. For a sample to have face validity as being nationally representative, the sample should be guaranteed to include districts from all four major regions of the country and should be guaranteed to include urban, suburban and rural districts. Exhibits A.5 and A.6 show the distribution of districts across the 12 strata in the S1 (Exhibit A.5) and S2 (Exhibit A.6) sampling frames.

**Exhibit A.2: Urbanicity Classification for S1 Districts**

| Classification | NCES classification of the agency's service area relative to a Metropolitan Statistical Area (CCD variable name MSC97) |
|---|---|
| Urban | 1 = Primarily serves a principal city of a MSA |
| Suburban | 2 = Serves a MSA but not primarily its principal city |
| Rural | 3 = Does not serve a MSA, |

**Exhibit A.3: Urbanicity Classification for S2 Districts**

| Classification | NCES classification of the agency's service area relative to a Core Based Statistical Area (CCD variable name MSC06) |
|---|---|
| Urban | 1 = Primarily serves a principal city of a CBSA |
| Suburban | 2 = Serves a CBSA but not primarily its principal city |
| Rural | 3 = Does not serve a CBSA |

**Exhibit A.4: Region Classification**

| Classification | State Abbreviation |
|---|---|
| West | HI, WA, OR, MT, ID, WY, CA, NV, UT, CO, AZ, NM, AK |
| Northeast | NY, VT, ME, NH, MA, CT, RI, NJ, PA |
| South | TX, OK, AR, LA, KY, TN, MS, AL, WV, VA, MD, DC, DE, NC, SC, GA, FL |
| Midwest | ND, SD, NE, KS, MN, IA, MO, WI, IL, MI, IN, OH |

**Exhibit A.5: Region and Urbanicity Classification for S1 Districts**

| REGMETRO | | Frequency | Percent | Cumulative Frequency | Cumulative Percent |
|---|---|---|---|---|---|
| 1 | NE Urb | 23 | 2.73 | 23 | 2.73 |
| 2 | NE Sub | 113 | 13.40 | 136 | 16.13 |
| 3 | NE Rur | 19 | 2.25 | 155 | 18.39 |
| 4 | SO Urb | 51 | 6.05 | 206 | 24.44 |
| 5 | SO Sub | 120 | 14.23 | 326 | 38.67 |
| 6 | SO Rur | 99 | 11.74 | 425 | 50.42 |
| 7 | MW Urb | 34 | 4.03 | 459 | 54.45 |
| 8 | MW Sub | 125 | 14.83 | 584 | 69.28 |
| 9 | MW Rur | 67 | 7.95 | 651 | 77.22 |
| 10 | WE Urb | 36 | 4.27 | 687 | 81.49 |
| 11 | WE Sub | 121 | 14.35 | 808 | 95.85 |
| 12 | WE Rur | 35 | 4.15 | 843 | 100.00 |

**Exhibit A.6: Region and Urbanicity Classification for S2 Districts**

| REGMETRO | | Frequency | Percent | Cumulative Frequency | Cumulative Percent |
|---|---|---|---|---|---|
| 1 | NE Urb | 78 | 0.61 | 78 | 0.61 |
| 2 | NE Sub | 1792 | 14.06 | 1870 | 14.67 |
| 3 | NE Rur | 837 | 6.57 | 2707 | 21.24 |
| 4 | SO Urb | 207 | 1.62 | 2914 | 22.87 |
| 5 | SO Sub | 945 | 7.42 | 3859 | 30.28 |
| 6 | SO Rur | 1742 | 13.67 | 5601 | 43.95 |
| 7 | MW Urb | 157 | 1.23 | 5758 | 45.18 |
| 8 | MW Sub | 1886 | 14.80 | 7644 | 59.98 |
| 9 | MW Rur | 2617 | 20.54 | 10261 | 80.52 |
| 10 | WE Urb | 231 | 1.81 | 10492 | 82.33 |
| 11 | WE Sub | 1020 | 8.00 | 11512 | 90.33 |
| 12 | WE Rur | 1232 | 9.67 | 12744 | 100.00 |

### Sampling Method

We selected a stratified systematic sample of 400 districts from the S1 sampling frame and 800 districts from the S2 sampling frame. The number of districts sampled from each of the 12 region-by-urbanicity strata was determined by allocation proportional to the number of students within each stratum. Prior to sampling, districts were sorted by size within each stratum. Systematic sampling after sorting by size increases the likelihood of having a wide distribution of district sizes in the selected sample.

Exhibits A.7–A.9 show the number of districts needed from each stratum within the S1 sampling frame. There were four strata (1, Northeastern urban; 4, Southern urban; 7, Midwestern urban; 10, Western urban) that had fewer districts available than the number of districts we needed to sample. We took all available districts from these strata. This gave us a total of 144 districts (23 + 51 + 34 + 36); we then took the remaining 256 (400 – 144) districts needed from the remaining 8 strata to get the sample of 400 S1 districts. The number of districts needed from the remaining strata is shown in Exhibit A.8. The number of districts available and the number sampled from each stratum within the S1 sampling frame are summarized in Exhibit A.9.

Exhibit A.10 shows the number of districts needed from each stratum within the S2 sampling frame. Exhibit A.11 shows the number of districts selected from each stratum within the S2 sampling frame.

**Exhibit A.7: Number of Districts Needed from Each Stratum within the S1 Sampling Frame**

| Obs | Yr4_strat[a] | Stuenrl[b] | Totenr[c] | Stuenrl/Totenr | Ssize[d] | NeedTot[e] |
|---|---|---|---|---|---|---|
| 1 | 1 NE Urb | 550688 | 6943002 | 0.0793 | 31.7262 | 32 <== only 23 districts are available in this stratum |
| 2 | 2 NE Sub | 329573 | 6943002 | 0.0475 | 18.9873 | 19 |
| 3 | 3 NE Rur | 20610 | 6943002 | 0.0030 | 1.1874 | 1 |
| 4 | 4 SO Urb | 977885 | 6943002 | 0.1408 | 56.3379 | 56 <== only 51 districts are available in this stratum |
| 5 | 5 SO Sub | 964325 | 6943002 | 0.1389 | 55.5567 | 56 |
| 6 | 6 SO Rur | 281138 | 6943002 | 0.0405 | 16.1969 | 16 |
| 7 | 7 MW Urb | 981405 | 6943002 | 0.1414 | 56.5407 | 57 <== only 34 districts are available in this stratum |
| 8 | 8 MW Sub | 468289 | 6943002 | 0.0674 | 26.9791 | 27 |
| 9 | 9 MW Rur | 114225 | 6943002 | 0.0165 | 6.5807 | 7 |
| 10 | 10 WE Urb | 1123902 | 6943002 | 0.1619 | 64.7502 | 65 <== only 36 districts are available in this stratum |
| 11 | 11 WE Sub | 1035150 | 6943002 | 0.1491 | 59.6370 | 60 |
| 12 | 12 WE Rur | 95812 | 6943002 | 0.0138 | 5.5199 | 6 |
| Total | | 6943002 | | 1 | | |

[a] Yr4_strat = region-by-urbanicity stratum.

[b] Stuenrl = number of students enrolled in each stratum.

[c] Totenr = sum of stuenrl across the 12 strata.

[d] Ssize = 400*(stuenrl/totenr).

[e] NeedTot = total number of districts to be sampled in each stratum (round(ssize)).

**Exhibit A.8: Number of Districts Needed from Each Remaining Stratum within the S1 Sampling Frame**

| Obs | Yr4_strat[a] | Stuenrl[b] | Totenr[c] | Stuenrl/Totenr | Ssize[d] | NeedTot[e] |
|---|---|---|---|---|---|---|
| 1 | 2 NE Sub | 329573 | 3309122 | 0.0996 | 25.4964 | 25 |
| 2 | 3 NE Rur | 20610 | 3309122 | 0.0062 | 1.5944 | 2 |
| 3 | 5 SO Sub | 964325 | 3309122 | 0.2914 | 74.6020 | 75 |
| 4 | 6 SO Rur | 281138 | 3309122 | 0.0850 | 21.7494 | 22 |
| 5 | 8 MW Sub | 468289 | 3309122 | 0.1415 | 36.2277 | 36 |
| 6 | 9 MW Rur | 114225 | 3309122 | 0.0345 | 8.8367 | 9 |
| 7 | 11 WE Sub | 1035150 | 3309122 | 0.3128 | 80.0812 | 80 |
| 8 | 12 WE Rur | 95812 | 3309122 | 0.0290 | 7.4122 | 7 |
| Total | | 3309122 | | 1 | | |

[a] Yr4_strat = region-by-urbanicity stratum.

[b] Stuenrl = number of students enrolled in each stratum.

[c] Totenr = sum of stuenrl across the 8 strata.

[d] Ssize = 400*(stuenrl/totenr).

[e] NeedTot = total number of districts to be sampled in each stratum (round(ssize)).

**Exhibit A.9: Number of Districts Available and Number Sampled from Each Stratum within the S1 Sampling Frame**

| Obs | Yr4_strat[a] | TotDistl[b] | NeedTot[e] |
|---|---|---|---|
| 1 | NE Urb | 23 | 23 |
| 2 | NE Sub | 113 | 25 |
| 3 | NE Rur | 19 | 2 |
| 4 | SO Urb | 51 | 51 |
| 5 | SO Sub | 120 | 75 |
| 6 | SO Rur | 99 | 22 |
| 7 | MW Urb | 34 | 34 |
| 8 | MW Sub | 125 | 36 |
| 9 | MW Rur | 67 | 9 |
| 10 | WE Urb | 36 | 36 |
| 11 | WE Sub | 121 | 80 |
| 12 | WE Rur | 35 | 7 |

[a] Yr4_strat = region-by-urbanicity stratum.

[b] TotDist = total number of districts in stratum.

[c] NeedTot = total number of districts to be sampled in each stratum.

**Exhibit A.10: Number of Districts Needed from Each Stratum within the S2 Sampling Frame**

| Obs | Regmetro[a] | Stuenrl[b] | Totenr[c] | Stuenrl/Totenr | Ssize[d] | NeedTot[e] |
|---|---|---|---|---|---|---|
| 1 | 1 NE Urb | 1699036 | 40833846 | 0.0416 | 33.287 | 33 |
| 2 | 2 NE Sub | 4547575 | 40833846 | 0.1114 | 89.094 | 89 |
| 3 | 3 NE Rur | 774662 | 40833846 | 0.0190 | 15.177 | 15 |
| 4 | 4 SO Urb | 5974744 | 40833846 | 0.1463 | 117.055 | 117 |
| 5 | 5 SO Sub | 6155120 | 40833846 | 0.1507 | 120.589 | 121 |
| 6 | 6 SO Rur | 3439885 | 40833846 | 0.0842 | 67.393 | 67 |
| 7 | 7 MW Urb | 1935772 | 40833846 | 0.0474 | 37.925 | 38 |
| 8 | 8 MW Sub | 4758521 | 40833846 | 0.1165 | 93.227 | 93 |
| 9 | 9 MW Rur | 2386703 | 40833846 | 0.0584 | 46.759 | 47 |
| 10 | 10 WE Urb | 3866564 | 40833846 | 0.0947 | 75.752 | 76 |
| 11 | 11 WE Sub | 4266198 | 40833846 | 0.1045 | 83.582 | 84 |
| 12 | 12 WE Rur | 1029066 | 40833846 | 0.0252 | 20.161 | 20 |
| Total | | 40833846 | | 1 | | |

[a] Regmetro = region-by-urbanicity stratum.

[b] Stuenrl = number of students enrolled in each stratum.

[c] Totenr = sum of stuenrl across the 8 strata.

[d] Ssize = 400*(stuenrl/totenr).

[e] NeedTot = total number of districts to be sampled in each stratum (round(ssize)).

**Exhibit A.11: Number of Districts Available and Number Sampled from Each Stratum within the S2 Sampling Frame**

| Obs | Regmetro[a] | TotDistl[b] | NeedTot[e] |
|---|---|---|---|
| 1 | NE Urb | 78 | 33 |
| 2 | NE Sub | 1792 | 89 |
| 3 | NE Rur | 837 | 15 |
| 4 | SO Urb | 207 | 117 |
| 5 | SO Sub | 945 | 121 |
| 6 | SO Rur | 1742 | 67 |
| 7 | MW Urb | 157 | 38 |
| 8 | MW Sub | 1886 | 93 |
| 9 | MW Rur | 2617 | 47 |
| 10 | WE Urb | 231 | 76 |
| 11 | WE Sub | 1020 | 84 |
| 12 | WE Rur | 1232 | 20 |

[a] Regmetro = region-by-urbanicity stratum.

[b] TotDist = total number of districts in stratum.

[c] NeedTot = total number of districts to be sampled in each stratum.

### Base Sampling Weights

The sampling weights assigned to responding school districts in the survey must be in accordance with the sampling design used for the selection of school districts. As stated earlier, for sample selection, 12 strata were created for both components of the district sample (S1 and S2). Thus, weights were determined for each district within a stratum.

***Base Weights for the S1 districts***

For the 400 school districts sampled from the 843 districts that responded to the Year 4 SLIIDEA district survey, two sets of sampling weights were constructed. The first set of weights reflects the sampling of 400 school districts from 843 school districts. Let this weight be denoted by $w_{s1h}$, it was calculated as follows:

Let $N_{s1h}$ be the number of responding school districts in the Year 4 SLIIDEA survey in stratum $h$ ($h$=1,2,3, …, 12). Hence $N = \sum_{h=1}^{12} N_{s1h} = 843$ and let the number of school districts selected in the S1 sample in stratum $h$ be $n_{s1h}$ . Then $w_{s1h} = \frac{N_{s1h}}{n_{s1h}}$ ($h$=1,2,3,…., 12). If these weights are aggregated over the 400 school districts, they sum to 843 (the target population of S1 districts).

**Analysis Variable: Ws1h Sampling Weight**

| N | Sum |
|---|---|
| 400 | 843.0000000 |

The second set of weights for the 400 sampled school districts is based on the overall probability of selection of the 400 school districts. The overall probability is the product of the probability of being selected for the SLIIDEA sample and the conditional probability of being selected in the IDEA-NAIS sample given selection for the SLIIDEA sample. The inverse of this overall probability is the overall weight. This was calculated as the product of the final weights assigned to these districts in SLIIDEA Year 4 ($w_{fs1h}$) and the first set of weights ($w_{s1h}$) determined above. Let this second set of weights be denoted by $w_{os1h}$, calculated as follows: $w_{os1h} = w_{fs1h}\, w_{s1h}$. If these weights are aggregated over the 400 school districts, they sum to 13,318 (the target population of SLIIDEA districts).

**Analysis Variable: Wos1h**

| N | Sum |
|---|---|
| 400 | 13318.01 |

***Base Weights for the S2 Districts***

The 800 school districts selected from the current school district population, minus the respondents to the Year 4 SLIIDEA survey, were assigned sampling weights based on the population and sample size in each stratum. Let this weight for a school district in a stratum be denoted by $w_{s2h}$; it was calculated as follows:

Let the current population of school districts be $N_{s2}$. Let the number of school districts in the population in stratum $h$ be $N_{s2h}$. The sampling frame for the selection of a sample of school districts in stratum $h$ from the current population will contain $N^*_{s2h} = N_{s2h} - N_{s1h}$ school districts. That is, before sampling, the number of respondents to the Year 4 SLIIDEA was subtracted from the current population. Let the number of districts sampled in stratum $h$ be $n^*_{s2h}$ The sampling weight for the sampled school districts from the current population after the exclusions described above will be $w_{s2h} = \frac{N^*_{s2h}}{n^*_{s2h}}$. If these weights are aggregated over the 800 school districts, they sum to 12,744 (the target population of S2 districts).

**Analysis Variable: Ws2h Sample Weights of 52 Districts**

| N | Sum |
|---|---|
| 800 | 12744.00 |

***Combining the Base Weights for the S1 and S2 Districts***

The study will produce two estimates from the same population parameter because two samples were drawn: S1 which consists of 400 districts and overlaps with the SLIIDEA sample and S2 which consists of 800 districts and does not overlap with the SLIIDEA sample. Standard practice combines the S1 estimate and the S2 estimate into a single population parameter estimate using appropriate weights. The weights are determined to minimize the variance of the overall estimate. One method to minimize the variance of the overall estimate is to weight the individual estimates inversely to their variances. In the absence of variances, the sample size is used to approximate the determination of weights. In this case, we have a population estimate based on an estimate from a sample of 400 and on an estimate from 800. Using the ratio of sample size of each estimator to the total sample size, we get weighting factors of 0.25 (400/1200) and 0.75 (800/1200). These were modified to 0.20 and 0.80 to further reduce some of the large weights assigned to respondents in the sample of 400, which further reduces the effect of unequal weights on the variance of the overall estimate.

As stated earlier, the weights $w_{os1h}$ assigned to the 400 school districts provide a population estimate for the SLIIDEA districts (population N=13,318). The weights $w_{s2h}$ assigned to the 800 school districts (these sum to 12,744) and the conditional weights $w_{s1h}$ assigned to 400 school districts (these sum to 843) together provide a population estimate for the current target population (N=13,587). Therefore, we needed to combine these weights into a single set of weights for estimating the current population parameters. The weights were combined as follows: we took 20 percent of the weights $w_{os1h}$ and 80 percent of the weights $w_{s1h}$ and $w_{s2h}$. Thus, if the district was an S1 district a single set of weights $w^*_{s1h}$ based on the two sets of weights ($w_{os1h,}$ $w_{s1h}$) was constructed as follows: $w^*_{s1h}$ = 0.2 $w^*_{os1h}$ + 0.8 $w^*_{s1h}$. If the district was an S2 district then that district was given a weight of $w^*_{s2h}$ = 0.8

$w^*_{s2h}$. The multipliers (0.2 and 0.8) were selected to minimize the variability within weights without distorting the new weights too much.

The new combined weight, denoted $w_{hj}$, is formed:

$w_{hj} = w^*_{s1h}$ if S1 district, and

$w_{hj} = w^*_{s2h}$ if S2 district

The sum of these combined weights was 13,533 and the current population number of districts is 13,587. Hence, these new weights were adjusted within the 12 region-by-urbanicity categories so that the sum of the weights is equal to the current target population of school districts as follows:

Let $w^{adj}_{hj}$ be the new weight for the $j^{th}$ district in the $h^{th}$ stratum after the adjustment. And let $w_{hj}$ be the weight before adjustment. Let $n_h$ be the population number of school districts in the $h^{th}$ stratum. Let $m_h$ be the number of school districts in the sample. Then the new adjusted weight for the $j^{th}$ district in the $h^{th}$ stratum is calculated as:

$$w^{adj}_{hj} = w_{hj} \times \frac{n_h}{\sum_{j=1}^{m_h} w_{hj}}$$

| Variable | Label | N | Sum |
|---|---|---|---|
| Wjh | Final combined weight | 1200 | 13533.20 |
| Whj_adj | Final adjusted combined weight – base weights | 1200 | 13587.00 |

**Reweighting District Base Weights for Non-Response**

The previous section describes how the initial sample of districts was weighted to represent the target population. Here we discuss adjustments to the weights to account for districts that did not to respond to the district survey.

To account for unit non-response, weighting-class adjustments were made to the sampling weights (Lohr 1999). Weighting classes (strata) were formed from two variables (region and urbanicity) with known values for all districts in the sample. This method assumes that respondents and non-respondents are similar within weighting classes. Within weighting classes, the sampling weights of responder districts are inflated to represent the non-responder districts. This method assumes a missing-at-random (MAR) non-response mechanism, which implies that the probability of response depends on region and urbanicity and is not related to characteristics of interest in the survey. This means we are assuming that the responding and non-responding school districts are similar within a weighting class and therefore we expect some reduction in bias if we use responding school districts to represent non-responding school districts. Fortunately, with our high percentage response rate, even if this assumption of MAR is not strictly true, the potential for non-response bias is low. See Attachment A.2 for the mathematical proof of why the potential for bias is small if response rate is high.

Twelve weighting classes were formed by crossing four levels of region (Northeast, South, Midwest and West) by three levels of urbanicity (urban, suburban and rural). Within each class, the weights of

responder districts were inflated by a factor equal to the inverse of the estimated probability of response within each class. The probability of response within each class is estimated by:

$$\widehat{\emptyset}_c = \frac{sum\ of\ weights\ for\ respondents\ in\ class\ c}{sum\ of\ weights\ for\ selected\ sample\ in\ class\ c}$$

The inflation factor is equal to $\frac{1}{\widehat{\emptyset}_c}$.

Let $w_{ic}$ = the sampling weight of responder district *i* in weighting class *c*. And let $\widetilde{w}_{ic}$ = the inflated weight of responder district *i* in weighting class *c*. Then

$$\widetilde{w}_{ic} = w_{ic} \times \frac{1}{\widehat{\emptyset}_c}$$

The sum of the inflated weights, $\widetilde{w}_{ic}$, over all responding districts is equal to the number of districts in the target population.

### Response Rate

Out of the 1,200 districts surveyed, 1,165 submitted surveys. Districts that completed 50 percent or more of the survey questions were classified as responders. Given that 1,148 districts completed 50 percent or more of the survey questions, the response rate was 96 percent.

| Indistresp[a] | InDistSamp[b] | Frequency | Percent | Cumulative Frequency | Cumulative Percent |
|---|---|---|---|---|---|
| . | 1 | 52 | 4.33 | 52 | 4.33 |
| 1 | 1 | 1148 | 95.67 | 1200 | 100.00 |

[a] Indistresp = 1 if district responded to survey.

[b] InDistSamp = 1 if district was in the IDEA-NAIS survey sample.

### Re-Weighting the New Sample

As described above, weighting-class adjustments were made to the sampling weights to account for the reduction in our sample size.

**Original Sample of 1200 and Sum of Base Weight**

| Variable | Label | Sum |
|---|---|---|
| _FREQ_ | | 1200.00 |
| Wgt1200 | Final adjusted combined weight – base weights | 13587.00 |

**Respondent Sample of 1148 and Sum of Base Weights**

| Variable | Label | Sum |
|---|---|---|
| _FREQ_ | | 1148.00 |
| Wgt1148 | Final adjusted combined weight – base weights | 13013.44 |

**Sum Weight for 1200 to Derive Actual Sum Within Weighting Class**

| Obs | Regmetro[a] | _FREQ_ | Wgt1200 |
|---|---|---|---|
| 1 | NE Urb | 56 | 101.00 |
| 2 | NE Sub | 114 | 1905.00 |
| 3 | NE Rur | 17 | 856.00 |
| 4 | SO Urb | 168 | 258.00 |
| 5 | SO Sub | 196 | 1065.00 |
| 6 | SO Rur | 89 | 1841.00 |
| 7 | MW Urb | 72 | 191.00 |
| 8 | MW Sub | 129 | 2011.00 |
| 9 | MW Rur | 56 | 2684.00 |
| 10 | WE Urb | 111 | 261.41 |
| 11 | WE Sub | 165 | 1146.59 |
| 12 | WE Rur | 27 | 1267.00 |

**Sum Weight for Respondent Sample (n=1148) to Derive Actual Sum Within Weighting Class**

| Obs | Regmetro[a] | _FREQ_ | Wgt1200 |
|---|---|---|---|
| 1 | NE Urb | 52 | 93.22 |
| 2 | NE Sub | 110 | 1840.89 |
| 3 | NE Rur | 17 | 856.00 |
| 4 | SO Urb | 161 | 247.20 |
| 5 | SO Sub | 194 | 1052.27 |
| 6 | SO Rur | 88 | 1820.58 |
| 7 | MW Urb | 69 | 184.34 |
| 8 | MW Sub | 120 | 1859.27 |
| 9 | MW Rur | 54 | 2595.97 |
| 10 | WE Urb | 103 | 244.18 |
| 11 | WE Sub | 155 | 1052.83 |
| 12 | WE Rur | 25 | 1166.68 |

**Merge and Calculate Correction Factor**

| Obs | Regmetro[a] | _TYPE_ | _FREQ_ | Wgt1200 | Wgt1148 | Correctn |
|---|---|---|---|---|---|---|
| 1 | NE Urb | 0 | 52 | 101.00 | 93.22 | 1.08350 |
| 2 | NE Sub | 0 | 110 | 1905.00 | 1840.89 | 1.03482 |
| 3 | NE Rur | 0 | 17 | 856.00 | 856.00 | 1.00000 |
| 4 | SO Urb | 0 | 161 | 258.00 | 247.20 | 1.04370 |
| 5 | SO Sub | 0 | 194 | 1065.00 | 1052.27 | 1.01209 |
| 6 | SO Rur | 0 | 88 | 1841.00 | 1820.58 | 1.01121 |
| 7 | MW Urb | 0 | 69 | 191.00 | 184.34 | 1.03616 |
| 8 | MW Sub | 0 | 120 | 2011.00 | 1859.27 | 1.08161 |
| 9 | MW Rur | 0 | 54 | 2684.00 | 2595.97 | 1.03391 |
| 10 | WE Urb | 0 | 103 | 261.41 | 244.18 | 1.07053 |
| 11 | WE Sub | 0 | 155 | 1146.59 | 1052.83 | 1.08906 |
| 12 | WE Rur | 0 | 25 | 1267.00 | 1166.68 | 1.08599 |

**FinSmpWgt = Whj_adj*(correctn) [Correction Factor]**

| Variable | Label | N | N Miss | Sum |
|---|---|---|---|---|
| Whj_adj | Final adjusted combined weight – base weights | 1200 | 0 | 13587.00 |
| FinSmpWgt | Final district sample weight | 1148 | 52 | 13587.00 |

**Summary of Re-Weighting**

| Obs | Regmetro | N_Samp | SumPop | N_Resp | SumOrig | Corec Factr | SumNew |
|---|---|---|---|---|---|---|---|
| 1 | NE Urb | 56 | 101.00 | 52 | 93.22 | 1.08350 | 101.00 |
| 2 | NE Sub | 114 | 1905.00 | 110 | 1840.89 | 1.03482 | 1905.00 |
| 3 | NE Rur | 17 | 856.00 | 17 | 856.00 | 1.00000 | 856.00 |
| 4 | SO Urb | 168 | 258.00 | 161 | 247.20 | 1.04370 | 258.00 |
| 5 | SO Sub | 196 | 1065.00 | 194 | 1052.27 | 1.01209 | 1065.00 |
| 6 | SO Rur | 89 | 1841.00 | 88 | 1820.58 | 1.01121 | 1841.00 |
| 7 | MW Urb | 72 | 191.00 | 69 | 184.34 | 1.03616 | 191.00 |
| 8 | MW Sub | 129 | 2011.00 | 120 | 1859.27 | 1.08161 | 2011.00 |
| 9 | MW Rur | 56 | 2684.00 | 54 | 2595.97 | 1.03391 | 2684.00 |
| 10 | WE Urb | 111 | 261.41 | 103 | 244.18 | 1.07053 | 261.41 |
| 11 | WE Sub | 165 | 1146.59 | 155 | 1052.83 | 1.08906 | 1146.59 |
| 12 | WE Rur | 27 | 1267.00 | 25 | 1166.68 | 1.08599 | 1267.00 |
| Total | | 1200 | 13587.00 | 1148 | 13013.44 | 1.04936 | 13587.00 |

## Analytic Approach

This section describes our approach to empirical analyses of data for IDEA-NAIS. The types of data collected through the surveys and extant data as discussed earlier primarily provide descriptive information on the processes and strategies in place at the state and district levels regarding the implementation of IDEA in the four broad areas targeted for this study: (1) Part C program service delivery systems and coordination with the Part B preschool-age program; (2) identification of children for early intervention and special education; (3) academic standards and personnel qualifications; and (4) dispute resolution and mediation.

Most of the research questions were directly addressed through the use of simple descriptive statistics, such as means and percentages, as well as cross-tabulations to illustrate the distribution of policies and procedures across states and districts with varying characteristics. We also had the opportunity to examine several outcomes (e.g., incidence of disputes) and to contrast outcomes across populations and time frames. Because we addressed the same topics on each of the surveys, we were also able to make comparisons across IDEA program components. Our general approach to the analytic methods used and the methodological issues associated with the required analyses are described below. The discussion focuses on methodological issues as they relate to:

Type of inference (simple descriptive, change over time, differences among groups);

Unit of analysis (state, district);

Time frame covered by analysis (single time-point, longitudinal); and

Missing data (survey non-response, item non-response)

In the course of conducting the analyses to answer the research questions, practically every combination of these four topics came into play for both the state- and district-level data. As is evident from examples, the analysis methods we describe below cut across all research questions. We discuss in turn our approach to each type of analysis.

### Descriptive Analyses: Single Time Point

***State-Level Data***

The state-level surveys (Part C program, Part B preschool-age program and Part B school-age program) were administered to all 50 states and the District of Columbia. As anticipated, there was no survey non-response and the questionnaire responses represent a census of the states rather than a sample of states.

State-level analyses are generally presented in the form "the percentage of states that...." Consider, for example, the survey item we included on the state Part B program administrator survey:

1. **What best describes the status of your state's progress in defining significant disproportionality? Select one.**

   a. Our state's definition of significant disproportionality for 2008-09 is finalized and no changes are anticipated ..... ☐

   b. Our state's definition of significant disproportionality for 2008-09 is finalized but we are planning modifications or revisions in the coming year ..... ☐

   c. Our state's definition of significant disproportionality for 2008-09 is in the process of being developed..... ☐

Since there are no missing data, the calculation of the percentage of states reporting that their definition of disproportionality for the 2008–2009 school year is finalized with no changes anticipated (response option a) is simply 100 multiplied by the number of states that selected response option a, divided by 51. We represent this calculation algebraically as:

$$100 * \frac{\sum_{51} X}{51}$$

where $X = 1$ if the state's response is a and $X = 0$ if the state's response is not a, and $\Sigma_{51}$ represents summation over the 51 responses (50 states and the District of Columbia).

Since the data are a census rather than a sample, there is no need for calculation of standard errors or confidence intervals as these are statistical concepts that apply to sample data. It is common to present the standard error of an *estimate* or a 95 percent confidence interval around an *estimate*, but in this case, the percentage calculated is not an estimate but is the true population value. Although there is no survey non-response, in some instances there is item non-response, in which a survey respondent(s) skipped a particular item. We treated this by indicating in the tables the number of missing responses. Additionally, we decreased the denominator by the number of missing responses. This means that the summation represents the number of states responding to the item.

***District-Level Data***

Unlike state-level data where we have a census of respondents, we collected data for a sample of school districts. That is, the district Part B school-age special education program administrator survey was administered to a nationally representative sample of school districts. The analyses described above for states are not fully applicable to the district-level data because we used estimates to represent all school districts in the nation; therefore, different analytic techniques were required.

In reporting our analysis results for school districts, we often make statements that begin with, "the percentage of districts that ...." We designed our analysis such that the interpretation of "percentage of districts" corresponds to the percentage of all school districts in the country, not just the school districts that happen to be in the sample. In order to calculate statistics that are nationally representative, the sampling design must be taken into account. We provide the calculation algorithm below. Note that if the survey item is dichotomous (0/1), then the process described below to estimate a mean actually results in the estimation of a proportion. Multiplying the proportion by 100 will give a percentage.

Let:

$y_{hi}$ =be the response on a survey item for district *i* in stratum *h*,

$w_{hi}$ =the sampling weights for district *i* in stratum *h*,

$\bar{P}$ =the estimator of the population percentage,

$\bar{Y}$ =the estimator of the population mean,

$\hat{Y}$ =the estimator of the population total,

$\hat{M}$ =the estimator of the number of elements (districts) in the population,

*h* =1, ..., *L* enumerate the strata (for the current design, L=12),

*i* =1, ..., $n_h$ , enumerate the sampled districts in stratum *h*, note that the districts are the primary sampling units (PSUs), and $n_h$ is the number of sampled districts in stratum *h*.

Then:

$$\hat{Y} = \sum_{h=1}^{L} \sum_{i=1}^{n_h} w_{hi} y_{hi}$$

$$\hat{M} = \sum_{h=1}^{L} \sum_{i=1}^{n_h} w_{hi}$$

$$\hat{Y} = \frac{\hat{Y}}{\hat{M}},$$

$$\bar{P} = 100 * \bar{Y}$$

The estimator given above for $\bar{Y}$ is known as a *combined* ratio estimator. We note that the sum of the sample weights, $\hat{M}$, is an estimate of the number of school districts in the population. When we know the true population value of *M*, as we do in the current example where we know the number of districts in each stratum, we also have the option of using a *separate* ratio estimator. The separate ratio estimator is defined as:

$$\bar{Y}_s = \frac{\sum_{h=1}^{L} M_h \frac{\hat{Y}_h}{\hat{M}_h}}{M}$$

where, $M = \sum_{h=1}^{L} M_h$ is the sum of the known school district sizes and $L$ is the number of strata.

The separate ratio estimator estimates the ratio within each stratum and then forms a weighted average of these separate estimates into a single estimate of the population ratio, while the combined ratio estimator is a ratio estimate pooled over all strata. In cases where there is a lot of variation among strata means, the separate ratio estimator is frequently chosen as it takes advantage of the extra efficiency provided by the stratification and provides a more precise estimate. Determination of whether we use the combined ratio estimator or the separate ratio estimator is made based on the amount of variation among strata means. When the stratum-by-stratum ratio estimates are nearly equal we used the combined ratio estimator. When they are very different we used the separate ratio estimator.

***Statistical Software for Calculating Parameter Estimates and Standard Errors.*** The estimator of the population mean, shown above, is easily calculated in statistical software packages that are designed for analysis of complex survey data including the estimation of mean and variance. We used the variance estimates to produce standard errors and 95 percent confidence intervals around the estimates of the population means for the district-level data.

### Analyses of Differences among Groups

The main purpose of the study is to track progress of state and district implementation of the major program components under IDEA. However, not all states or districts are similar in how they choose to implement early intervention and special education services to children with disabilities. Thus, the study also examined differences among groups on selected policies and practices. Additionally, because identical items are asked across surveys, we were able to compare responses across system components using the techniques described in this section.

#### *State-Level Data*

One question of interest asks "How does the incidence of disputes between special education personnel and parents/guardians regarding special education services vary with the use of mediation by states?" The response to this question required classification of states into groups defined on the basis of how often they use mediation, and comparison of dispute rates between those groups. The comparisons involved showing the mean, median, minimum, and maximum for each group. As discussed in previously described analysis approaches, since the state data represent a census rather than a sample of states, the summary tables do not include standard errors, confidence intervals or p-values. Any differences observed between groups represent true differences.

#### *District-Level Data*

We also compared outcomes among groups of districts in the nationally representative district sample—for example, if a research question requiring this type of analysis asks, "How do the rates of identification for special education vary according to use of different early intervening strategies?" This analysis involved the classification of districts into mutually exclusive and exhaustive categories based on disbursement of early intervening service (EIS) activities and resources. We conducted an overall ANOVA to determine if there are any statistically significant differences between group means. For group differences with a significant F-statistic for the ANOVA, we report all possible pairwise comparisons.

### Missing Data

There are two types of missing data that can arise in a survey, even after repeated attempts to collect data: (1) unit non-response, and (2) item non-response. Unit non-response occurs when an entire data instrument is not received. Unit non-response does not apply to the state surveys, as all states responded to the surveys. For the district survey, sampling weights were adjusted to account for unit non-response, such that the adjusted weights sum to population totals within sampling strata as described in the previous section. Item non-response is the situation where a questionnaire is filled out and returned, but one or more specific items on the questionnaire was left blank. When the amount of missing data on an item is modest, we calculate statistics on only the non-missing items, which is equivalent to an assumption that the item is missing completely at random. When an item has a lot of missing values, more than 30 percent missing, we assumed that the item was faulty and did not report results for that item (this never occurred in our data). The amount of missing data on each item is available in all reports.

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# Attachment A.1: Calculation of Minimum Detectable Effects for District-Level Proportions Using the IDEA National Implementation Study (IDEA-NAIS) District Sample

Let P represent the population proportion of some characteristic of interest associated with school districts. We want to estimate *P*. Assume that we select a simple random sample of *n* school districts. Let the sample proportion based on *n* districts be *p*. The standard error (standard deviation) of *p* is given by

$$S.E.\ (p) = \sqrt{\frac{(N-n)}{N-1}\frac{p(1-p)}{n}}$$

where

*N* is the population size of school districts.

Assuming that the sample proportion *p* has a normal distribution with *P* as the mean and *S.E. (p)* as the standard deviation, a 95 percent confidence interval for *p* is given by

$$P \pm 1.96 \text{ S.E. (P)}$$

Since we do not have a simple random sample, we assume a design effect of 1.6. This is the ratio of the variance of *p* under the sampling design used for the survey to the variance under simple random sampling. The effective sample size is

$$n^* = \frac{n}{1.6}.$$

If we have a sample of 1,200 school districts and we have a response rate of 80 percent, then we have 960 districts in the sample. The effective sample size is

$$n^* = \frac{960}{1.6} = 600\ .$$

Let $p = 0.5$.

The variance of $p = \frac{13{,}988-600}{13{,}988-1}\frac{0.5(1-0.5)}{600}$ .

$$= (0.95718)\ 0.25/600 = 0.000399.$$

Therefore, *S.E. (p)* = 0.019975, assuming that the population of school districts is 13,988. The 95 percent confidence interval for *P* is 0.50 ± 1.96 x 0.019975 which is

$$0.50 \pm 0.0391.$$

In percentages, a 95 percent confidence interval for the population percentage *P* in this case is

$$50 \pm 3.9 \text{ percentage points.}$$

## Attachment A.2: Mathematical Proof of Why the Potential for Bias Is Small if the Response Rate Is High

Assume that we are estimating a population proportion of some yes/no characteristic of interest relating to school districts. We can think of the population of school districts as being divided into two strata. The first stratum would consist of school districts that respond to a survey and the second stratum consists of school districts that do not respond even after several attempts to obtain data. Let the number of school districts in the population be $N$. Let the number of school districts in stratum of respondents be $N_r$ and the number of school districts in the stratum of non-respondents be $N_m$ ($m$ for missing data). We have:

$$N = N_r + N_m$$

The overall population proportion of interest can be written as a weighted average of the proportion among respondents and the population proportion among non-respondents. Let $P$ be the overall proportion, $P_r$ the proportion among respondents and $P_m$. The overall proportion can be written as:

$$P = \frac{N_r P_r + N_m P_m}{N}$$

If we select a sample of $n$ school districts and we get responses from $n_r$ school districts, data are missing for the remaining $n_m$ school districts because they did not respond to the survey. The sample proportion can only be computed from the responding school districts. Let this proportion be $p_r$.

The bias in the sample proportion $p_r$ because of not having any data from the non-responding school districts is:

$$B(p_r) = E(p_r) - P$$

The bias in the estimate is the difference between the expected value of the estimate and population proportion. The expected value is the average of sample proportions of all possible samples that we can draw from the population of respondents. We have

$$E(p_r) = P_r$$

Therefore, the bias in the estimate is

$$B(p_r) = P_r - P$$

That is, the bias is the difference between the proportion among the respondents minus the overall proportion. This can be written as:

$$B(p_r) = P_r - \frac{N_r P_r + N_m P_m}{N}$$

Alternatively, this can be written as:

$$B(p_r) = \frac{NP_r - N_r P_r - N_m P_m}{N}$$

Since we have $N = N_r + N_m$, we can write $B(p_r)$ as

$$B(p_r) = \frac{N_m}{N} (P_r - P_m)$$

The bias in the estimate because of non-response is small if either (1) $\frac{N_m}{N}$ which is the non-response rate is small or (2) the difference between the proportion among respondents and the proportion among non-respondents is small.

If we have a high response rate then $\frac{N_m}{N}$ is small. Therefore, the bias is not likely to be large as the difference gets multiplied by a small number.

# Appendix B: Supplemental Exhibits for Chapter 1

### Exhibit B.1: Number and Percentage of Children and Youth Identified for Early Intervention and Special Education Services in 50 States and D.C. (2007)

| Birth–2 Years | | 3–5 Years | | 6–21 Years | |
|---|---|---|---|---|---|
| Number | %[a] | Number | %[b] | Number | %[c] |
| 316,730 | 2.49 | 700,166 | 5.73 | 5,904,854 | 13.33 |

EXHIBIT READS: The percentage of infants and toddlers ages 2 years or less receiving services under the Part C early intervention program in 2007 was 2.49 (or 316,730 infants and toddlers). The percentage of preschool-age children receiving services under the Part B special education program in 2007 was 5.73 (or 700,166 children). The percentage of school-age children receiving services under the Part B special education program in 2007 was 13.33 (or 5,904,854 children and youth).

N = 51.

Data Accountability Center (DAC) data provide the counts for the 50 states and the District of Columbia. National Vital Statistics System (NVSS) data provide the number of births for the 50 states and the District of Columbia. Common Core of Data (CCD) data provide the enrollment for all 50 states and the District of Columbia.

[a] The number of infants and toddlers identified is the count of children identified for services under IDEA at a single time point between October 1 and December 1 of 2007. The percentage is based on the count divided by the NVSS proxy for the number of infants and toddlers in the population – the sum of the number of births in 2007 and the two prior years (2006 and 2005).

[b] The number of preschool-age children identified is the count of children identified for services under IDEA at a single time point between October 1 and December 1 of 2007. The percentage is based on the count divided by the NVSS proxy for the number of preschool-age children in the population which is the sum of the number of births in 2004, 2003, and 2002.

[c] The number of school-age children identified is the count of children identified for services under IDEA at a single time point between October 1 and December 1 of 2007. Students attending Bureau of Indian Education (BIE) schools are not represented in the count of children identified for services under IDEA. The percentage is based on the count divided by the total enrollment in grades levels one through twelve from the Common Core of Data (CCD) which may not include all children ages 6 – 21 years.

SOURCES: The data in column 1 are from *Table C1 Number and Percentage of Population Served (Ages Birth Through 2), Part C, by State: 1998 through 2007* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartCTrendData/C1.xls, retrieved July 19, 2009). The data used in as denominators for columns 2 and 4 are from the National Vital Statistics System (http:/205.207.175.93/vitalstats/ReportFolders/ReportFolders.aspx?IF_ActivePathName=P/Births/Data%20Files%20 (login%20required), retrieved June 15, 2009). The data in columns 3 and 5 are from *Table B2B Number and Prevalence Rate of Children Served in the 50 States and D.C. (including BIE schools) under IDEA, Part B Ages 3–21 and Ages 3–5 by Age, 1998 Through 2007* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B2B.xls, retrieved July 19, 2009). The data used in calculating column 6 is from the NCES Common Core of Data Build-A-Table (CCD; http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

# Appendix C: Supplemental Exhibits for Chapter 2

**Exhibit C.1: State Lead Agency for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **Lead Agency** | **N** | **%** |
| Department of Health/Human Services | 37 | 74.00 |
| Department of Education | 11 | 22.00 |
| Co-lead agencies [a] | 2 | 4.00 |
| Total [b] | 50 | 100.00 |

EXHIBIT READS: Thirty-seven states (74 percent) reported that the Department of Health/Human Services is the state agency designated as the lead agency for the Part C program service system.

N = 50.

[a] Co-lead agencies lead Part C program service systems jointly; the department of education leads with the human services agency in one state and with the health and human services agency in the second.

[b] Total refers to the number of states that answered the question. Number of states that did not answer the question: 1.

SOURCE: State Part C Questionnaire – Item 1.

**Exhibit C.2: Average Percentage of Birth through 2-Year-Old Population Identified for Services by Type of Part C Early Intervention Program Lead Agency (Fall 2007)**

| | States with Type of Part C Program Lead Agency | | |
|---|---|---|---|
| | Health/human services | Education | Co-lead |
| | Average % identified [a] | | |
| Percentage of state population ages birth through 2 years old identified for Part C early intervention services in Fall 2007 | 2.83 | 2.13 | 2.81 |

EXHIBIT READS: States with a health or human services agency as the Part C early intervention program lead agency on average had 2.83 percent of their infants and toddlers ages birth through 2 years identified for early intervention services. States with an education agency as the Part C program lead agency on average had 2.13 percent of their infants and toddlers ages birth through 2 years identified for early intervention services. States with both an education and a health/human services agency co-leading Part C program services had 2.81 percent of their infants and toddlers ages birth through 2 years identified for early intervention services.

Total N = 50. For health/human services lead agencies, N = 37; for education lead agencies, N = 11; for co-lead agencies, N = 2.

[a] The percentage of infants and toddlers (birth through 2 years) identified for services was calculated by dividing the number of infants and toddlers identified for services under IDEA from the Data Accountability Center (DAC) by the total population of infants and toddlers as indicated by an National Vital Statistics System (NVSS) constructed population proxy multiplied by 100. The number of infants and toddlers identified is the count of children identified for services under IDEA at a single time point between October 1 and December 1 of 2007. This annual count includes both children newly identified in the year and children identified in earlier years who continue to receive services under IDEA. The NVSS number of infants and toddlers in the population is the sum of the number of births in 2007 and the two prior years (2006 and 2005) – a proxy for the number of infants and toddlers in the population. The average percentage is the mean percentage over all states with each type of Part C program lead agency.

NOTE: Number of states that answered the survey question: 50. Number of states that did not answer the survey question: 1.

SOURCE: State Part C Questionnaire – Item 1. Table C2 *Number and Percentage of Infants and Toddlers Served in the 50 States and D.C. under IDEA, Part C Ages 0 – 2 by Age, 1998 through 2007,* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartCTrendData/C2.xls, retrieved May 12, 2009). Number of births reported by state from the National Vital Statistics System (NVSS; http:/205.207.175.93/vitalstats/ReportFolders/ReportFolders.aspx?IF_ActivePathName=P/Births/Data%20Files%20(login%20required), retrieved June 15, 2009).

**Exhibit C.3: Funding Sources Supporting Part C Early Intervention Program Services as Required by IFSPs (Fiscal Year 2009)**

| Funding Source | States Reporting as Providing Largest Share of Funding | | States Reporting as Providing Second-Largest Share of Funding | | States Reporting as Providing Third-Largest Share of Funding | | States Reporting as Providing One of Three Largest Shares of Funding | |
|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % |
| State early intervention funds | 23 | 45.10 | 8 | 15.69 | 6 | 11.76 | 37 | 72.55 |
| IDEA, Part C | 8 | 15.69 | 20 | 39.22 | 17 | 33.33 | 45 | 88.24 |
| Medicaid/Title XIX | 8 | 15.69 | 18 | 35.29 | 14 | 27.45 | 40 | 78.43 |
| Local municipality or county funds | 4 | 7.84 | 1 | 1.96 | 2 | 3.92 | 7 | 13.73 |
| IDEA, Part B | 1 | 1.96 | 0 | 0.00 | 2 | 3.92 | 3 | 5.88 |
| Private insurance | 1 | 1.96 | 2 | 3.92 | 6 | 11.76 | 9 | 17.65 |
| Children with Special Health Care Needs (CSHCN)/Title V | 0 | 0.00 | 0 | 0.00 | 2 | 3.92 | 2 | 3.92 |
| State Children's Health Insurance Program (SCHIP) | 0 | 0.00 | 1 | 1.96 | 1 | 1.96 | 2 | 3.92 |
| Family fees/co-payments/sliding fee | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Other [a] | 6 | 11.76 | 0 | 0.00 | 0 | 0.00 | 6 | 11.76 |

EXHIBIT READS: Twenty-three Part C early intervention program agencies (45 percent) reported state early intervention funds as providing the largest share of funding to support Part C program services. Eight Part C program agencies (16 percent) reported state early intervention funds as providing the second largest share of funding for Part C program services. Six Part C program agencies (12 percent) reported state early intervention funds as providing the third-largest share of funding to support Part C program services. Thirty-seven states (73 percent) reported state early intervention funds as providing one of the three largest shares of funding supporting Part C program services.

For largest share of funding, N = 51; for second-largest share of funding, N = 50; for third-largest share of funding, N = 50.

[a] States reporting "other" indicated sources including: TANF, general state funds, state categorical aid, state special education and general education funds, 1915c HCBS waiver and state special education excess cost fund.

NOTE: Total number of Part C program agencies that answered the question for largest funding source: 51. For the second-largest funding source the total n=50 because one Part C program agency did not provide a rank of 2 to this question. For the third-largest funding source the total n=50 because one Part C program agency did not provide a rank of 3 to this question. Number of Part C program agencies that did not answer any part of the question: 0.

SOURCE: State Part C Questionnaire – Item 20.

**Exhibit C.4: Percentage of Part C Early Intervention Services Supported by IDEA Part C Funds across States (Fiscal Year 2009)**

| | | | Range per State | |
|---|---|---|---|---|
| | Mean | Median | Min | Max |
| Percentage supported by IDEA Part C funds | 21.43 | 22.00 | 0 | 75 |

EXHIBIT READS: The mean percentage of states' early intervention services provided by the Part C program and supported by Part C funds is 21. The median percentage of early intervention services provided and supported by Part C funds is 22. The percentage of early intervention services provided by Part C program and supported by Part C funds ranged from 0 to 75.

N = 37.

SOURCE: State Part C Questionnaire – Item 21.

**Exhibit C.5: State Family Cost Participation (FCP) Policy for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States | |
|---|---|---|
| **FCP Policy** | **N** | **%** |
| There is an FCP policy in the state | 27 | 52.94 |
| **Among states with an FCP policy, the FCP policy requires:** | | |
| Both private insurance and family fees | 12 | 44.44 |
| Private insurance only | 10 | 37.04 |
| Family fees only | 5 | 18.52 |

EXHIBIT READS: Twenty-seven Part C early intervention program agencies (53 percent) reported having a family cost participation (FCP) policy. Among states with an FCP policy, the policies of 12 Part C program agencies (44 percent) require contributions from both private insurance and family fees.

For FCP policy in the state, N = 51; for FCP policy requirements, N = 27.

SOURCE: State Part C Questionnaire – Items 22, 23.

**Exhibit C.6: State Identification Percentages (Fall 2007) by Family Cost Participation Policy Status for Part C Early Intervention Program Services (Fiscal Year 2009)**

| | States with an FCP Policy | States without an FCP Policy |
|---|---|---|
| | Average % | Average % |
| Percentage of state population ages birth through 2 years identified for Part C services in Fall 2007[a] | 2.42 | 2.93 |

EXHIBIT READS: Part C early intervention program agencies with an FCP policy identify, on average, 2.42 percent of their infants and toddlers ages birth through 2 years for early intervention services. Part C program agencies without an FCP policy identify, on average, 2.93 percent of their infants and toddlers ages birth through 2 years for early intervention services.

Total N = 51. For states with an FCP policy, N = 27; for states without an FCP policy, N = 24.

[a] The *percentage* of infants and toddlers (birth through 2 years) identified for services was calculated by dividing the number of infants and toddlers identified for services under IDEA (DAC) by the total population of infants and toddlers as indicated by an NVSS-constructed population proxy multiplied by 100. The number of infants and toddlers identified is the count of children identified for services under IDEA at a single time point between October 1 and December 1 of 2007. This annual count includes both children newly identified in the year represented by the count and children identified in earlier years who continue to receive services under IDEA. The NVSS number of infants and toddlers in the population is the sum of the number of births in 2007 and the two prior years (2006 and 2005) – a proxy for the population of infants and toddlers in the population.

SOURCE: State Part C Questionnaire – Item 22. The number of infants and toddlers identified for each state is from *Table C2 Number and Percentage of Infants and Toddlers Served in the 50 States and DC under IDEA, Part C Ages 0 – 2 by Age, 1998 Through 2007* available from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartCTrendData/C2.xls, retrieved May 12, 2009). Number of births reported by state from the National Vital Statistics System (NVSS; http:/205.207.175.93/vitalstats/ReportFol

**Exhibit C.7: Family Cost Participation (FCP) Policy for Part C Early Intervention Program Services in States by Type of Part C Program Lead Agency (Fiscal Year 2009)**

| | Type of Part C Program Lead Agency | | | | | |
|---|---|---|---|---|---|---|
| | Health/human services | | Education | | Co-lead | |
| FCP Policy | N | % | N | % | N | % |
| State has an FCP policy | 22 | 59.46 | 4 | 36.36 | 0 | 0.00 |
| State has no FCP policy | 15 | 40.54 | 7 | 63.63 | 2 | 100.00 |

EXHIBIT READS: Among states that have a health/human service agency as the Part C early intervention program lead agency, 59 percent have a family cost participation (FCP) policy. Among states that have an education agency as the Part C program lead agency, 36 percent have an FCP policy. Neither of the states with education and health/human services agencies co-leading the Part C programs has an FCP policy.

Total N = 50. For health/human service lead agencies, N = 37; for education lead agencies, N = 11; for co-lead agencies, N = 2.

NOTE: Number of states that answered both questions: 50. Number of states that did not answer either question: 1.

SOURCE: State Part C Questionnaire – Items 1, 22.

**Exhibit C.8: State Agency Activities to Support the Identification of Infants and Toddlers with Disabilities and to Support the Identification of Preschool-Age Children in Need of Special Education Services (Fiscal Year 2009 and School Year 2008–2009)**

| | Part C Early Intervention Program | | | | Part B Preschool-Age Special Education Program | | | |
|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | |
| Type of Activity | N | % | Missing | Total [a] | N | % | Missing | Total [a] |
| Development/dissemination of written materials for pediatricians and other health care providers | 47 | 94.00 | 1 | 50 | 28 | 54.90 | 0 | 51 |
| Web-based information and other electronic materials | 45 | 90.00 | 1 | 50 | 36 | 70.59 | 0 | 51 |
| Development/dissemination of written materials for child care centers, nursery schools and other facilities | 43 | 86.00 | 1 | 50 | 25 | 49.02 | 0 | 51 |
| Outreach to referral sources | 41 | 82.00 | 1 | 50 | 21 | 41.18 | 0 | 51 |
| Workshops for pediatricians and other health care providers | 26 | 52.00 | 1 | 50 | 11 | 21.57 | 0 | 51 |
| Workshops for staff from child care centers, nursery schools and other facilities | 26 | 52.00 | 1 | 50 | 18 | 35.29 | 0 | 51 |
| Outreach through radio, TV, newspapers and other print media | 24 | 48.00 | 1 | 50 | 18 | 35.29 | 0 | 51 |
| Other | 8 | 16.00 | 1 | 50 | 5 | 9.80 | 0 | 51 |

EXHIBIT READS: Forty-seven Part C program state agencies (94 percent) reported that the development/dissemination of written materials for pediatricians and other health care providers is one of the activities used to support the identification of infants and toddlers agesd birth through 2 years for Part C program services. Twenty-eight Part B preschool-age special education program agencies (55 percent) reported the same activity to support the identification of preschool-age children in need of special education services.

For Part C respondents, N = 50; for Part B respondents, N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Item 25; State Section 619 Questionnaire – Item 16.

**Exhibit C.9: Most Frequent Referral Sources Reported by Part C Early Intervention Program State Coordinators (Fiscal Year 2009)**

| Referral Source | States Reporting as Most Frequent Referral Source | | States Reporting as Second-Most Frequent Referral Source | | States Reporting as Third-Most Frequent Referral Source | | States Reporting as One of Three Most Frequent Referral Sources | |
|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % |
| Families | 28 | 56.00 | 19 | 38.00 | 2 | 4.00 | 49 | 98.00 |
| Primary health care providers | 20 | 40.00 | 26 | 52.00 | 2 | 4.00 | 48 | 96.00 |
| Health department | 1 | 2.00 | 0 | 0.00 | 9 | 18.00 | 10 | 20.00 |
| Private agency | 0 | 0.00 | 1 | 2.00 | 1 | 2.00 | 2 | 4.00 |
| Local school district | 0 | 0.00 | 0 | 0.00 | 5 | 10.00 | 5 | 10.00 |
| Social service agencies (e.g., Head Start) | 0 | 0.00 | 1 | 2.00 | 20 | 40.00 | 21 | 42.00 |
| Regional agencies (e.g., service centers) | 0 | 0.00 | 0 | 0.00 | 4 | 8.00 | 4 | 8.00 |
| Other | 1 | 2.00 | 3 | 6.00 | 6 | 12.00 | 10 | 20.00 |

EXHIBIT READS: Twenty-eight Part C early intervention program agencies (56 percent) reported that families are the most frequent referral source for Part C program services. Forty-nine Part C program agencies (98 percent) ranked families as one of the three most frequent referral sources.

For most frequent referral source, N = 50; for second-most frequent referral source, N = 50; for third-most frequent referral source, N = 49.

NOTE: Number of Part C program agencies that answered the question: 50. For the third most frequent referral source the total n=49 because one Part C program system did not provide a rank of 3 to this question. Number of Part C program agencies that did not answer the question: 1.

SOURCE: State Part C Questionnaire – Item 24.

**Exhibit C.10: Family Involvement in the Part C Early Intervention Program System by Level and Type (Fiscal Year 2009)**

| | State | | | | Region | | | | Local | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| **Type of Involvement:** | **N** | **%** | **Missing** | **Total[a]** | **N** | **%** | **Missing** | **Total[a]** | **N** | **%** | **Missing** | **Total[a]** |
| Participating on committees/task forces (other than Interagency Coordinating Council (ICC)) | 43 | 84.31 | 0 | 51 | 23 | 45.10 | 0 | 51 | 26 | 50.98 | 0 | 51 |
| Developing policies and procedures | 38 | 74.51 | 0 | 51 | 12 | 23.53 | 0 | 51 | 15 | 29.41 | 0 | 51 |
| Providing training to other families | 31 | 60.78 | 0 | 51 | 19 | 37.25 | 0 | 51 | 26 | 50.98 | 0 | 51 |
| Providing training to Part C early intervention personnel | 31 | 60.78 | 0 | 51 | 19 | 37.25 | 0 | 51 | 25 | 49.02 | 0 | 51 |
| State monitoring | 24 | 47.06 | 0 | 51 | 7 | 13.73 | 0 | 51 | 8 | 15.69 | 0 | 51 |
| Involved in procedural safeguard systems | 13 | 25.49 | 0 | 51 | 7 | 13.73 | 0 | 51 | 5 | 9.80 | 0 | 51 |
| Employed as Part C early intervention personnel | 11 | 21.57 | 0 | 51 | 14 | 27.45 | 0 | 51 | 27 | 52.94 | 0 | 51 |
| Other activity | 4 | 7.84 | 0 | 51 | 3 | 5.88 | 0 | 51 | 3 | 5.88 | 0 | 51 |

EXHIBIT READS: Forty-three states (84 percent) reported families participate in state level committees/task forces. Twenty-three states (45 percent) reported families participated in regional committees/task forces. Twenty-six states (51 percent) reported families participate in local-level committees/task forces.

N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Item 49.

**Exhibit C.11: Entities Responsible for the Provision of Part C Early Intervention Program Services (Fiscal Year 2009)**

| | Entity Responsible For Part C Program Services | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | State-level staff employed by lead agency | | State-level staff employed at agency other than lead agency | | Local private agencies/ programs | | Individual service providers | | Other | | | |
| **Services** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** | **Missing [a]** | **Total [b]** |
| Oversees or coordinates direct services | 18 | 35.39 | 6 | 11.76 | 38 | 74.51 | 19 | 37.25 | 2 | 3.92 | 0 | 51 |
| Performs initial service coordination | 16 | 31.37 | 5 | 9.80 | 42 | 82.35 | 14 | 27.45 | 1 | 1.96 | 1 | 50 |
| Oversees or coordinates evaluations/eligibility | 16 | 31.37 | 6 | 11.76 | 41 | 80.39 | 14 | 27.45 | 1 | 1.96 | 0 | 51 |
| Responsible for intake | 16 | 31.37 | 3 | 5.88 | 40 | 78.43 | 14 | 27.45 | 1 | 1.96 | 0 | 51 |
| Performs evaluations/eligibility | 13 | 25.49 | 5 | 9.80 | 40 | 78.43 | 27 | 52.94 | 3 | 5.88 | 2 | 49 |
| Provides direct services | 9 | 17.65 | 9 | 17.65 | 42 | 82.35 | 35 | 68.63 | 3 | 5.88 | 1 | 50 |

EXHIBIT READS: Oversight or coordination of direct services is provided by state-level staff employed at the Part C early intervention program lead agency in 18 Part C program agencies (35 percent). State-level staff employed at an agency other than the lead agency provides oversight and coordination of direct services in six Part C program agencies (12 percent). Local private agencies or programs provide oversight or coordination of direct services in 38 Part C program agencies (75 percent). Nineteen Part C program agencies have oversight or coordination of direct services provided by individual service providers (37 percent). Two Part C program agencies (4 percent) use other agencies to provide oversight or coordination of direct services.

For oversees or coordinates direct services, oversees or coordinates evaluations/eligibility and responsible for intake, N = 51; for performs initial service coordination and provides direct services, N = 50; for performs evaluations/eligibility, N = 49.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Missing indicates the number of Part C program agencies that did not indicate at least one entity had the responsibility.

[b] Total indicates the number of Part C program agencies that identified at least one entity as having the responsibility.

NOTE: Total number of Part C program agencies that answered the question: 51. Number of Part C program agencies that did not answer any part of the question: 0.

SOURCE: State Part C Questionnaire – Item 7.

**Exhibit C.12: Models of Ongoing Service Coordination (Fiscal Year 2009)**

| Model | Yes | | States Responding Yes |
|---|---|---|---|
| | N | % | |
| Dedicated: individual provides only service coordination and does not provide other Part C early intervention services | 22 | 43.14 | CA, CO, DC, DE, FL, IL, IN, KY, LA, ME, MS, NC, ND, NE, NJ, NY, OH, OK, PA, SD, TN, WV |
| Both dedicated and blended models are used in the state | 20 | 39.22 | AL, AR, AZ, GA, HI, IA, ID, KS, MD, MI, MN, MO, NH, NM, RI, TX, UT, VA, VT, WI |
| Blended (dual) role: individual provides service coordination and other EIS | 9 | 17.65 | AK, CT, MA, MT, NV, OR, SC, WA, WY |
| Total [a] | 51 | 100.00 | |

EXHIBIT READS: Twenty-two Part C program agencies (43 percent) use a dedicated model of service coordination.

N = 51.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

SOURCE: State Part C Questionnaire – Item 8.

**Exhibit C.13: Minimum Education Qualifications of Service Coordinators (Fiscal Year 2009)**

| | Yes | |
|---|---|---|
| | N | % |
| Bachelor's degree | 26 | 52.00 |
| Other | 13 | 26.00 |
| Associate's degree | 6 | 12.00 |
| High school diploma | 5 | 10.00 |
| Total [a] | 50 | 100.00 |

EXHIBIT READS: Twenty-six states (52 percent) require a bachelor's degree as the minimum education qualification for Part C early intervention program service coordinators.

N = 50.

[a] Total refers to the number of states that answered the question. Number of states that did not answer question: 1.

SOURCE: State Part C Questionnaire – Item 9.

**Exhibit C.14: Frequency of Interaction between Part C Early Intervention Program and Part B Preschool-Age Special Education Coordinators, among States with Different Part C Early Intervention Program and Part B Preschool-Age Special Education Program Coordinators (Fiscal Year 2009)**

| | States | | |
|---|---|---|---|
| | N | % | State |
| Part C coordinator has responsibilities that do not include Part B | 46 | 90.20 | — |
| **Level of interaction between Part C PROGRAM coordinator and Part B PROGRAM agency in states where Part C PROGRAM coordinator is NOT responsible for the Part B PROGRAM:** | | | |
| Work closely (at least monthly) | 30 | 66.70 | AK, AL, AZ, CA, CT, DC, DE, FL, HI, ID, IL, IN, KS, KY, MA, MI, MO, NC, ND, NE, NH, NM, NY, OK, OR, VA, VT, WI, WV, WY |
| Moderate amount of contact (more than six times per year) | 15 | 33.30 | AR, CO, GA, LA, MS, MT, NJ, NV, OH, RI, SC, SD, TX, UT, WA |
| Rarely have contact (once or twice a year) | 0 | 0.00 | — |
| Total [a] | 45 | 100.00 | — |

EXHIBIT READS: Forty-six Part C early intervention program coordinators (90 percent) reported the Part C program coordinator has responsibilities that do not include the Part B preschool-age special education program. Among the 46 Part C program agencies in which the Part C program state coordinator is not also responsible for Part B program services, 30 Part C program coordinators (67 percent) reported the Part C and Part B program coordinators work together on at least a monthly basis.

For Part C coordinator has responsibilities that do not include Part B programs for preschool-age children, N = 51; for level of interaction, N = 45.

Only those Part C program coordinators not responsible for Part B preschool-age program services responded to this question.

[a] Total refers to the number of Part C program coordinators that answered the question. Number of Part C program coordinators that did not answer the question: 1.

SOURCE: State Part C Questionnaire – Items 4, 5.

**Exhibit C.15: Topics Regularly Addressed during State Part C Early Intervention Program and Part B Preschool-Age Special Education Program Coordinators' Collaboration (Fiscal Year 2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| Part C coordinator has responsibilities that do not include Part C AND Part B 619 | 46 | 90.20 | 0 | 51 |
| **Topics regularly addressed during State Part C Program and Part B program coordinators' collaboration in states where Part C program coordinator is NOT responsible for Part B program** | | | | |
| Transitions | 45 | 97.83 | 0 | 46 |
| Data sharing | 43 | 93.48 | 0 | 46 |
| Training/professional development | 37 | 80.43 | 0 | 46 |
| Child Find | 31 | 67.39 | 0 | 46 |
| Annual Performance Reports required under IDEA | 29 | 63.04 | 0 | 46 |
| State Performance Plans required under IDEA | 22 | 47.83 | 0 | 46 |
| Disputes | 9 | 19.57 | 0 | 46 |
| Other | 9 | 19.57 | 0 | 46 |

EXHIBIT READS: Forty-six Part C early intervention program agencies (90 percent) reported the Part C program coordinator does not have responsibility for Part B preschool-age special education program services. Among the 46 Part C program agencies in which the Part C program coordinator is not responsible for Part B program services, 45 Part C program agencies (98 percent) reported the topic of transitions is regularly addressed in collaboration between Part C and Part B program coordinators.

For Part C coordinator has responsibilities that do not include Part C and Part B, N = 51; for topics addressed during meetings, N = 46.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program agencies that answered the question.

SOURCE: State Part C Questionnaire – Items 4, 6.

**Exhibit C.16: Areas Addressed in State-Level Part C Early Intervention Program Interagency Agreements with Other Agencies (Fiscal Year 2009)**

| | States | | | |
|---|---|---|---|---|
| **Areas Addressed** | **N** | **%** | **Missing** | **Total[a]** |
| Transition to preschool | 41 | 82.00 | 1 | 50 |
| Professional development and/or training | 32 | 64.00 | 1 | 50 |
| Evaluation/eligibility/assessment | 31 | 62.00 | 1 | 50 |
| Cost or resource sharing | 31 | 62.00 | 1 | 50 |
| Data sharing | 31 | 62.00 | 1 | 50 |
| Responsibility for direct services | 27 | 54.00 | 1 | 50 |
| Other | 5 | 10.00 | 1 | 50 |

EXHIBIT READS: Forty-one Part C early intervention program agencies (82 percent) reported transition to preschool as one of the areas addressed by state-level Part C program interagency agreements.

N = 50.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program agencies that answered the question.

SOURCE: State Part C Questionnaire – Item 29.

**Exhibit C.17: Activities Supporting Transitions of Children with Disabilities from Part C Early Intervention Program to Part B Preschool-Age Special Education Program (Fiscal Year 2009 or School Year 2008–2009)**

| Activities | Early Intervention Part C Program [a] | | | | Preschool-Age Part B Special Education Program [b] | | | |
|---|---|---|---|---|---|---|---|---|
| | N | % | Missing | Total[c] | N | % | Missing | Total[c] |
| Provided technical assistance to local providers on transition | 50 | 98.04 | 0 | 51 | 50 | 98.04 | 0 | 51 |
| Developed policies on transition from Part C to Part B | 48 | 94.12 | 0 | 51 | 46 | 90.20 | 0 | 51 |
| Developed/disseminated materials for parents on transition from Part C to Part B | 41 | 80.39 | 0 | 51 | 36 | 70.59 | 0 | 51 |
| Developed/maintained an electronic database of individual child records to allow children to be followed from Part C to Part B | 25 | 49.02 | 0 | 51 | 28 | 54.90 | 0 | 51 |
| Part B preschool funds can be used to provide Free, Appropriate Public Education (FAPE) to children *before* their third birthday | [d] | [d] | [d] | [d] | 27 | 52.94 | 0 | 51 |
| Part C funds can be used to provide FAPE for children *past* their third birthday | 12 | 23.53 | 0 | 51 | [d] | [d] | [d] | [d] |
| Other | 5 | 9.80 | 0 | 51 | 6 | 11.76 | 0 | 51 |

EXHIBIT READS: Fifty Part C early intervention program agencies (98.04 percent) reported providing technical assistance to local providers on transitions. Fifty Part B preschool-age special education program agencies (98 percent) reported providing technical assistance to local providers on transition.

Part C respondents, N = 51. Part B respondents, N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Part C program system reporting on supports provided in fiscal year 2009.

[b] Part B 619 program agency reporting on supports provided in school year 2008–2009.

[c] Total refers to the number of Part C program agencies or Part B preschool-age program agencies that answered the question.

[d] Although this survey item was included for both Part C and Part B preschool-age program coordinators, data from the source expected to have the most familiarity with the content are reported.

SOURCE: State Part C Questionnaire – Item 34; State Section 619 Questionnaire – Item 12.

**Exhibit C.18: States Reporting Number of Different Activities to Support Transition of Toddlers with Disabilities from Part C Early Intervention Program to Part B Preschool-Age Special Education Program (Fiscal Year 2009 or School Year 2008–2009)**

| Number of Different Support Activities [c] Engaged by States | Part C Program [a] | | | | Part B Program [b] | | | |
|---|---|---|---|---|---|---|---|---|
| | N | % | Missing | Total [d] | N | % | Missing | Total [d] |
| 1 | 1 | 1.96 | 0 | 51 | 0 | 0.00 | 0 | 51 |
| 2 | 6 | 11.76 | 0 | 51 | 7 | 13.73 | 0 | 51 |
| 3 | 14 | 27.45 | 0 | 51 | 8 | 15.69 | 0 | 51 |
| 4 | 16 | 31.37 | 0 | 51 | 22 | 43.14 | 0 | 51 |
| 5 | 8 | 15.69 | 0 | 51 | 9 | 17.65 | 0 | 51 |
| 6 | 5 | 9.80 | 0 | 51 | 4 | 7.84 | 0 | 51 |
| 7 | 1 | 1.96 | 0 | 51 | 1 | 1.96 | 0 | 51 |

EXHIBIT READS: One Part C early intervention program agency (2 percent) reported conducting only one activity to support the transition of toddlers with disabilities from Part C program to Part B preschool-age special education program services. No Part B program agencies reported conducting only one activity to support the transition of toddlers with disabilities from Part C program to Part B program services.

Part C respondents, N = 51. Part B respondents, N = 51.

[a] Part C early intervention program system reporting on supports provided in fiscal year 2009.

[b] Part B preschool-age special education program agency reporting on supports provided in school year 2008–2009.

[c] The support activities are listed in Exhibit 2.17.

[d] Total refers to the number of Part C program agencies or Part B program agencies that answered the question.

SOURCE: State Part C Questionnaire – Item 34; State Section 619 Questionnaire – Item 12.

**Exhibit C.19: Issues Affecting Decision Not to Use Part C Option (Fiscal Year 2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total[a] |
| During FY2009, state did not use the Part C Option | 51 | 100.00 | 0 | 51 |
| **Issues Affecting Decision in Fiscal Year 2009** | | | | |
| Insufficient funding | 41 | 83.67 | 2 | 49 |
| Insufficient provider capacity | 20 | 40.82 | 2 | 49 |
| Insufficient lead agency staffing | 16 | 32.65 | 2 | 49 |
| Part C lead agency is not able to promote school readiness as required | 4 | 8.16 | 2 | 49 |
| Insufficient interagency coordination at the state level | 1 | 2.04 | 2 | 49 |
| Insufficient interagency coordination at the local level | 1 | 2.04 | 2 | 49 |
| Other | 12 | 24.49 | 2 | 49 |
| None of the above | 5 | 10.20 | 2 | 49 |

EXHIBIT READS: Fifty-one Part C early intervention program agencies (100 percent) reported not using the Part C Option. Forty-one Part C program agencies (84 percent) reported insufficient funding as one of the issues affecting their decisions not to use the Part C Option.

For did not use Part C option, N = 51; for issues affecting decision, N = 49.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program agencies that answered the question.

SOURCE: State Part C Questionnaire – Items 31, 32.

**Exhibit C.20: Average Number of Changes in Lead Agency (1991 through 2008)**

| | | | Range | | | |
|---|---|---|---|---|---|---|
| | Mean | Median | Min | Max | Missing | Total [a] |
| Number of times lead agency has changed | 0.47 | 0.00 | 0 | 4 | 0 | 51 |

EXHIBIT READS: During the period of 1991 through 2008 the lead agency for Part C early intervention program systems changed between 0 and 4 times and averaged less than one change in the timeframe.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Item 2.

**Exhibit C.21: Number of Changes in Lead Agency (1991 through 2008)**

| | Yes | |
|---|---|---|
| **Number of Changes** | **N** | **%** |
| No change (0) | 38 | 74.51 |
| Once | 7 | 13.73 |
| Twice | 2 | 3.92 |
| Three times | 3 | 5.88 |
| Four times | 1 | 1.96 |
| Total [a] | 51 | 100.00 |

EXHIBIT READS: Thirty-eight states (75 percent) experienced no change in the Part C early intervention program lead agency between 1991 and 2008.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

SOURCE: State Part C Questionnaire – Item 2.

**Exhibit C.22: Activities to Support the Identification of Infants and Toddlers with Disabilities by Type of Part C Early Intervention Program Lead Agency (Fiscal Year 2009)**

| | Health/Human Services (n = 37) | | | | Education (n = 11) | | | | Co-Lead (n = 2) | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| Type of Activity | N | % | Missing | Total[a] | N | % | Missing | Total[a] | N | % | Missing | Total[a] |
| Development/dissemination of written materials for pediatricians and other health care providers | 34 | 91.89 | 0 | 37 | 10 | 100.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Web-based information and other electronic materials | 32 | 86.49 | 0 | 37 | 10 | 100.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Outreach to referral sources | 31 | 83.78 | 0 | 37 | 7 | 70.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Development/dissemination of written materials for child care centers, nursery schools and other facilities | 30 | 81.08 | 0 | 37 | 10 | 100.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Development/dissemination of workshops for pediatricians and other health care providers | 19 | 51.35 | 0 | 37 | 4 | 40.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Development/dissemination of workshops for child care centers, nursery schools and other facilities | 18 | 48.65 | 0 | 37 | 5 | 50.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Child Find screenings | 15 | 40.54 | 0 | 37 | 5 | 50.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Outreach through radio, TV, newspapers and other print media | 14 | 37.84 | 0 | 37 | 8 | 80.00 | 1 | 10 | 2 | 100.00 | 0 | 2 |
| Other | 6 | 16.22 | 0 | 37 | 0 | 0.00 | 1 | 10 | 1 | 50.00 | 0 | 2 |

EXHIBIT READS: Thirty-four Part C early intervention program agencies led by health/human service agencies (92 percent) support the identification of infants and toddlers through the development and dissemination of written materials for pediatricians and other health care providers. One hundred percent of Part C program agencies led by education agencies (10 Part C program agencies) develop and disseminate written materials for pediatricians and other health care providers to support the identification of infants and toddlers. One hundred percent of Part C program agencies co-led by education and health/human services agencies (2 Part C program agencies) develop and disseminate written materials for pediatricians and other health care providers to support the identification of infants and toddlers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the item about activities (Item 25). One state did not answer the question about lead agency (Item 1).

SOURCE: State Part C Questionnaire – Items 1, 25.

**Exhibit C.23: Activities to Support the Identification of Infants, Toddlers and Preschool Children in Need of Special Education Services by Part C Early Intervention Program and Part B Preschool-Age Special Education Program Agencies (Fiscal Year 2009 and School Year 2008–2009)**

| | Part C Early Intervention Program | | | | Part B Preschool-Age Special Education Program | | | |
|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | |
| Number of Different Outreach Activities Conducted by States | N | % | Missing | Total [a] | N | % | Missing | Total [a] |
| 0 | 0 | 0.00 | 1 | 50 | 4 | 7.84 | 0 | 51 |
| 1 | 0 | 0.00 | 1 | 50 | 7 | 13.73 | 0 | 51 |
| 2 | 3 | 6.00 | 1 | 50 | 9 | 17.65 | 0 | 51 |
| 3 | 8 | 16.00 | 1 | 50 | 8 | 15.69 | 0 | 51 |
| 4 | 5 | 10.00 | 1 | 50 | 2 | 3.92 | 0 | 51 |
| 5 | 7 | 14.00 | 1 | 50 | 7 | 13.73 | 0 | 51 |
| 6 | 4 | 8.00 | 1 | 50 | 6 | 11.76 | 0 | 51 |
| 7 | 12 | 24.00 | 1 | 50 | 5 | 9.8 | 0 | 51 |
| 8 | 10 | 20.00 | 1 | 50 | 3 | 5.88 | 0 | 51 |
| 9 | 1 | 2.00 | 1 | 50 | 0 | 0.00 | 0 | 51 |

EXHIBIT READS: No Part C early intervention program agencies (0 percent) reported conducting no outreach activities. Four Part B preschool-age special education program agencies (8 percent) reported conducting no outreach activities.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Item 25; State Section 619 Questionnaire – Item 16.

**Exhibit C.24: Most Frequent Referral Sources Reported by States for Part C Early Intervention Program Agencies by Type of Part C Program Lead Agency (Fiscal Year 2009)**

| | Health/Human Services (n = 37) | | | | Education (n = 11) | | | | Co-Lead (n = 2) | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| **Referral Source** | **N** | **%** | **Missing** | **Total[a]** | **N** | **%** | **Missing** | **Total[a]** | **N** | **%** | **Missing** | **Total[a]** |
| Families | 21 | 58.33 | 1 | 37 | 5 | 45.45 | 0 | 11 | 2 | 100.00 | 0 | 2 |
| Primary health care providers | 14 | 38.89 | 1 | 37 | 5 | 45.45 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Private agency | 0 | 0.00 | 1 | 37 | 0 | 0.00 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Local school district | 0 | 0.00 | 1 | 37 | 0 | 0.00 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Health department | 0 | 0.00 | 1 | 37 | 1 | 9.09 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Social services agency | 0 | 0.00 | 1 | 37 | 0 | 0.00 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Regional agencies | 0 | 0.00 | 1 | 37 | 0 | 0.00 | 0 | 11 | 0 | 0.00 | 0 | 2 |
| Other | 1 | 2.78 | 1 | 37 | 0 | 0.00 | 0 | 2 | 0 | 0.00 | 0 | 2 |

EXHIBIT READS: Twenty-one Part C early intervention program agencies led by health/human service agencies (59 percent) identified families as the most frequent source for referrals. Five Part C program agencies led by education agencies (46 percent) identified the most frequent referral source as families. Two Part C program agencies co-led by education and health/human service agencies identified families as their most frequent source of referrals (100 percent).

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the item about activities (Item 24). One state did not answer the question about lead agency (Item 1).

SOURCE: State Part C Questionnaire – Items 1, 24.

## Exhibit C.25: Responsibilities under Part C Early Intervention Program by Responsible Agent (Fiscal Year 2009)

| | Area of Responsibility | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Responsible for intake | | Perform evaluation/ eligibility | | Oversee or coordinate evaluation/ eligibility | | Perform initial service coordination | | Provide direct services | | Oversee or coordinate direct services | | Missing | Total[a] |
| Agency | N | % | N | % | N | % | N | % | N | % | N | % | N | N |
| **State level staff employed by lead agency:** | | | | | | | | | | | | | | |
| Housed at lead agency | 5 | 9.80 | 4 | 7.84 | 4 | 7.84 | 4 | 7.84 | 1 | 1.96 | 6 | 11.76 | 0 | 51 |
| Housed at regional agency | 8 | 15.69 | 8 | 15.69 | 8 | 15.69 | 8 | 15.69 | 7 | 13.73 | 10 | 19.61 | 0 | 51 |
| Housed at local agency | 5 | 9.80 | 4 | 7.84 | 5 | 9.80 | 5 | 9.80 | 4 | 7.84 | 5 | 9.80 | 0 | 51 |
| **Local private agencies/programs** | | | | | | | | | | | | | | |
| Contracted through state agency | 33 | 64.71 | 30 | 58.82 | 34 | 66.67 | 34 | 66.67 | 30 | 58.82 | 31 | 60.78 | 0 | 51 |
| Contracted through regional agency | 8 | 15.69 | 10 | 19.61 | 6 | 11.76 | 7 | 13.73 | 12 | 23.53 | 8 | 15.69 | 0 | 51 |
| Contracted through other local entity | 8 | 15.69 | 9 | 17.65 | 7 | 13.73 | 7 | 13.73 | 11 | 21.57 | 9 | 17.65 | 0 | 51 |
| **Individual service providers contracted with:** | | | | | | | | | | | | | | |
| State level | 1 | 1.96 | 9 | 17.65 | 2 | 3.92 | 2 | 3.92 | 14 | 27.45 | 5 | 9.80 | 0 | 51 |
| Regional public | 4 | 7.84 | 6 | 11.76 | 2 | 3.92 | 4 | 7.84 | 9 | 17.65 | 4 | 7.84 | 0 | 51 |
| Regional private | 2 | 3.92 | 3 | 5.88 | 1 | 1.96 | 1 | 1.96 | 3 | 5.88 | 2 | 3.92 | 0 | 51 |
| Local public | 11 | 21.57 | 15 | 29.41 | 9 | 17.65 | 8 | 15.69 | 14 | 27.45 | 10 | 19.61 | 0 | 51 |
| Local private | 9 | 17.65 | 16 | 31.37 | 8 | 15.69 | 8 | 15.69 | 16 | 31.37 | 9 | 17.65 | 0 | 51 |
| Other agency | 1 | 1.96 | 3 | 5.88 | 1 | 1.96 | 1 | 1.96 | 3 | 5.88 | 2 | 3.92 | 0 | 51 |

EXHIBIT READS: Five Part C early intervention program agencies (10 percent) reported that state-level staff housed at the lead agency is responsible for intake.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire– Item 7.

**Exhibit C.26: Agency Typically Responsible for Providing Part B Preschool-Age Special Education Program Services at the Local Level (School Year 2008–2009)**

| | Yes | |
|---|---|---|
| **Agency Type** | **N** | **%** |
| Local school districts or county offices of education provide services | 33 | 64.71 |
| Services are provided by three entities: local school districts or county offices of education, private programs contracted with the state and non-education public agencies. | 5 | 9.80 |
| Local school districts or county office of education AND a non-education public agency provide services | 4 | 7.84 |
| Local school districts or county office of education AND other (not listed) provide services | 4 | 7.84 |
| Local school districts or county offices of education AND private programs contract with the state to provide services | 3 | 5.88 |
| Services are provided by three entities: local school districts or county offices of education, private programs contracted with the state and other (not listed). | 1 | 1.96 |
| A non-education public agency provides services | 1 | 1.96 |
| Total [a] | 51 | 100.00 |

EXHIBIT READS: For the 2008–2009 school year, 33 Part B preschool-age special education program systems (65 percent) reported local school districts or county offices of education are responsible for providing preschool special education and related services. Five Part B program systems (10 percent) reported that local school districts or county offices of education, private programs that contracted with the state and non-education public agencies provide preschool special education and related services.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

SOURCE: State Section 619 Questionnaire – Item 8.

**Exhibit C.27: Additional Qualifications of Part C Early Intervention Program Service Coordinators (Fiscal Year 2009)**

| Qualifications | Yes | | Missing | Total [a] |
|---|---|---|---|---|
| | N | % | | |
| Must complete mandatory early intervention training | 38 | 76.00 | 1 | 50 |
| Must be certified/credentialed by the state as a service coordinator | 13 | 26.00 | 1 | 50 |
| Other | 6 | 12.00 | 1 | 50 |
| No additional qualifications required | 5 | 10.00 | 1 | 50 |
| Must be licensed social workers | 0 | 0.00 | 1 | 50 |

EXHIBIT READS: Thirty-eight Part C early intervention program agencies (76 percent) require service coordinators to complete mandatory early intervention training.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Item 10.

**Exhibit C.28: Areas Addressed among States with State-Level Part B Preschool-Age Special Education Program Interagency Agreements (School Year 2008–2009)**

| Part B Preschool-Age Special Education Program [a] | Yes | | Missing | Total [b] |
|---|---|---|---|---|
| | N | % | | |
| State has a state-level interagency agreement addressing provision of preschool services to children with disabilities | 44 | 88.00 | 1 | 50 |
| **Areas addressed by state-level interagency agreements in states with state-level interagency agreements:** | | | | |
| Transition to preschool | 40 | 93.02 | 1 | 43 |
| Evaluation/eligibility/assessment | 36 | 83.72 | 1 | 43 |
| Cost or resource sharing | 30 | 69.77 | 1 | 43 |
| Professional development and/or training | 30 | 69.77 | 1 | 43 |
| Responsibility for direct services | 28 | 65.12 | 1 | 43 |
| Data sharing | 26 | 60.47 | 1 | 43 |
| Other | 6 | 13.95 | 1 | 43 |

EXHIBIT READS: Forty-four Part B preschool-age special education program agencies (88 percent) reported having a state-level interagency agreement that addresses the provision of services to preschool-age children with disabilities. Forty Part B program agencies (93 percent) required the state-level interagency agreement to address transition to preschool.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Among states with a state-level interagency agreement, areas addressed by Part B preschool-age special education program agency.

[b] Total refers to the number of states that answered the question.

SOURCE: State Section 619 Questionnaire – Items 3, 5.

**Exhibit C.29: Use of Part C Early Intervention Program Funding (Part C Option) to Provide Services until Children Enter Kindergarten (Fiscal Year 2009)**

| | Yes | | |
|---|---|---|---|
| **State Uses Part C Option** | **N** | **%** | **States Responding Yes** |
| No | 44 | 86.27 | AK, AL, AR, AZ, CA, CO, CT, FL, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, WA, WI, WV, WY |
| No, but it is under consideration | 7 | 13.73 | DC, DE, GA, MS, NM, SD, VT |
| Yes | 0 | 0.00 | — |
| Total [a] | 51 | 100.00 | — |

EXHIBIT READS: Eighty-seven percent (44) of Part C early intervention program agencies reported their state does not use the Part C Option to provide services to toddlers until the child enters kindergarten.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

SOURCE: State Part C Questionnaire – Item 31.

# Appendix D: Supplemental Exhibits for Chapter 3

**Exhibit D.1: Status of Definitions for Significant Disproportionality (School Year 2008–2009)**

| As of 2008– 2009, state's definitions of significant disproportionality are: | States | | States Responding Yes |
|---|---|---|---|
| | N | % | |
| Finalized and no changes are anticipated | 29 | 56.86 | AL, AR, AZ, CT, DE, GA, HI, ID, IN, KS, KY, LA, MD, MO, MS, ND, NE, NJ, NM, NV, NY, OH, OR, PA, RI, SD, UT, VT, WY |
| Finalized but modifications or revisions are planned for the coming year | 17 | 33.33 | CO, DC, FL, IA, MA, MI, MN, MT, NC, OK, SC, TN, TX, VA, WA, WI, WV |
| Under development | 5 | 9.80 | AK, CA, IL, ME, NH |
| Total [a] | 51 | 100.00 | — |

EXHIBIT READS: The definitions of significant disproportionality are finalized with no anticipated changes in 29 SEAs (57 percent).

N = 51.

[a] Total refers to the number of Part B school-age special education program coordinators who answered the question. Number of Part B school-age special education program coordinators who did not answer the question: 0.

SOURCE: State Part B Questionnaire – Item 1.

**Exhibit D.2: Percentage of Districts Having Significant Disproportionality in the Identification of Students by State Definition (School Year 2008–2009)**

| Statistical Approach and Years of Data | Percentage of Districts in State | | |
|---|---|---|---|
| | Mean | Median | Range |
| **Single method: risk ratio** | | | |
| Cutoff value of < 3.5 and use 1 year of data (4 states) | 13.96 | 0.51 | 0.00 – 54.81 |
| Cutoff value of 3.5 or greater and use 1 year of data (3 states) | 4.39 | 0.00 | 0.00 – 13.16 |
| Cutoff value of < 3.5 and use more than 1 year of data (2 states) | 34.06 | 34.06 | 13.02 – 55.10 |
| Cutoff value of 3.5 or greater and use more than 1 year of data (2 states) | 2.49 | 2.49 | 0.00 – 4.98 |
| **Single method: weighted risk ratio** | | | |
| Cutoff value of < 3.5 and use 1 year of data (1 state) | 0.00 | 0.00 | 0.00 |
| Cutoff value of 3.5 or greater and use 1 year of data (4 states) | 0.09 | 0.00 | 0.00 – 0.35 |
| Cutoff value of < 3.5 and use more than 1 year of data (1 state) | [a] | [a] | [a] |
| Cutoff value of 3.5 or greater and use more than 1 year of data (4 states) | 5.77 | 4.79 | 0.00 – 13.51 |
| **Multiple methods** | | | |
| Weighted risk ratio + risk ratio and use 1 year of data (2 states) | 8.46 | 8.46 | 1.93 – 15.00 |
| Weighted risk ratio + risk ratio and use more than 1 year of data (2 states) | 0.48 | 0.48 | 0.00 – 0.96 |
| Weighted risk ratio + other [b] and use 1 year of data (2 states) | 1.37 | 1.37 | 0.00 – 2.75 |
| Weighted risk ratio + other [c] and use more than 1 year of data (1 state) | 6.97 | 6.97 | 6.97 |
| Alternate risk ratio + other [d] and use 1 year of data (1 state) | 12.27 | 12.27 | 12.27 |
| Risk ratio + other [e] and use more than 1 year of data (1 state) | 2.61 | 2.61 | 2.61 |
| **Other method (2 states)** | 4.44 | 4.44 | 0.55 – 8.33 |

EXHIBIT READS: Among states using a risk ratio alone to identify districts as having significant disproportionality in identification, with a cutoff value of less than 3.5 and incorporating one year of data, the mean percentage of districts identified as having significant disproportionality in the area of identification is 13.96. The median percentage of districts identified is 0.51. The percentage of districts identified ranged from zero to 54.81 percent.

N = 32.

In March–April of 2009, "current" definitions for significant disproportionality in the area of identification were obtained from 34 states. Two states are excluded from this table because their definition was not specific to identification. The percentage of districts identified was calculated as the number of districts states reported as having significant disproportionality in identification in the current (2008–2009 school year) divided by the number of districts in the state in the 2007–2008 school year from the Common Core of Data.

[a] Nebraska uses this method but is excluded from the analysis because data for the percentage of districts identified as having significant disproportionality in the area of identification were missing.

[b] "Other" method: 1) a "risk gap" 2) more than 20 percent difference in the identified special education population from the overall district population by race/ethnicity category.

[c] "Other" method: Risk levels for a racial group that are 1 percent or higher than the state risk for white students.

[d] "Other" method: Disproportionality exists when a group is represented at a disproportionate rate higher than the group's representation in the population; all groups should be represented in proportion to the make-up of the population being considered.

[e] "Other" method: A measure of impact comparing expected vs. observed numbers of students identified as eligible for special education.

SOURCE: State Part B Questionnaire – Item 4a. Definitions were either provided by respondents or obtained from the State Education Agency website. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.3: Number and Percentage of Districts Required to Use CEIS during the Current School Year as a Result of Significant Disproportionality, as Reported by SEAs (School Year 2008–2009)**

| Area of Significant Disproportionality: | LEAs Required to Use CEIS | | |
|---|---|---|---|
| | Number of districts [a] | Percentage of districts [b] | Total |
| Overall | 463 | 2.86 | 51 [c] |
| Identification | 368 | 2.31 | 50 [d] |
| Placement | 106 | 0.66 | 50 [d] |
| Discipline | 54 | 0.34 | 50 [d] |

EXHIBIT READS: Among districts nationwide, 2.86 percent are required to use CEIS as a result of significant disproportionality in any area.

For overall, N = 51; for specific areas, N = 50.

The percentage of districts required to use CEIS was calculated as the sum of the number of districts reported by the states as being required to provide CEIS in the current (2008–2009) school year divided by the number of districts in the country in the 2007–2008 school year from the Common Core of Data multiplied by 100.

Districts may have significant disproportionality in multiple areas, thus counts in the separate areas will not necessarily sum to the whole.

[a] Total number of districts required to use CEIS across reporting SEAs.

[b] The denominator for this column is the total number of districts across reporting SEAs in school year 2007–2008.

[c] Total refers to the number of SEAs that responded to the question.

[d] Total refers to the number of SEAs identifying the area of significant disproportionality among (Item 4) among SEAs reporting that at least one district was required to use CEIS in the 2008–2009 school year (Item 3). One SEA did not indicate the area in which districts had been identified as having significant disproportionality.

NOTE: One state did not identify the number of LEAs required to use CEIS by area of significant disproportionality.

SOURCE: State Part B Questionnaire – Items 3, 4; total number of school districts with enrollment for 2007–2008 from Common Core of Data Build-A-Table (http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.4: Percentage of Districts Required by SEA to Provide CEIS Due to Significant Disproportionality among States Requiring at Least One District to Provide CEIS (School Year 2008–2009)**

| | Mean | Median | Range |
|---|---|---|---|
| Percentage of districts within SEA | 10.43 | 4.67 | 0.35 – 55.77 |

EXHIBIT READS: Part B program coordinators reporting at least one disproportionate district required a mean of 10.43 percent of districts to provide CEIS due to significant disproportionality. The median percentage of districts required to provide CEIS in these states is 4.67 percent. The percentage of districts required to provide CEIS in these states ranges from 0.35 to 55.77 percent.

N = 29.

The percentage of districts with an SEA required to provide CEIS due to significant disproportionality was calculated as the number of districts the Part B school-age special education program coordinators reported were required to provide CEIS in the 2008–2009 school year due to significant disproportionality divided by the number of districts in the SEA in the 2007–2008 school year as reported in the Common Core of Data multiplied by 100.

NOTE: Total number of SEAs reporting at least one district was required to provide CEIS due to significant disproportionality: 29. Twenty-two SEAs reported no districts had been identified as having significant disproportionality for any reason and are not included in this table.

SOURCE: State Part B Questionnaire – Item 3. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.5: Target Schools for CEIS Activities or Resources among Districts Required to Provide CEIS (School Year 2008–2009)**

| | Yes | |
|---|---|---|
| | % | (SE) |
| Target only schools with evidence of significant disproportionality | 11.27 | 4.98 |
| Focus on all schools, regardless of whether they show significant disproportionality | 81.62 | 6.41 |
| Other | 7.10 | 4.47 |

EXHIBIT READS: Eleven percent of districts required to provide CEIS target CEIS activities or resources only to schools with evidence of significant disproportionality.

N = 89.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts using CEIS responding to this question: 89. Number of districts using CEIS that did not answer the question: 1.

SOURCE: District Questionnaire – Items 1, 3.

**Exhibit D.6: Voluntary Use of Part B Special Education Program Funds to Provide CEIS as Reported by Districts (School Year 2008–2009)**

| | Districts | |
|---|---|---|
| **Use of Part B Program Funds to Provide CEIS** | **%** | **(SE)** |
| District is required to use 15 percent of Part B funds for CEIS | 4.48 | 0.69 |
| District is not required but elects to use any portion of Part B funds | 10.91 | 1.66 |
| District does not use any Part B funds for CEIS | 84.61 | 1.74 |

EXHIBIT READS: Four percent of districts are required to use 15 percent of Part B special education program funds to support CEIS. Eleven percent of all districts are not required to use Part B program funds to provide CEIS but elected to do so; 85 percent of all districts are neither required nor elected to support CEIS with Part B funds.

N = 1,142.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts not required to use Part B funds to provide CEIS that responded to Item 4: 1,142. Number of districts not required to use Part B funds to provide CEIS that did not answer Item 4: 6.

SOURCE: District Part B Questionnaire – Items 1, 4.

**Exhibit D.7: Voluntary Use of Part B Special Education Funds to Provide CEIS—Proportion of Funds Used (School Year 2008–2009)**

| **Percent of Part B Program Funds Allocated to CEIS** | **%[a]** | **(SE)** |
|---|---|---|
| Less than 1 percent | 6.85 | 2.63 |
| 1–5 percent | 39.40 | 7.27 |
| 6–10 percent | 23.04 | 6.00 |
| 11 percent or more | 30.70 | 10.54 |

An estimated 7 percent of districts using Part B funds to provide CEIS allocate less than 1 percent of their Part B program funds to CEIS activities.

N = 155.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Percentage is among districts that voluntarily provide CEIS.

NOTE: Number of districts voluntarily providing CEIS that answered the question: 155. Number of districts voluntarily providing CEIS that did not answer the question: 11.

SOURCE: District Part B Questionnaire – Items 4, 5.

**Exhibit D.8: Distribution of CEIS by School Level for Districts Providing CEIS (School Year 2008–2009)**

| | Mandatory Providers of CEIS | | Voluntary Providers of CEIS | |
|---|---|---|---|---|
| | Yes | | Yes | |
| | % | (SE) | % | (SE) |
| Elementary schools [a] | 92.59 | 4.64 | 92.64 | 3.76 |
| Middle schools | 55.69 | 7.91 | 40.93 | 7.85 |
| High schools | 41.15 | 6.29 | 32.79 | 7.17 |
| Other schools | 8.76 | 4.76 | 8.72 | 3.14 |

EXHIBIT READS: An estimated 93 percent of districts mandated to provide CEIS conduct CEIS activities in elementary schools. Ninety-three percent of districts electing to provide CEIS conduct CEIS in elementary schools.

Mandatory: For elementary schools, N = 86; for middle schools, N = 61; for high schools, N = 51; for other schools, N = 10.
Voluntary: For elementary schools, N = 160; for middle schools, N = 88; for high schools, N = 68; for other schools, N = 14.

Percentage is among districts that provide CEIS.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Number of districts providing CEIS that did not answer the question: 0.

SOURCE: District Questionnaire – Items 1, 4, 6.

**Exhibit D.9: Percentage of CEIS-Mandatory and CEIS-Voluntary Districts Using Part B Special Education Program Funds to Provide CEIS Activities (School Year 2008–2009)**

| Type of Activity Supported by Part B Program Funds | Districts Mandated to Provide CEIS | | | | | | Districts Voluntarily Providing CEIS | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Use Part B program funds | | Unknown | | Missing | Total | Use Part B program funds | | Unknown | | Missing | Total |
| | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] |
| Literacy instruction | 81.79 | 6.34 | † | † | 0 | 90 | 84.33 | 3.73 | 2.59 | 1.86 | 0 | 166 |
| Response to Intervention (RtI) | 81.65 | 5.82 | 6.52 | 4.43 | 1 | 89 | 67.07 | 10.18 | 1.52 | 1.41 | 0 | 166 |
| Behavioral interventions | 63.36 | 7.12 | 7.49 | 4.66 | 0 | 90 | 60.11 | 8.83 | 1.68 | 1.43 | 0 | 166 |
| Math instruction | 63.22 | 7.75 | 1.02 | 0.61 | 0 | 90 | 48.63 | 8.57 | 1.95 | 1.48 | 0 | 166 |
| Adaptive and instructional software | 55.02 | 7.71 | 4.02 | 3.46 | 1 | 89 | 41.43 | 7.87 | 2.33 | 1.51 | 0 | 166 |
| Educational evaluations | 43.00 | 7.16 | 4.75 | 3.60 | 1 | 89 | 46.30 | 7.68 | 3.81 | 3.24 | 0 | 166 |
| Behavioral evaluations | 47.47 | 7.06 | 7.92 | 4.77 | 1 | 89 | 36.51 | 7.04 | 4.79 | 3.55 | 2 | 164 |
| Other instruction | 17.79 | 6.00 | 17.30 | 5.87 | 0 | 90 | 21.23 | 5.46 | 18.14 | 5.90 | 2 | 164 |
| Other | 14.06 | 5.62 | 26.93 | 7.18 | 2 | 88 | 10.76 | 3.42 | 22.01 | 6.43 | 5 | 161 |

EXHIBIT READS: Eighty-two percent of districts mandated to provide CEIS reported using Part B funds to provide literacy instruction to teachers and/or other school staff. No districts mandated to provide CEIS reported they did not know if they used Part B funds to provide literacy instruction to teachers and/or other school staff. Eighty-four percent of districts voluntarily providing CEIS reported using Part B funds to provide literacy instruction to teachers and/or other school staff. Three percent of districts voluntarily providing CEIS did not know if they used Part B funds to provide literacy instruction to teachers and/or other school staff.

For districts mandated to provide CEIS, N = 90 for literacy instruction, behavior interventions, math instruction, and other instruction; N = 89 for RtI, adaptive and instructional software; educational evaluations and behavioral evaluations; N = 88 for other.

For districts electing to provide CEIS, N = 166 for literacy instruction, RtI, behavioral interventions, math instruction, adaptive and instructional software and educational evaluations; N = 164 for behavioral evaluations and other instructions; N = 161 for other.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Percentages do not sum to 100 because response categories are not mutually exclusive.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 1, 4, 7, 8.

**Exhibit D.10: Special Education Evaluation and Eligibility in Kindergarten through Grade 3 by District Implementation of Coordinated Early Intervening Services (CEIS) (School Year 2008–2009)**

| | Districts Using CEIS (Either Voluntary or Mandatory) | | Districts not Using CEIS | | Difference (Districts Using CEIS – Districts not Using CEIS) | |
|---|---|---|---|---|---|---|
| | % [a] | (SE) | % [a] | (SE) | Percentage points difference (SE) | p-value |
| Percentage of all students evaluated | 3.16 | 0.19 | 3.57 | 0.16 | 0.41 (0.25) | 0.103 |
| Percentage of all students found eligible | 2.12 | 0.19 | 2.58 | 0.10 | 0.46 (0.22) | 0.036* |
| Percentage of newly evaluated students found eligible | 67.12 | 4.35 | 72.39 | 1.88 | 5.28 (4.75) | 0.267 |

EXHIBIT READS: The percentage of all students (grades K–3) evaluated in 2008–2009 was 3.16 for districts using CEIS and it was 3.57 for districts not using CEIS. The difference between the two sets of districts iss 0.41 percentage points, with a probability value of 0.103.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Data are limited to a subsample of districts that included children with speech and language impairment when answering the survey question about number of students who were evaluated and eligible.

Data indicating eligibility are based on the 2007–2008 school year. Data indicating use of CEIS are based on use during the 2008–2009 school year.

[a] The percentages were calculated as follows. Percentage of all students evaluated: number of students indicated by district to be evaluated in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of all students found eligible: number of students indicated by district to be found eligible in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of newly evaluated students found eligible: number of students indicated by district to be found eligible as indicated by the district divided by the percent of all students evaluated as indicated by the districted multiplied by 100.

* P-value is significant at the .05 level.

NOTE: Total N for this subsample was 626. Enrollment data for one district was missing from the Common Core of Data for the 2007–2008 school year. For that district, the enrollment for the 2006–2007 school year was used.

SOURCE: District Part B Questionnaire – Items 1, 4, 20. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (CCD; http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.11: Activities Conducted by SEAs Related to RtI (School Year 2008–2009)**

| Type of Activity | States | | Missing | Total [a] |
|---|---|---|---|---|
| | N | % | | |
| Has a state-level RtI task force, commission, or internal working group | 49 | 96.08 | 0 | 51 |
| Has organized trainings on RtI conducted by consultants or contractors | 40 | 78.43 | 0 | 51 |
| Has issued guidelines on RtI | 39 | 76.47 | 0 | 51 |
| Has RtI information available on the SEA website | 39 | 76.47 | 0 | 51 |
| Staff conduct trainings on RtI | 37 | 72.55 | 0 | 51 |
| Staff provide technical assistance to LEAs and schools that are investigating or implementing RtI | 37 | 72.55 | 0 | 51 |
| Has provided resources to school districts to explore the use of RtI | 36 | 70.59 | 0 | 51 |
| Arranges technical assistance from consultants or contractors for LEAs and schools that are investigating or implementing RtI | 34 | 66.67 | 0 | 51 |
| Has an outside advisory group related to RtI | 29 | 56.86 | 0 | 51 |
| Has a dedicated full-time position related to RtI | 20 | 39.22 | 0 | 51 |
| Other | 1 | 1.96 | 0 | 51 |

EXHIBIT READS: Forty-nine SEAs (96 percent) have a state-level RtI task force, commission, or internal working group.

N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part B school-age special education program coordinators who answered the question.

SOURCE: State Part B Questionnaire – Item 8.

**Exhibit D.12: Activities Conducted by State Agencies to Support the Implementation of RtI for Preschool-Age Children (School Year 2008–2009)**

| Type of Activity | States | | Missing | Total [a] |
|---|---|---|---|---|
| | N | % | | |
| Has no current initiatives | 32 | 62.75 | 0 | 51 |
| Organized trainings on RtI for preschool children conducted by consultants or contractors | 7 | 13.73 | 0 | 51 |
| Staff provide technical assistance to local providers that are investigating or implementing RtI for preschool children | 7 | 13.73 | 0 | 51 |
| Supports state-level RtI task force, commission, or internal working group specifically for preschool children | 6 | 11.76 | 0 | 51 |
| Arranges technical assistance from consultants or contractors for local providers that are investigating or implementing RtI for preschool children | 6 | 11.76 | 0 | 51 |
| Has a pilot initiative for limited number of preschools | 5 | 9.80 | 0 | 51 |
| Initiative to support statewide implementation of RtI for preschool children | 5 | 9.80 | 0 | 51 |
| Staff conduct trainings on RtI for preschool children | 5 | 9.80 | 0 | 51 |
| Information on RtI for preschool children is available on agency website | 4 | 7.84 | 0 | 51 |
| Provides resources (e.g., grants or RFPs) for preschool providers to explore the use of RtI (e.g., to identify model RtI programs; to assist in implementation) | 3 | 5.88 | 0 | 51 |
| State guidelines on RtI for preschool children exist | 3 | 5.88 | 0 | 51 |
| Other | 4 | 7.84 | 0 | 51 |

EXHIBIT READS: Thirty-two Part B special education program for preschool-age children agencies (63 percent) have no current initiative to support RtI implementation for preschool-age children.

N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to all Part B preschool-age special education program agencies that answered the question.

SOURCE: State Part B 619 Questionnaire – Item 17.

**Exhibit D.13: National Estimates of the Percentage of Districts Using RtI (School Year 2008–2009)**

| | Yes | | No | |
|---|---|---|---|---|
| **Implementation** | **%** | **(SE)** | **%** | **(SE)** |
| RtI is being used in the district | 70.53 | 2.34 | 29.47 | 2.34 |

EXHIBIT READS: Seventy-one percent of districts use RtI.

N = 1,148.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts responding to the question: 1,148. Number of districts that did not answer the question: 0.

SOURCE: District Part B Questionnaire – Item 9.

**Exhibit D.14: Percentage of Districts Using RtI at Various Proportions of Schools by School Level (School Year 2008–2009)**

| | Percent of Districts | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Not using RtI in any school | | Using RtI in at least one but less than half of schools | | Using RtI in half or more but not all schools | | Using RtI in all schools | | | |
| School Level [a] | % | (SE) | % | (SE) | % | (SE) | % | (SE) | Missing | Total [b] |
| Elementary schools | 33.75 | 2.79 | 3.79 | 0.52 | 4.53 | 0.95 | 57.93 | 2.41 | 9 | 1139 |
| Middle schools | 67.06 | 2.08 | 0.75 | 0.18 | 1.72 | 0.37 | 30.47 | 2.05 | 13 | 1135 |
| High schools | 72.89 | 2.00 | 0.60 | 0.17 | 1.29 | 0.47 | 25.22 | 1.95 | 16 | 1132 |
| Other schools | 93.75 | 1.09 | 0.10 | 0.04 | 0.46 | 0.23 | 5.69 | 1.06 | 13 | 1135 |

EXHIBIT READS: Thirty-four percent of districts reported using RtI in no elementary schools. Four percent of districts reported using RtI in at least one but less than half of elementary schools. Five percent of districts reported using RtI in half or more but not all elementary schools. Fifty-eight percent of districts reported using RtI in all elementary schools.

For elementary schools, N = 1,139; for middle schools, N = 1,135; for high schools, N = 1,132; for other schools, N = 1,135.

Percentage is among districts that use RtI and had one or more schools at the levels indicated. Districts with only one school are excluded from analysis at that school level. Categories are not mutually exclusive.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

[b] Total refers to the number of districts that responded to the questions.

SOURCE: District Part B Questionnaire – Items 9, 15.

**Exhibit D.15: National Estimates of the Percentage of Schools Using RtI by School Level (School Year 2008–2009)**

| School Level [a] | % | (SE) | Missing |
|---|---|---|---|
| Elementary schools | 60.76 | 2.45 | 9 |
| Middle schools | 44.74 | 2.37 | 12 |
| High schools | 29.28 | 2.00 | 16 |
| Other schools | 13.80 | 2.56 | 10 |

EXHIBIT READS: An estimated 61 percent of public elementary schools used RtI during the 2008–2009 school year.

For elementary schools, N = 1,080; for middle schools, N = 880; for high schools, N = 914; for other schools, N = 405.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Of the 1,089 districts that had one or more elementary schools, 1,080 districts provided responses to this question. Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question. Of the 930 districts that had one or more high schools, 914 districts provided responses to this question. Of the 415 districts that had one or more other schools, 405 districts provided responses to this question.

SOURCE: District Part B Questionnaire – Item 15.

**Exhibit D.16: Percentage of Districts Using RtI by Subject Area and School Level (School Year 2008–2009)**

| School Level [a] | Subject Areas | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Reading/ language arts | | Math | | Behavior | | Writing | | Other | | Total |
| | % | (SE) | % | (SE) | % | (SE) | % | (SE) | % | (SE) | N |
| Elementary schools | 70.12 | 2.45 | 47.06 | 2.50 | 36.37 | 2.41 | 27.47 | 2.23 | 1.57 | 0.36 | 1082[b] |
| Middle schools | 47.62 | 2.75 | 38.10 | 2.64 | 32.56 | 2.57 | 21.52 | 2.25 | 1.40 | 0.43 | 880[c] |
| High schools | 30.51 | 2.37 | 28.06 | 2.30 | 18.50 | 1.93 | 16.94 | 1.97 | 1.65 | 0.47 | 914[d] |
| Other schools | 8.47 | 1.76 | 6.26 | 1.26 | 7.77 | 2.43 | 3.36 | 1.00 | 0.76 | 0.25 | 393[e] |

EXHIBIT READS: Of districts with elementary schools, 70 percent reported RtI is being used in reading/language arts, 47 percent reported that RtI is being used in math, 36 percent reported that RtI is being used in behavior, 27 percent reported that RtI is being used in writing and 2 percent indicated that RtI is being used in other areas.

For elementary schools, N = 1,082; for middle schools, N = 880; for high schools, N = 914; for other schools, N = 393.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

[b] Of the 1,089 districts that had one or more elementary schools, 1,082 districts provided responses to this question.

[c] Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question.

[d] Of the 930 districts that had one or more high schools, 914 districts provided responses to this question.

[e] Of the 415 districts that had one or more other schools, 393 districts provided responses to this question.

SOURCE: District Part B Questionnaire – Item 16.

**Exhibit D.17: Percentage of Districts Using RtI in Various Combinations of Subject Areas by School Level (School Year 2008–2009)**

| | Elementary Schools [a] | | Middle Schools [b] | | High Schools [c] | | Other Schools [d] | |
|---|---|---|---|---|---|---|---|---|
| | % | (SE) | % | (SE) | % | (SE) | % | (SE) |
| RtI in reading only | 22.96 | 2.39 | 13.50 | 2.61 | 7.90 | 2.21 | 14.76 | 5.76 |
| RtI in reading and math | 16.22 | 1.97 | 15.88 | 2.42 | 16.30 | 2.60 | 14.36 | 8.43 |
| RtI in reading and behavior | 6.94 | 1.38 | 5.85 | 1.63 | 4.74 | 1.89 | 4.90 | 3.77 |
| RtI in reading and writing | 1.33 | 0.46 | † | † | 0.50 | 0.33 | 0.00 | 0.00 |
| RtI in reading, math and behavior | 14.44 | 2.05 | 18.28 | 2.77 | 9.69 | 1.87 | 8.56 | 2.27 |
| RtI in reading, math and writing | 6.86 | 1.45 | 5.14 | 1.42 | 13.65 | 3.21 | † | † |
| RtI in reading, behavior and writing | 1.23 | 0.44 | 1.77 | 0.79 | 0.73 | 0.49 | 0.00 | 0.00 |
| RtI in reading, math, behavior and writing | 27.77 | 2.72 | 32.77 | 3.47 | 31.02 | 4.02 | 30.99 | 10.24 |
| All other combinations | 2.25 | 0.52 | 6.18 | 1.57 | 15.47 | 3.17 | 22.25 | 4.37 |

EXHIBIT READS: Of districts using RtI in elementary schools, 23 percent of districts reported using RtI in reading only in elementary schools. Of districts where middle schools used RtI, 14 percent of districts reported using RtI in reading only in middle schools. Of districts where high schools use RtI, 8 percent of districts reported using RtI in reading only in high schools.

For elementary schools, N = 823; for middle schools, N = 481; for high schools, N = 383; for other schools, N = 89.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.

[b] Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.

[c] High schools: lowest grade is 7 or higher, highest grade is 12.

[d] Other schools are all other grade configurations, including schools that are completely ungraded.

† Values suppressed to protect respondent confidentiality.

NOTE: Number of districts with elementary schools reporting on subject area in which RtI was used in the 2008–2009 school year: 823.
Number of districts with middle schools reporting on subject area in which RtI was used in the 2008–2009 school year: 481.
Number of districts with high schools reporting on subject area in which RtI was used in the 2008–2009 school year: 383.
Number of districts with other schools reporting on subject area in which RtI was used in the 2008–2009 school year: 89.

SOURCE: District Part B Questionnaire – Item 16.

**Exhibit D.18: Percentage of Districts Providing RtI Support to Schools and Information to Families among Districts Using RtI (School Year 2008–2009)**

| | % | (SE) |
|---|---|---|
| Support to schools through training, technical assistance and funding | 32.40 | 2.22 |
| Information provided to parents on understanding IDEA requirements relevant to RtI or understanding how RtI is being implemented in the district | 73.04 | 2.57 |
| Both provided support to schools and provided information to parents | 25.89 | 2.08 |

EXHIBIT READS: Of districts providing support to schools, 32 percent provide support through training, technical assistance and funding.

N = 862.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Only districts that indicated use of RtI in at least one school are included.

NOTE: Number of districts providing RtI which answered the items: 862. Number of districts providing RtI which did not answer the items: 6.

SOURCE: District Part B Questionnaire – Items 11, 14.

**Exhibit D.19: Percentage of All Students in Grades K–3 That Were Evaluated and Results for Part B Special Education Program Services During the 2007–2008 School Year by Use of RtI (School Year 2008–2009)**

| | Districts Using RtI at the Elementary School Level | | Districts with No Elementary School Using RtI | | Difference (Districts Using RtI at the Elementary School Level – Districts with No Elementary School Using RtI) | |
|---|---|---|---|---|---|---|
| | % [a] | (SE) | % [a] | (SE) | Percentage points difference (SE) | p-value |
| Percentage of all students evaluated | 3.37 | (0.14) | 3.78 | (0.25) | -0.41 (0.29) | 0.154 |
| Percentage of all students found eligible | 2.41 | (0.11) | 2.62 | (0.19) | -0.21 (0.22) | 0.327 |
| Percentage of students newly evaluated found eligible | 71.52 | (2.27) | 69.42 | (2.14) | 2.10 (3.10) | 0.499 |

EXHIBIT READS: The percentage of elementary school children in school districts using RtI at the elementary school level that were newly evaluated during the 2007–2008 school year is three. Districts with no elementary schools using RtI evaluated four percent of all students. The difference in the percentage of students evaluated between districts using RtI at the one elementary school level and districts with no elementary schools using RtI is -0.41 percentage points.

N = 632.

Data are limited to a subsample of districts that included children with speech and language impairment when answering the survey question about number of students who were evaluated and eligible

Data indicating eligibility are based on the 2007–2008 school year. Data indicating use of RtI data are based on use during the 2008–2009 school year.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] The percentages were calculated as follows. Percentage of all students evaluated: number of students indicated by district to be evaluated in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of all students found eligible: number of students indicated by district to be found eligible in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of newly evaluated students found eligible: number of students indicated by district to be found eligible as indicated by the district divided by the percent of all students evaluated as indicated by the districted multiplied by 100.

NOTE: Total N for this subsample was 632. Enrollment data for one district was missing from the Common Core of Data for the 2007–2008 school year. For that district, the enrollment for the 2006–2007 school year was used.

SOURCE: District Part B Questionnaire – Items 9, 20. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (CCD; http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.20: Leadership of RtI Implementation in Districts, among Districts Using RtI (School Year 2008–2009)**

| | Yes | |
|---|---|---|
| **Leadership of RtI Implementation** | **% [a]** | **(SE)** |
| RtI implementation in the district is led by general educators | 17.67 | 2.13 |
| RtI implementation in the district is led by special educators | 7.51 | 2.05 |
| RtI implementation in the district is led by a team of both general and special educators | 74.81 | 2.69 |
| Total [b] | 100.00 | |

EXHIBIT READS: Among districts using RtI, in an estimated 18 percent RtI implementation is led by general educators.

N = 867.

[a] Percentage is among districts that use RtI.

[b] Of 868 districts that reported that RtI was being used in at least one school, 867 provided responses to this question.

SOURCE: District Part B Questionnaire – Item 10.

**Exhibit D.21: Distribution of Funding Sources for District Use of RtI (School Year 2008–2009)**

| Source of Funding | Districts with Any Funding Used [b] | | Districts Where Source Is Providing the Most Support [c] | |
|---|---|---|---|---|
| | % | (SE) | % | (SE) |
| District general funds | 79.70 | 1.98 | 48.08 | 2.82 |
| Combined Title I funds | 45.83 | 2.79 | 19.36 | 2.15 |
| No Child Left Behind (NCLB or ESEA) Title I-A School-wide or Targeted Assistance funds | 44.40 | 2.78 | 17.43 | 2.09 |
| NCLB Title I-B Reading First funds | 9.08 | 1.52 | 1.92 | 0.62 |
| Combined IDEA funds | 40.56 | 2.60 | 21.91 | 2.21 |
| IDEA Coordinated Early Intervening Services (CEIS) funds[a] | 12.79 | 1.58 | 6.92 | 1.16 |
| IDEA Part B flow-through funds, other than funds used for CEIS | 19.88 | 1.93 | 6.86 | 1.28 |
| IDEA district discretionary funds, other than funds used for CEIS | 7.09 | 1.26 | 2.26 | 0.83 |
| IDEA state discretionary funds | 5.99 | 1.20 | 1.71 | 0.73 |
| Other sources | 30.00 | 2.40 | 10.56 | 1.58 |
| NCLB Title II-A funds | 19.46 | 1.93 | 5.08 | 1.01 |
| NCLB Title III funds | 3.32 | 0.84 | 0.0 | 0.0 |
| NCLB Title V grants for innovation | 1.60 | 0.68 | † | † |
| State Improvement Grant (SIG) or State Personnel Development Grant (SPDG) | 8.92 | 1.52 | 4.15 | 1.25 |
| Other | 10.14 | 1.53 | 5.19 | 1.22 |

EXHIBIT READS: Among districts that implemented RtI, 80 percent use district general funds to fund RtI training and implementation; 48 percent of districts use district general funds to provide the most support for RtI.

For identified at least one source, N = 857.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Although the survey used the term "Early Intervening Services" (EIS), the current terminology is "Coordinated Early Intervention Services" (CEIS).

[b] At least one funding source was identified by 857 of the 868 districts that reported using RtI. Districts were instructed to check all that applied.

[c] The primary funding source was identified by 858 of the 868 districts that reported using RtI. Two districts checked Other, but did not enter a valid response. Districts were instructed to check one.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 12, 13.

**Exhibit D.22: Percentage of Students in Specific Learning Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students with SLD | | |
|---|---|---|---|---|
| | | Mean (%) | Median (%) | Range (%) |
| State specifies types of qualified professionals who are to complete evaluation (n=2) | GA, IN | 4.95 | 4.95 | 3.57 – 6.32 |
| When using the discrepancy method, state specifies required discrepancy between achievement and expected levels of performance as: | | | | |
| 1 – 1.3 Standard Deviations (n = 5) | AL, ID, MS, NE, NC | 5.02 | 5.43 | 3.79 – 5.67 |
| 1.5 Standard Deviations (n = 6) | HI, MO, OK, TN, VT [a], WY | 5.91 | 5.32 | 5.24 – 7.96 |
| ≥ 1.75 Standard Deviations (n = 4) | MN, MT, WV, WI | 5.26 | 5.45 | 4.10 – 6.04 |
| State includes additional categories of disability not included in federal definition (e.g., Attention Deficit Disorder) (n=2) | GA, LA | 3.99 | 3.99 | 3.57 – 4.40 |
| State specifies number of data collection points and length of time per intervention prior to eligibility determination (n=3) | GA, MN, TN | 4.30 | 4.10 | 3.57 – 5.24 |
| No difference from federal eligibility criteria (n= 33) | AK, AZ, AR, CA, CO, CT, DE, DC, FL, IL, IA, KS, KY, MA, MD, ME, MI, NV, NH, NJ, NM, NY,ND, OH, OR, PA, RI, SC, SD, TX, UT, VA, WA | 6.09 | 6.06 | 2.30 – 8.47 |
| National state-level average (n=51) | | 5.82 | 5.64 | 2.30 – 8.47 |

EXHIBIT READS: The mean percentage of children diagnosed with SLD in states specifying professionals who can conduct evaluations is 4.95. The median is 4.95 percent and the range is from 3.75 to 6.32 percent.

N = 51.

The percentage of students in the Specific Learning Disability category was calculated as the number of students ages 6 through 21 years in the Specific Learning Disability category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100.

[a] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Specific Learning Disabilities living in Vermont.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6- through 21-year-olds in a particular disability category is from Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state: Fall 2007*, from the Data Accountability Center (DAC, www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grade 1 through 12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD: http:/nces.ed.gov/bat/, retrieved November 20, 2009).

**Exhibit D.23: SEA Use of Discrepancy Model to Determine Eligibility for Special Education for Specific Learning Disability (SLD) (School Year 2008–2009)**

| State Policy | States | | States Responding Yes |
|---|---|---|---|
| | N | % | |
| **Allows discrepancy model** | | | |
| The use of an IQ-achievement discrepancy model is permitted and RtI data may be used in determining eligibility | 26 | 50.98 | AK, AL, AZ, CA, KY, MD, ME, MN, MO, MT, ND, NE, NJ, NV, NY, OK, PA, SC, SD, TN, TX, UT, VA, VT, WI, WY |
| The use of an IQ-achievement discrepancy model is permitted and an alternative method (not specifically RtI) may be used to determine eligibility | 11 | 21.57 | AR, HI, ID, KS, MA, MI, MS, NH, OH, OR, WA |
| The use of an IQ-achievement discrepancy model is permitted and RtI data are explicitly required in determining eligibility | 6 | 11.76 | DC, FL, GA, IL, NC, NM |
| **Does not allow discrepancy model** | | | |
| The use of an IQ-achievement discrepancy model is prohibited and RtI data are explicitly required in determining eligibility | 6 | 11.76 | CO, CT, DE, IA, LA, WV |
| The use of an IQ-achievement discrepancy model is prohibited and an alternative method (not specifically RtI) is used to determine eligibility | 1 | 1.96 | IN |
| Other | 1 | 1.96 | RI |
| Total [a] | 51 | 100.00 | |

EXHIBIT READS: Twenty-six SEAs (51 percent) allow the use of an IQ-achievement discrepancy model and allow RtI data to be used in determining eligibility.

N = 51.

[a] Total refers to the number of SEAs that answered the question. Number of SEAs that did not answer the question: 0.

SOURCE: State Part B Questionnaire – Item 11.

**Exhibit D.24: Percentage of Districts Using Various Types of Data in Determining Special Education Eligibility in the Category of SLD for Elementary Students (School Year 2008–2009)**

| | Districts | |
|---|---|---|
| **Types of Data** | **%** | **(SE)** |
| Use of both RtI data and discrepancy data | 52.81 | 2.49 |
| Data and other information from the RtI process; data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance; as well as data from other, research-based procedures | 30.49 | 2.06 |
| Data and other information from the RtI process as well as data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance | 22.32 | 2.00 |
| Use of discrepancy data without RtI data | 34.70 | 2.51 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance only | 22.13 | 2.42 |
| Data based on cognitive and academic assessments that demonstrate a discrepancy between expected and actual performance as well as data from other, research-based procedures | 12.57 | 1.53 |
| Use of RtI data without discrepancy data | 12.05 | 1.52 |
| Data and other information from the RtI process as well as data from other, research-based procedures | 9.01 | 1.37 |
| Data and other information from the RtI process only | 3.04 | 0.73 |
| Other | | |
| Data from other, research-based procedures only | 0.45 | 0.18 |

EXHIBIT READS: The percentage of districts that use both RtI data and discrepancy data to determine SLD eligibility for elementary school students is 53.

N = 1,107.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Total number of districts responding to the question: 1107. Number of districts using RtI that did not answer the question: 41.

SOURCE: District Part B Questionnaire – Item 19.

**Exhibit D.25: Percentages of All Students in Grades K–3 That Were Evaluated, and Results by Use of Types of Evaluation Data (School Year 2008–2009)**

| | Districts That Use RtI data without Discrepancy Data[a] | | Districts That Use Discrepancy Data without RtI Data[a] | | Districts That Use Both RtI data and Discrepancy Data[a] | | Overall ANOVA |
|---|---|---|---|---|---|---|---|
| | % | (SE) | % | (SE) | % | (SE) | p-value |
| Percentage of all students evaluated for special education eligibility[b] | 2.96 | 0.45 | 3.96 | 0.23 | 3.38 | 0.14 | 0.051 |
| Percentage of all students found eligible[b] | 1.97 | 0.20 | 2.81 | 0.18 | 2.43 | 0.12 | 0.010* |
| Percentage of evaluated students determined to be eligible for special education[b] | 66.57 | 8.98 | 70.90 | 1.96 | 71.83 | 2.31 | 0.837 |

EXHIBIT READS: In districts that use RtI data without discrepancy data, 2.96 percent of all students are evaluated; in districts that use discrepancy data without RtI data, 3.96 percent of students are evaluated, and 3.38 percent of all students are evaluated in districts that use both discrepancy and RtI data. The overall ANOVA p-value is 0.051.

N = 626.

Data are limited to a subsample of districts that included children with speech and language impairment when answering the survey question about number of students who were evaluated and eligible.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] The percentages were calculated as followed. Percentage of all students evaluated: number of students indicated by district to be evaluated in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of all students found eligible: number of students indicated by district to be found eligible in K–3 in the 2007–2008 school year divided by the grade K–3 district enrollment for the 2007–2008 school year from the Common Core Data multiplied by 100. Percentage of newly evaluated students found eligible: number of students indicated by district to be found eligible as indicated by the district divided by the percent of all students evaluated as indicated by the districted multiplied by 100.

Enrollment data for one district was missing from the Common Core of Data for the 2007–2008 school year. For that district, the enrollment for the 2006–2007 school year was used.

* P-value is significant at the .05 level.

[a] Data indicating use of RtI data are based on use during the 2008–2009 school year.

[b] Data indicating eligibility are based on the 2007–2008 school year.

NOTE: Total N for this subsample was 626.

SOURCE: District Part B Questionnaire – Items 19, 20. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (CCD; http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.26: Pairwise Comparison of Percentages of All Students in Grades K–3 That Were Evaluated and Results for Part B Special Education Program Services by Use of Types of Evaluation Data (School Year 2008–2009)**

| | Districts That Use RtI Data without Discrepancy Data vs. Districts That Use Discrepancy Data without RtI Data [a] | | Districts That Use RtI Data without Discrepancy Data vs. Districts That Use Both RtI data and Discrepancy Data [a] | | Districts That Use Discrepancy Data without RtI Data vs. Districts That Use Both RtI Data and Discrepancy Data [a] | |
|---|---|---|---|---|---|---|
| | Percentage points difference (SE) | p-value | Percentage points difference (SE) | p-value | Percentage points difference (SE) | p-value |
| Percentage of all students determined to be eligible for special education [b] | -0.84 (0.27) | 0.002* | -0.46 (0.23) | 0.056 | 0.38 (0.22) | 0.087 |

EXHIBIT READS: The difference, in percentage points, of elementary school children found eligible for Part B special education program services in districts using RtI data without discrepancy data and districts using discrepancy data without RtI data is –0.84. This difference is statistically significant ($p$ = 0.002).

N = 626.

Data are limited to a subsample of districts that included children with speech and language impairment when answering the survey question about number of students who were evaluated and eligible

*P-value is significant both before and after the Benjamini-Hochberg (1995) adjustment for multiple comparison.

[a] Data indicating use of RtI data are based on use during the 2008–2009 school year.

[b] Data indicating eligibility are based on the 2007–2008 school year.

NOTE: Total N for this subsample was 626.

SOURCE: District Part B Questionnaire – Items 19, 20. The number of districts in each state for the 2007–2008 school year is from Common Core of Data, Build-A-Table (CCD; http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.27: Number and Percentage of Districts Required to Use CEIS During the Current School Year as a Result of Significant Disproportionality, as Reported by SEAs by Region (School Year 2008–2009)**

| | LEAs Required to Use CEIS | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Northeast | | | South | | | Midwest | | | West | | |
| Area of Significant Disproportionality: | Number of districts [a] | Percentage of districts [b] | Total | Number of districts [a] | Percentage of districts [b] | Total | Number of districts [a] | Percentage of districts [b] | Total | Number of districts [a] | Percentage of districts [b] | Total |
| Overall | 85 | 2.42 | 9 | 292 | 7.98 | 17 | 72 | 1.23 | 12 | 14 | 0.44 | 13 |
| Identification | 62 | 1.77 | 9 | 230 | 6.28 | 17 | 62 | 1.11 | 11 | 14 | 0.44 | 13 |
| Placement | 24 | 0.68 | 9 | 77 | 2.10 | 17 | 5 | 0.09 | 11 | 0 | 0 | 13 |
| Discipline | 24 | 0.68 | 9 | 21 | 0.57 | 17 | 9 | 0.16 | 11 | 0 | 0 | 13 |

EXHIBIT READS: Among districts in the Northeast, 2 percent are required to use CEIS as a result of significant disproportionality in any area. Among districts in the South, 8 percent are required to use CEIS as a result of significant disproportionality in any area. Among districts in the Midwest, 1 percent are required to use CEIS as a result of significant disproportionality in any area. Among districts in the West, less than 1 percent are required to use CEIS as a result of significant disproportionality in any area.

The percentage of districts required to use CEIS was calculated as the sum of the number of districts reported by the states as required to provide CEIS in the current (2008–2009) school year divided by the number of districts in the country in the 2007–2008 school year from the Common Core of Data multiplied by 100.

Districts may have significant disproportionality in multiple areas, thus counts in the separate areas will not necessarily sum to the whole.

[a] Total number of districts required to use CEIS across reporting SEA.

[b] The denominator for this column is the total number of districts across reporting SEAs in school year 2007–2008.

[c] Total refers to the number of SEAs that responded to the question.

[d] Total refers to the number of SEAs identifying the area of significant disproportionality among (Item 4) among SEAs reporting that at least one district was required to use CEIS in the 2008–2009 school year (Item 3). One SEA did not indicate the area in which districts had been identified as having significant disproportionality.

NOTE: One state did not identify the number of LEAs required to use CEIS by area of significant disproportionality.

SOURCE: State Part B Questionnaire – Items 3, 4. Total Number of School Districts with Enrollment for 2007–2008 from Common Core of Data Build-A-Table (http:/nces.ed.gov/ccd/bat/, retrieved November 20, 2009). Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit D.28: Special Education and Eligibility in Kindergarten through Grade 3 by District Implementation of Coordinated Early Intervening Services and Region (School Year 2008–2009)**

| Use of Part B Funds to Provide CEIS | Northeastern Districts | | Southern Districts | | Midwestern Districts | | Western Districts | |
|---|---|---|---|---|---|---|---|---|
| | % | (SE) | % | (SE) | % | (SE) | % | (SE) |
| District is required to use 15 percent Part B funds for CEIS | 3.08 | 1.22 | 12.83 | 2.45 | 2.10 | 0.74 | 0.39 | 0.34 |
| District is not required but elects to use some portion of Part B funds | 10.32 | 3.00 | 15.10 | 2.23 | 12.14 | 3.96 | 4.27 | 1.13 |
| District does not use any Part B funds for CEIS | 86.60 | 3.20 | 72.07 | 3.07 | 85.76 | 3.96 | 95.35 | 1.17 |

EXHIBIT READS: Three percent of Northeastern districts are required to use 15 percent of Part B funds to support CEIS. Ten percent of Northeastern districts which are not required to use Part B funds to provide CEIS elected to support CEIS with Part B funds. Eighty-seven percent of Northeastern districts did not use any Part B funds to support CEIS.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of Northeastern districts not required to use Part B funds to provide CEIS that responded to Item 4: 179. Number of Northeastern districts not required to use Part B funds to provide CEIS that did not answer Item 4: 0. Number of Southern districts not required to use Part B funds to provide CEIS that responded to Item 4: 443. Number of Southern districts not required to use Part B funds to provide CEIS that did not answer Item 4: 0. Number of Midwestern districts not required to use Part B funds to provide CEIS that responded to Item 4: 241. Number of Midwestern districts not required to use Part B funds to provide CEIS that did not answer Item 4: 2. Number of Western districts not required to use Part B funds to provide CEIS that responded to Item 4: 279. Number of Western districts not required to use Part B funds to provide CEIS that did not answer Item 4: 4.

SOURCE: District Questionnaire – Items 1, 4. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit D.29: Special Education and Eligibility in Kindergarten through Grade 3 by District Implementation of Coordinated Early Intervening Services and Urbanicity (School Year 2008–2009)**

| | Urban Districts | | Suburban Districts | | Rural Districts | |
|---|---|---|---|---|---|---|
| **Use of Part B Funds to Provide CEIS** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** |
| District is required to use 15 percent Part B funds for CEIS | 11.02 | 1.57 | 4.09 | 0.90 | 4.04 | 1.12 |
| District is not required but elects to use any portion of Part B funds | 16.81 | 1.98 | 11.58 | 1.49 | 9.57 | 3.11 |
| District does not use any Part B funds for CEIS | 72.17 | 2.25 | 84.32 | 1.68 | 86.38 | 3.21 |

EXHIBIT READS: Eleven percent of urban districts are required to use 15 percent of Part B funds to support CEIS. Seventeen percent of urban districts which are not required to use Part B funds to provide CEIS, elected to support CEIS with Part B program funds. Seventy-two percent of urban districts did not use any Part B funds to support CEIS.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of urban districts not required to use Part B funds to provide CEIS that responded to Item 4: 370. Number of urban districts not required to use Part B funds to provide CEIS that did not answer Item 4: 0. Number of suburban districts not required to use Part B funds to provide CEIS that responded to Item 4: 580. Number of suburban districts not required to use Part B funds to provide CEIS that did not answer Item 4: 6. Number of rural districts not required to use Part B funds to provide CEIS that responded to Item 4: 192. Number of rural districts not required to use Part B funds to provide CEIS that did not answer Item 4: 0.

SOURCE: District Questionnaire – Items 1, 4. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit D.30: Special Education and Eligibility in Kindergarten through Grade 3 by District Implementation of Coordinated Early Intervening Services and District Enrollment (School Year 2008–2009)**

| | District Enrollment Less than 1,000 | | District Enrollment Between 1,000 and 10,000 | | District Enrollment Greater than 10,000 | |
|---|---|---|---|---|---|---|
| **Use of Part B Funds to Provide CEIS** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** |
| District is required to use 15 percent Part B funds for CEIS | 2.16 | 0.76 | 5.59 | 1.21 | 13.70 | 2.73 |
| District is not required but elects to use any portion of Part B funds | 6.67 | 3.01 | 14.02 | 1.90 | 19.56 | 3.29 |
| District does not use any Part B funds for CEIS | 91.16 | 3.05 | 80.38 | 2.17 | 66.74 | 4.06 |

EXHIBIT READS: Two percent of districts with enrollment less than 1,000 are required to use 15 percent of Part B funds to support CEIS. Six percent of districts with enrollments between 1,000 and 10,000 are required to use 15 percent of Part B funds to support CEIS. Fourteen percent of districts with enrollments greater than 10,000 are required to use 15 percent of Part B funds. Seven percent of districts with enrollment less than 1,000 which are not required to use Part B funds to provide CEIS elected to support CEIS with Part B funds. Ninety-one percent of districts with enrollment less than 1,000 did not use any Part B funds to support CEIS.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts with enrollment less than 1,000 not required to use Part B funds to provide CEIS that responded to Item 4: 295. Number of districts with enrollment less than 1,000 not required to use Part B funds to provide CEIS that did not answer Item 4: 2. Number of districts with enrollment between 1,000 and 10,000 required to use Part B funds to provide CEIS that responded to Item 4: 575. Number of districts with enrollment between 1,000 and 10,000 not required to use Part B funds to provide CEIS that did not answer Item 4: 3. Number of districts with enrollment greater than 10,000 not required to use Part B funds to provide CEIS that responded to Item 4: 272. Number of districts with enrollment greater than 10,000 not required to use Part B funds to provide CEIS that did not answer Item 4: 1.

SOURCE: District Part B Questionnaire – Items 1, 4.

**Exhibit D.31: School Levels at Which CEIS Activities Are Conducted, among Districts That Provide CEIS Either Due to Requirements or on a Voluntary Basis by Region (School Year 2008–2009)**

| | Northeastern Districts | | Southern Districts | | Midwestern Districts | | Western Districts | |
|---|---|---|---|---|---|---|---|---|
| | % [b] | (SE) | % [b] | (SE) | % [b] | (SE) | % [b] | (SE) |
| Elementary schools [a] | 88.07 | 11.94 | 94.60 | 3.31 | 91.52 | 4.61 | 98.91 | 1.11 |
| Middle schools | 59.84 | 15.10 | 45.65 | 6.19 | 36.41 | 12.98 | 46.19 | 13.36 |
| High schools | 43.80 | 15.08 | 31.07 | 5.13 | 38.05 | 13.22 | 22.51 | 10.21 |
| Other schools | 14.19 | 7.44 | 9.89 | 4.01 | 4.98 | 3.56 | 4.45 | 2.87 |

EXHIBIT READS: An estimated 88 percent of Northeastern districts that provide CEIS conduct CEIS activities in elementary schools. An estimated 95 percent of Southern districts that provide CEIS conduct CEIS activities in elementary schools. An estimated 92 percent of Midwestern districts that provide CEIS conduct CEIS activities in elementary schools. An estimated 99 percent of Western districts that provide CEIS conduct CEIS activities in elementary schools.

Percentage is among districts that provide CEIS.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Number of Northeastern districts providing CEIS that did not answer the question: 0. Number of Southern districts providing CEIS that did not answer the question: 0. Number of Midwestern districts providing CEIS that did not answer the question: 2. Number of Western districts providing CEIS that did not answer the question: 4.

SOURCE: District Questionnaire – Items 1, 4, 6. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit D.32: School Levels at Which CEIS Activities Are Conducted, among Districts That Provide CEIS Either Due to Requirements or on a Voluntary Basis by Urbanicity (School Year 2008–2009)**

| | Urban Districts | | Suburban Districts | | Rural Districts | |
|---|---|---|---|---|---|---|
| | % [b] | (SE) | % [b] | (SE) | % [b] | (SE) |
| Elementary schools [a] | 96.79 | 1.95 | 93.79 | 3.08 | 90.37 | 6.19 |
| Middle schools | 62.88 | 4.83 | 56.33 | 5.81 | 29.16 | 10.88 |
| High schools | 54.08 | 4.95 | 44.99 | 5.86 | 20.28 | 9.48 |
| Other schools | 8.80 | 2.60 | 9.29 | 3.59 | 8.13 | 4.44 |

EXHIBIT READS: An estimated 97 percent of urban districts that provide CEIS conduct CEIS activities in elementary schools. An estimated 94 percent of suburban districts that provide CEIS conduct CEIS activities in elementary schools. An estimated 90 percent of rural districts that provide CEIS conduct CEIS activities in elementary schools.

Percentage is among districts that provide CEIS.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Number of urban districts providing CEIS that did not answer the question: 0. Number of suburban districts providing CEIS that did not answer the question: 6. Number of rural districts providing CEIS that did not answer the question: 0.

SOURCE: District Questionnaire – Items 1, 4, 6. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit D.33: School Levels at Which CEIS Activities Are Conducted, among Districts That Provide CEIS Either Due to Requirements or on a Voluntary Basis by District Enrollment (School Year 2008–2009)**

| | District Enrollment Less than 1,000 | | District Enrollment between 1,000 and 10,000 | | District Enrollment Greater than 10,000 | |
|---|---|---|---|---|---|---|
| | % [b] | (SE) | % [b] | (SE) | % [b] | (SE) |
| Elementary schools [a] | 100.00 | 0.00 | 87.62 | 4.94 | 100.00 | 0.00 |
| Middle schools | 18.20 | 11.78 | 51.58 | 6.66 | 71.51 | 4.57 |
| High schools | 12.05 | 10.47 | 38.85 | 6.40 | 65.85 | 4.83 |
| Other schools | 0.00 | 0.00 | 12.80 | 3.86 | 8.26 | 2.61 |

EXHIBIT READS: Among school districts with enrollment less than 1,000, 100 percent of districts that provide CEIS conduct CEIS activities in elementary schools. Among school districts with enrollments between 1,000 and 10,000, 88 percent of districts that provide CEIS conduct CEIS activities in elementary schools. In districts with enrollments greater than 10,000, 100 percent of districts that provide CEIS conduct CEIS activities in elementary schools.

Percentage is among districts that provide CEIS.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Number of districts with enrollment less than 1,000 providing CEIS that did not answer the question: 2. Number of districts with enrollment between 1,000 and 10,000 providing CEIS that did not answer the question: 3. Number of districts with enrollment greater than 10,000 providing CEIS that did not answer the question: 1.

SOURCE: District Questionnaire – Items 1, 4, 6.

## Exhibit D.34: Type of Activities Implemented as Part of CEIS and Supported by Part B Funding by Region (School Year 2008–2009)

| Type of Activity Supported by Part B Funds | Northeastern Districts | | | | | | Southern Districts | | | | | | Midwestern Districts | | | | | | Western Districts | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Use Part B funds | | Unknown | | Missing | Total | Use Part B funds | | Unknown | | Missing | Total | Use Part B funds | | Unknown | | Missing | Total | Use Part B funds | | Unknown | | Missing | Total |
| | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] |
| Literacy instruction | 89.9 | 6.01 | 0 | | 0 | 35 | 75.79 | 5.66 | 2.34 | 2.34 | 0 | 148 | 92.58 | 3.99 | † | † | 0 | 52 | 69.52 | 12.63 | 0 | | 0 | 21 |
| Response to Intervention (RtI) | 72.04 | 13.98 | 4.86 | 4.38 | 0 | 35 | 74.29 | 5.57 | 4.87 | 3.24 | 0 | 148 | 66.76 | 19.65 | † | † | 1 | 51 | 72.88 | 11.5 | 0 | | 0 | 21 |
| Behavioral interventions | 86.97 | 7.46 | 0 | | 0 | 35 | 57.76 | 6.4 | 7.66 | 3.89 | 0 | 148 | 52.63 | 16.08 | 0 | | 0 | 52 | 51.37 | 13.55 | † | † | 0 | 21 |
| Math instruction | 55.93 | 15.17 | † | † | 0 | 35 | 57.15 | 6.36 | 3.72 | 2.48 | 0 | 148 | 44.47 | 14.75 | † | † | 0 | 52 | 59.87 | 13.03 | 0 | | 0 | 21 |
| Adaptive and instructional software | 38.11 | 9.2 | 1.47 | 0.81 | 0 | 35 | 47.42 | 6.39 | 5.7 | 3.33 | 0 | 148 | 47.5 | 16.67 | † | † | 1 | 51 | 41.46 | 13.37 | 2.07 | 2.18 | 0 | 21 |
| Educational evaluations | 43.98 | 9.41 | † | † | 0 | 35 | 39.1 | 5.82 | 4.16 | 2.56 | 0 | 148 | 50.1 | 15.7 | † | † | 1 | 51 | 67.8 | 11.73 | † | † | 0 | 21 |
| Behavioral evaluations | 46.5 | 9.24 | 0 | | 0 | 35 | 37.26 | 6.04 | 7.94 | 3.95 | 1 | 147 | 38.45 | 13.75 | † | † | 1 | 51 | 42.99 | 13.81 | † | † | 1 | 20 |
| Other instruction | 28.68 | 8.98 | 23.14 | 13.44 | 0 | 35 | 15.33 | 3.94 | 17.64 | 4.49 | 1 | 147 | 22.05 | 10.41 | 17.21 | 9.53 | 1 | 51 | 18.5 | 9.77 | 7.17 | 5.55 | 0 | 21 |
| Other | 13.45 | 7.04 | 30.19 | 14.16 | 0 | 35 | 11.66 | 4.18 | 21.76 | 4.99 | 3 | 145 | 12.4 | 5.71 | 21.6 | 10.91 | 4 | 48 | † | † | 24.57 | 11.94 | 0 | 21 |

EXHIBIT READS: Ninety percent of Northeastern districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Zero percent of Northeastern districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff. Seventy-six percent of Southern districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Two percent of Southern districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff. Ninety-three percent of Midwestern districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Three percent of Midwestern districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff. Seventy percent of Western districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Zero percent of Western districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Percentage is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, and districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

[b] Number is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, and districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 1, 4, 7, 8. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

## Exhibit D.35: Type of Activities Implemented as Part of CEIS and Supported by Part B Funding by Urbanicity (School Year 2008–2009)

| Type of Activity Supported by Part B Funds | Urban Districts | | | | | | Suburban Districts | | | | | | Rural Districts | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Use Part B Funds | | Unknown | | Missing | Total | Use Part B Funds | | Unknown | | Missing | Total | Use Part B Funds | | Unknown | | Missing | Total |
| | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] |
| Literacy instruction | 83.58 | 3.91 | 0 | | 0 | 113 | 83.52 | 4.19 | † | † | 0 | 110 | 83.67 | 5.90 | 2.28 | 2.32 | 0 | 33 |
| Response to Intervention (RtI) | 78.27 | 4.07 | 1.74 | 1.23 | 1 | 112 | 81.67 | 4.15 | † | † | 0 | 110 | 58.68 | 15.29 | 4.57 | 3.25 | 0 | 33 |
| Behavioral interventions | 74.49 | 4.55 | 1.44 | 1.01 | 0 | 113 | 68.86 | 5.19 | † | † | 0 | 110 | 49.52 | 12.63 | 6.85 | 3.96 | 0 | 33 |
| Math instruction | 57.68 | 4.94 | 2.36 | 1.37 | 0 | 113 | 57.25 | 5.88 | 0.95 | 0.72 | 0 | 110 | 47.08 | 13.26 | 2.28 | 2.32 | 0 | 33 |
| Adaptive and instructional software | 52.15 | 4.84 | 2.57 | 1.41 | 1 | 112 | 53.30 | 5.94 | 1.22 | 0.78 | 0 | 110 | 35.37 | 11.59 | 4.57 | 3.25 | 0 | 33 |
| Educational evaluations | 52.09 | 4.97 | 1.46 | 1.02 | 1 | 112 | 62.01 | 5.58 | 1.62 | 0.99 | 0 | 110 | 26.13 | 9.19 | 7.31 | 5.92 | 0 | 33 |
| Behavioral evaluations | 51.09 | 4.95 | 0.76 | 0.76 | 2 | 111 | 51.61 | 5.91 | 0.95 | 0.73 | 1 | 109 | 24.44 | 9.22 | 11.88 | 6.97 | 0 | 33 |
| Other instruction | 18.81 | 4.00 | 20.59 | 4.10 | 0 | 113 | 28.88 | 5.39 | 17.50 | 4.48 | 2 | 108 | 11.53 | 6.66 | 17.64 | 9.06 | 0 | 33 |
| Other | 12.17 | 3.41 | 24.30 | 4.18 | 5 | 108 | 16.21 | 4.63 | 25.73 | 5.36 | 1 | 109 | 6.93 | 4.01 | 20.88 | 9.67 | 1 | 32 |

EXHIBIT READS: Eighty-four percent of urban districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Zero percent of urban districts did not know if they provided CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Eighty-four percent of suburban districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Two percent of suburban districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff. Eighty-four percent of rural districts providing CEIS use Part B funds to provide literacy instruction to teachers and/or other school staff. Two percent of rural districts did not know if they provided CEIS using Part B funds to provide literacy instruction to teachers and/or other school staff.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Percentage is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, or districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

[b] Number is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, or districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 1, 4, 7, 8. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

## Exhibit D.36: Type of Activities Implemented as Part of CEIS and Supported by Part B Funding by District Enrollment (School Year 2008–2009)

| Type of Activity Supported by Part B Funds | District Enrollment Less than 1,000 | | | | | | District Enrollment between 1,000 and 10,000 | | | | | | District Enrollment Greater than 10,000 | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Use Part B funds | | Unknown | | Missing | Total | Use Part B funds | | Unknown | | Missing | Total | Use Part B funds | | Unknown | | Missing | Total |
| | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] | % [a] | (SE) | % [a] | (SE) | N [b] | N [b] |
| Literacy instruction | 80.57 | 8.18 | 6.8 | 5.09 | 0 | 26 | 83.87 | 4.07 | † | † | 0 | 131 | 88.43 | 3.44 | 0.00 | 0.00 | 0 | 99 |
| Response to Intervention (RtI) | 46.99 | 20.65 | 7.34 | 5.13 | 0 | 26 | 80.07 | 5.35 | 0.14 | 0.14 | 0 | 131 | 81.48 | 3.59 | 6.77 | 0.82 | 1 | 98 |
| Behavioral interventions | 20.81 | 12.78 | 11.01 | 6.04 | 0 | 26 | 76.27 | 4.65 | † | † | 0 | 131 | 74.64 | 7.46 | 1.84 | 1.33 | 0 | 99 |
| Math instruction | 36.25 | 16.21 | 3.67 | 3.76 | 0 | 26 | 57.86 | 6.63 | † | † | 0 | 131 | 64.26 | 5.05 | 4.53 | 2.59 | 0 | 99 |
| Adaptive and instructional software | 32.02 | 17.23 | 7.34 | 5.13 | 0 | 26 | 51.25 | 5.56 | 0.21 | 0.21 | 0 | 131 | 46.18 | 7.31 | 5.32 | 2.74 | 1 | 98 |
| Educational evaluations | 37.28 | 16.47 | 11.76 | 10.53 | 0 | 26 | 47.47 | 4.69 | 0.78 | 0.55 | 0 | 131 | 52.24 | 7.3 | 3.26 | 2.51 | 1 | 98 |
| Behavioral evaluations | 18.89 | 12.39 | 19.1 | 12.45 | 0 | 26 | 44.66 | 5.53 | 0.66 | 0.54 | 1 | 130 | 60.04 | 7.56 | 0.93 | 0.95 | 2 | 97 |
| Other instruction | † | † | 20.63 | 12.88 | 0 | 26 | 21.06 | 4.28 | 17.47 | 5.16 | 2 | 129 | 33.6 | 5.06 | 14.26 | 4.09 | 0 | 99 |
| Other | † | † | 20.31 | 12.83 | 0 | 26 | 15.16 | 4.18 | 25.63 | 5.96 | 2 | 129 | 13.14 | 4.04 | 20.29 | 4.66 | 5 | 94 |

EXHIBIT READS: Eighty-one percent of districts with enrollment less than 1,000 use Part B funds to provide CEIS-funded literacy instruction to teachers and/or other school staff. Five percent of districts with enrollment less than 1,000 did not know if they used CEIS-funds to provide literacy instruction to teachers and/or other school staff. Eighty-four percent of districts with enrollment between 1,000 and 10,000 use CEIS-funds to provide literacy instruction to teachers and/or other school staff. Zero percent of districts with enrollment between 1,000 and 10,000 did not know if they used CEIS-funds to provide literacy instruction to teachers and/or other school staff. Eighty-eight percent of districts with enrollment greater than 10,000 use CEIS-funds to provide literacy instruction to teachers and/or other school staff. Zero percent of districts with enrollment greater than 10,000 did not know if they used CEIS-funds to provide literacy instruction to teachers and/or other school staff.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Percentage is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, and districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

[b] Number is among districts providing CEIS, which includes districts that did not know if professional development activities used Part B funds for CEIS, and districts that did not know if Part B funds were used to provide instruction, evaluation, or materials for CEIS.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 1, 4, 7, 8.

**Exhibit D.37: National Estimates of the Percentage of Districts Using RtI by Region (School Year 2008–2009)**

| | Northeastern Districts | | | | Southern Districts | | | | Midwestern Districts | | | | Western Districts | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | | Yes | | No | |
| **Implementation** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** | **%** | **(SE)** |
| RtI is being used in the district | 67.57 | 4.67 | 32.43 | 4.67 | 78.36 | 3.08 | 21.64 | 3.08 | 71.30 | 4.76 | 28.70 | 4.76 | 63.03 | 5.31 | 36.97 | 5.31 |

EXHIBIT READS: The percentage of Northeastern districts using RtI in at least one school is 68. The percentage of Northeastern districts not using RtI is 32. The percentage of Southern districts using RtI in at least one school is 78. The percentage of Southern districts not using RtI is 22. The percentage of Midwestern districts using RtI in at least one school is 71. The percentage of Midwestern districts not using RtI is 29. The percentage of Western districts using RtI in at least one school is 63. The percentage of Western districts not using RtI is 37.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts responding to the question: 1,148. Number of districts that did not answer the question: 0.

SOURCE: District Questionnaire – Item 9. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit D.38: National Estimates of the Percentage of Districts Using RtI by Urbanicity (School Year 2008–2009)**

| | Urban Districts | | | | Suburban Districts | | | | Rural Districts | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| Implementation | % | (SE) | % | (SE) | % | (SE) | % | (SE) | % | (SE) | % | (SE) |
| RtI is being used in the district | 78.51 | 2.23 | 21.49 | 2.23 | 71.71 | 2.20 | 28.29 | 2.20 | 68.48 | 4.31 | 31.52 | 4.31 |

EXHIBIT READS: The percentage of urban districts using RtI is 79. The percentage of urban districts not using RtI is 21. The percentage of suburban districts using RtI is 72. The percentage of suburban districts not using RtI is 28. The percentage of urban districts using RtI is 68. The percentage of urban districts not using RtI is 32.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts responding to the question: 1,148. Number of districts that did not answer the question: 0.

SOURCE: District Part B Questionnaire – Item 9. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit D.39: National Estimates of the Percentage of Districts Using RtI by District Size (School Year 2008–2009)**

| | District Enrollment Less than 1,000 | | | | District Enrollment between 1,000 and 10,000 | | | | District Enrollment Greater than 10,000 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| Implementation | % | (SE) | % | (SE) | % | (SE) | % | (SE) | % | (SE) | % | (SE) |
| RtI is being used in the district | 61.98 | 4.09 | 38.02 | 4.09 | 77.31 | 2.77 | 22.69 | 2.77 | 83.94 | 3.25 | 16.06 | 3.25 |

EXHIBIT READS: Sixty-two percent of districts with enrollments of less than 1,000 use RtI. Thirty-eight percent of districts with enrollments of less than 1,000 do not use RtI. Seventy-seven percent of districts with enrollments between 1,000 and 10,000 reported using RtI. Eighty-four percent of districts with enrollments over 10,000 use RtI.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

NOTE: Number of districts responding to the question: 1,148. Number of districts that did not answer the question: 0.

SOURCE: District Questionnaire – Item 9.

**Exhibit D.40: National Estimates of the Percentage of Schools Using RtI in at Least One Classroom by School Level and Region (School Year 2008–2009)**

| | Northeastern Districts | | | Southern Districts | | | Midwestern Districts | | | Western Districts | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| School Level [a] | % | (SE) | Missing | % | (SE) | Missing | % | (SE) | Missing | % | (SE) | Missing |
| Elementary schools | 61.70 | 4.20 | 2 | 65.27 | 3.84 | 1 | 66.41 | 6.89 | 1 | 61.08 | 4.61 | 1 |
| Middle schools | 40.31 | 5.04 | 2 | 45.49 | 4.95 | 5 | 55.97 | 6.38 | 0 | 44.80 | 5.08 | 1 |
| High schools | 29.94 | 3.79 | 3 | 27.20 | 3.87 | 4 | 31.22 | 4.48 | 1 | 27.74 | 4.14 | 1 |
| Other schools | 21.56 | 7.20 | 1 | 12.92 | 4.34 | 2 | 0.00 | 0.00 | 1 | 11.73 | 2.86 | 1 |

EXHIBIT READS: The estimated percentage of Northeastern public elementary schools that used RtI during the 2008–2009 school year is 62. The estimated percentage of Southern public elementary schools that used RtI during the 2008–2009 school year is 65. The estimated percentage of Midwestern public elementary schools that used RtI during the 2008–2009 school year is 66. The estimated percentage of Western public elementary schools that used RtI during the 2008–2009 school year is 61.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Of the 1,089 districts that had one or more elementary schools, 1,080 districts provided responses to this question. Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question. Of the 930 districts that had one or more high schools, 914 districts provided responses to this question. Of the 415 districts that had one or more other schools, 405 districts provided responses to this question.

SOURCE: District Questionnaire – Item 15. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit D.41: National Estimates of the Percentage of Schools Using RtI in at Least One Classroom by School Level and Urbanicity (School Year 2008–2009)**

| | Urban Districts | | | Suburban Districts | | | Rural Districts | | |
|---|---|---|---|---|---|---|---|---|---|
| School Level [a] | % | (SE) | Missing | % | (SE) | Missing | % | (SE) | Missing |
| Elementary schools | 61.70 | 4.20 | 2 | 66.41 | 6.89 | 1 | 65.27 | 3.84 | 1 |
| Middle schools | 40.31 | 5.04 | 2 | 55.97 | 6.38 | 0 | 45.49 | 4.95 | 5 |
| High schools | 29.94 | 3.79 | 3 | 31.22 | 4.48 | 1 | 27.20 | 3.87 | 4 |
| Other schools | 21.56 | 7.20 | 1 | 0.00 | 0.00 | 1 | 12.92 | 4.34 | 2 |

EXHIBIT READS: The estimated percentage of urban public elementary schools that used RtI during the 2008–2009 school year is 62. The estimated percentage of suburban public elementary schools that used RtI during the 2008–2009 school year is 66. The estimated percentage of rural public elementary schools that used RtI during the 2008–2009 school year is 65.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Of the 1,089 districts that had one or more elementary schools, 1,080 districts provided responses to this question. Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question. Of the 930 districts that had one or more high schools, 914 districts provided responses to this question. Of the 415 districts that had one or more other schools, 405 districts provided responses to this question.

SOURCE: District Questionnaire – Item 15. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit D.42: National Estimates of the Percentage of Schools Using RtI in at Least One Classroom by School Level and District Enrollment (School Year 2008–2009)**

| | District Enrollment Less than 1,000 | | | District Enrollment between 1,000 and 10,000 | | | District Enrollment Greater than 10,000 | | |
|---|---|---|---|---|---|---|---|---|---|
| School Level [a] | % | (SE) | Missing | % | (SE) | Missing | % | (SE) | Missing |
| Elementary schools | 55.28 | 4.82 | 2 | 67.36 | 3.02 | 2 | 55.52 | 4.37 | 5 |
| Middle schools | 36.91 | 6.28 | 2 | 48.40 | 3.42 | 5 | 42.74 | 3.76 | 5 |
| High schools | 29.16 | 4.49 | 3 | 29.02 | 2.64 | 5 | 29.74 | 3.68 | 8 |
| Other schools | 24.19 | 8.34 | 1 | 6.61 | 2.56 | 3 | 14.84 | 4.39 | 6 |

EXHIBIT READS: The percentage of public elementary schools in districts with enrollment less than 1,000 that used RtI during the 2008–2009 school year is 55. The percentage of public elementary schools in districts with enrollment between 1,000 and 10,000 that used RtI during the 2008–2009 school year is 67. The percentage of public elementary schools in districts with enrollment greater than 10,000 that used RtI during the 2008–2009 school year is 56.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

NOTE: Of the 1,089 districts that had one or more elementary schools, 1,080 districts provided responses to this question. Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question. Of the 930 districts that had one or more high schools, 914 districts provided responses to this question. Of the 415 districts that had one or more other schools, 405 districts provided responses to this question.

SOURCE: District Questionnaire – Item 15.

## Exhibit D.43: Percentage of Districts Using RtI by Subject Area and School Level by Region (School Year 2008–2009)

| School Level [a] | Subject Areas: Reading/language arts % | Reading/language arts (SE) | Math % | Math (SE) | Behavior % | Behavior (SE) | Writing % | Writing (SE) | Other % | Other (SE) | Total N |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Northeastern Districts** | | | | | | | | | | | |
| Elementary schools | 66.84 | 4.93 | 49.29 | 5.33 | 42.29 | 5.41 | 30.21 | 4.39 | 1.60 | 1.03 | 167[b] |
| Middle schools | 39.34 | 6.24 | 28.99 | 5.76 | 33.35 | 6.01 | 25.74 | 5.61 | † | † | 127[c] |
| High schools | 26.41 | 5.19 | 25.23 | 5.14 | 21.65 | 4.55 | 16.84 | 4.25 | 2.67 | 1.53 | 134[d] |
| Other schools | 12.36 | 9.63 | 2.86 | 1.57 | 2.05 | 1.42 | † | † | † | † | 23[e] |
| **Southern Districts** | | | | | | | | | | | |
| Elementary schools | 76.92 | 3.19 | 61.87 | 3.54 | 39.82 | 3.42 | 31.19 | 3.31 | 2.43 | 0.84 | 431b |
| Middle schools | 60.29 | 3.89 | 51.38 | 3.96 | 35.73 | 3.74 | 24.62 | 3.28 | 2.34 | 1.04 | 364c |
| High schools | 42.35 | 3.63 | 39.95 | 3.61 | 23.19 | 2.91 | 20.69 | 2.89 | 3.59 | 1.36 | 403d |
| Other schools | 14.79 | 3.64 | 10.66 | 2.59 | 10.12 | 2.51 | 5.45 | 2.20 | 1.78 | 0.59 | 217e |
| **Midwestern Districts** | | | | | | | | | | | |
| Elementary schools | 70.73 | 4.94 | 40.66 | 4.79 | 35.36 | 4.64 | 25.07 | 4.34 | 0.78 | 0.45 | 230b |
| Middle schools | 44.73 | 5.23 | 35.93 | 4.99 | 33.47 | 4.87 | 18.76 | 3.99 | 0.51 | 0.36 | 183c |
| High schools | 23.57 | 3.84 | 20.03 | 3.53 | 16.14 | 3.33 | 12.52 | 2.96 | 0.36 | 0.26 | 210d |
| Other schools | 0.67 | 0.68 | 0.67 | 0.68 | 2.00 | 1.17 | 0.67 | 0.68 | 0.00 | | 56e |
| **Western Districts** | | | | | | | | | | | |
| Elementary schools | 63.67 | 5.58 | 38.26 | 5.70 | 27.28 | 5.02 | 24.45 | 5.36 | 1.99 | 0.76 | 254b |
| Middle schools | 42.98 | 6.56 | 31.97 | 6.33 | 25.06 | 6.24 | 17.84 | 5.87 | 1.05 | 0.47 | 206c |
| High schools | 33.46 | 7.35 | 32.45 | 7.58 | 12.42 | 5.26 | 22.80 | 7.42 | † | † | 167d |
| Other schools | 3.98 | 1.21 | 4.70 | 1.83 | 9.92 | 7.38 | 2.85 | 1.04 | 0.00 | | 97e |

EXHIBIT READS: Of Northeastern districts where one or more elementary schools use RtI, 67 percent reported that, in elementary schools, RtI is being used in reading/language arts, 49 percent reported that RtI is being used in math, 43 percent reported that RtI is being used in behavior, 30 percent reported that RtI is being used in writing and 2 percent indicated that RtI is being used in other areas.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

[b] Of the 1,089 districts that had one or more elementary schools, 1,082 districts provided responses to this question.

[c] Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question.

[d] Of the 930 districts that had one or more high schools, 914 districts provided responses to this question.

[e] Of the 415 districts that had one or more other schools, 393 districts provided responses to this question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Item 16. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

## Exhibit D.44: Percentage of Districts Using RtI by Subject Area and School Level by Urbanicity (School Year 2008–2009)

| School Level [a] | Subject Areas: Reading/language arts % | (SE) | Math % | (SE) | Behavior % | (SE) | Writing % | (SE) | Other % | (SE) | Total N |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Urban Districts** | | | | | | | | | | | |
| Elementary schools | 78.53 | 2.30 | 54.49 | 2.74 | 48.90 | 2.76 | 31.42 | 2.62 | 5.61 | 1.30 | 348[b] |
| Middle schools | 49.52 | 2.81 | 40.90 | 2.73 | 34.99 | 2.70 | 17.55 | 2.05 | 2.97 | 0.98 | 330[c] |
| High schools | 40.96 | 2.85 | 33.12 | 2.68 | 27.73 | 2.60 | 15.87 | 2.05 | 3.17 | 1.04 | 316[d] |
| Other schools | 16.75 | 2.63 | 14.71 | 2.48 | 15.16 | 2.59 | 8.65 | 2.07 | 2.66 | 0.98 | 208[e] |
| **Suburban Districts** | | | | | | | | | | | |
| Elementary schools | 71.75 | 2.26 | 47.56 | 2.48 | 38.78 | 2.37 | 29.70 | 2.31 | 2.05 | 0.65 | 560[b] |
| Middle schools | 47.66 | 2.78 | 36.09 | 2.61 | 32.12 | 2.60 | 20.86 | 2.25 | 1.43 | 0.60 | 440[c] |
| High schools | 32.69 | 2.62 | 29.51 | 2.56 | 20.08 | 2.17 | 17.94 | 2.17 | 1.63 | 0.68 | 443[d] |
| Other schools | 7.63 | 2.38 | 7.06 | 2.00 | 5.25 | 1.55 | 2.36 | 1.02 | † | † | 147[e] |
| **Rural Districts** | | | | | | | | | | | |
| Elementary schools | 67.46 | 4.63 | 45.63 | 4.62 | 32.43 | 4.45 | 24.79 | 4.10 | 0.58 | 0.39 | 174[b] |
| Middle schools | 47.16 | 5.77 | 40.12 | 5.57 | 32.62 | 5.36 | 23.21 | 4.77 | 1.02 | 0.70 | 110[c] |
| High schools | 27.26 | 4.12 | 26.14 | 4.01 | 15.94 | 3.34 | 16.20 | 3.46 | 1.46 | 0.72 | 155[d] |
| Other schools | 6.00 | 3.21 | 2.21 | 1.94 | 7.21 | 5.33 | 2.21 | 1.94 | † | † | 38[e] |

EXHIBIT READS: Of urban districts with elementary schools, 79 percent reported using RtI in reading/language arts, 54 percent reported using RtI in math, 49 percent reported using RtI in behavior, 31 percent reported using RtI in writing and 6 percent indicated using RtI in other areas.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

[b] Of the 1,089 districts that had one or more elementary schools, 1,082 districts provided responses to this question.

[c] Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question.

[d] Of the 930 districts that had one or more high schools, 914 districts provided responses to this question.

[e] Of the 415 districts that had one or more other schools, 393 districts provided responses to this question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Item 16. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

## Exhibit D.45: Percentage of Districts Using RtI by Subject Area and School Level by District Enrollment (School Year 2008–2009)

| School Level [a] | Subject Areas: Reading/language arts % | (SE) | Math % | (SE) | Behavior % | (SE) | Writing % | (SE) | Other % | (SE) | Total N |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **District Enrollment Less than 1,000** | | | | | | | | | | | |
| Elementary schools | 59.32 | 4.40 | 38.80 | 4.29 | 23.94 | 3.94 | 25.12 | 3.98 | † | † | 267[b] |
| Middle schools | 37.36 | 6.63 | 31.16 | 6.36 | 20.94 | 5.79 | 20.52 | 5.78 | † | † | 101[c] |
| High schools | 25.68 | 4.29 | 27.75 | 4.45 | 10.76 | 2.90 | 17.23 | 3.78 | 1.01 | 0.59 | 163[d] |
| Other schools | 12.19 | 4.35 | 6.51 | 3.54 | 1.40 | 1.07 | 4.55 | 3.33 | 0.00 | 0.00 | 37[e] |
| **District Enrollment Between 1,000 and 10,000** | | | | | | | | | | | |
| Elementary schools | 78.68 | 2.79 | 53.72 | 3.24 | 45.41 | 3.22 | 29.27 | 2.74 | 2.32 | 0.72 | 550[b] |
| Middle schools | 51.10 | 3.45 | 40.27 | 3.30 | 36.43 | 3.27 | 21.88 | 2.67 | 1.65 | 0.62 | 517[c] |
| High schools | 32.32 | 3.03 | 27.55 | 2.75 | 22.17 | 2.70 | 16.31 | 2.34 | 1.95 | 0.75 | 498[d] |
| Other schools | 4.13 | 1.78 | 3.10 | 1.15 | 8.41 | 4.23 | 1.12 | 0.49 | 0.61 | 0.33 | 175[e] |
| **District Enrollment Greater than 10,000** | | | | | | | | | | | |
| Elementary schools | 82.84 | 3.34 | 56.01 | 4.16 | 56.87 | 4.23 | 30.77 | 3.50 | 4.84 | 1.20 | 265b |
| Middle schools | 49.34 | 3.95 | 40.51 | 3.78 | 35.01 | 3.54 | 21.52 | 3.11 | 2.37 | 0.83 | 262c |
| High schools | 41.84 | 3.87 | 33.29 | 3.57 | 31.25 | 3.56 | 19.89 | 3.11 | 2.68 | 0.88 | 253d |
| Other schools | 15.60 | 2.74 | 14.71 | 2.68 | 14.48 | 2.73 | 8.01 | 2.08 | 2.20 | 0.92 | 181e |

EXHIBIT READS: Of districts with enrollment less than 1,000 with elementary schools; 59 percent reported RtI is being used in reading/language arts; 39 percent reported that RtI is being used in math; 24 percent reported that RtI is being used in behavior; and 25 percent reported that RtI is being used in writing.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Elementary schools: lowest grade is 3 or lower, highest grade is grade 8 or lower.
Middle schools: lowest grade is between 4 and 7, highest grade is between 4 and 9.
High schools: lowest grade is 7 or higher, highest grade is 12.
Other schools are all other grade configurations, including schools that are completely ungraded.

[b] Of the 1,089 districts that had one or more elementary schools, 1,082 districts provided responses to this question.

[c] Of the 892 districts that had one or more middle schools, 880 districts provided responses to this question.

[d] Of the 930 districts that had one or more high schools, 914 districts provided responses to this question.

[e] Of the 415 districts that had one or more other schools, 393 districts provided responses to this question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Item 16.

**Exhibit D.46: Percentage of Students in the Autism Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Autism Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State includes more characteristics to demonstrate autism eligibility than what is required by federal law/regulation [c] (n=11)[a] | DE, FL, NE, NC, SC, SD, TN, VA, WV, WI, WY | 14.43 | 14.42 | 12.61 – 16.87 |
| State includes fewer characteristics to demonstrate autism eligibility than what is required by federal law/regulation [c] (n=2) [a] | MI, MN | 13.86 | 13.86 | 13.74 – 13.98 |
| State specifies a selection of sources or types of data to be used in evaluation (e.g., ASD Rating Scale) (n=5) [a] | AL, DE, ID, ME, OR | 13.29 | 13.31 | 9.68 – 16.97 |
| State specifies types of qualified professionals who are to complete evaluation (e.g., physicians trained in neuro-developmental assessment) (n=10)[a] | AL, AK, DE, ID, MI, MN, NJ, SC, WV, WY | 14.20 | 14.20 | 9.68 – 19.11 |
| No difference (n=32) | AR, AZ, CA, CO, CT, DC, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, MO, MS, MT, ND, NH, NM, NV, NY, OH, OK, PA, RI, TX, UT, VT[b], WA | 13.62 | 13.44 | 10.11 – 19.16 |
| National state-level average (n=50[b]) | | 13.84 | 13.76 | 9.68 – 19.16 |

EXHIBIT READS: The mean percentage of children in the Autism disability category in states with more eligibility characteristics is 14.43.

The percentage of students in the Autism disability category was calculated as the number of students ages 6 through 21 years in the Autism category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Autism living in Vermont.

[c] The federal law/regulation requires the presence of three characteristics: impairments in social interaction, impairments in communication and adverse effect on educational performance. States may require more characteristics than the federal law/regulations (e.g., require impairments in cognitive processing, sensory processing, or repertoire of behaviors). States may require fewer characteristics than the federal law/regulations (e.g., require impairments in social interaction and either communication or repertoire of activities/behaviors).

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6- through 21-year-olds with a diagnosis of autism is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.47: Percentage of Students in the Mental Retardation Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Mental Retardation Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| ***State considers both IQ and adaptive behavior in definition and eligibility requirements*** | | | | |
| State eligibility criteria include general intellectual functioning in the range of 2.0 to 3.0 standard deviations below the mean (e.g., I.Q. of 56 to 70) OR general intellectual functioning in the range of 1.0 to 2.0 standard deviations below the mean (e.g., I.Q. of 71 to 80) with significant adaptive behavior AND/OR academic deficiencies occurring in 1 or more areas as observed in the school and/or the community. (n=1) [a] | NE | 1.91 | 1.91 | 1.91 |
| ***State considers cognitive functioning in definition and eligibility requirements*** | | | | |
| State eligibility criteria include scores on both verbal and nonverbal scales on an individually administered intelligence test are at least 2.0 standard deviations below the mean. (n=1) [a] | SC | 1.63 | 1.63 | 1.63 |
| State eligibility criteria include standardized reading and arithmetic scores approximately within the lowest 6 percentiles. (n=1) [a] | MI | 1.50 | 1.50 | 1.50 |
| State eligibility criteria include an individual measure of cognitive/intellectual functioning (e.g., IQ test) is at least 2.0 standard deviations below the mean/70 or below OR if the child has been documented as having a cognitive disability in the past, and the condition is expected to last indefinitely, an individual measure of intelligence score between 1.0 and 2.0 standard deviations below the mean. (n=1) [a] | WI | 1.31 | 1.31 | 1.31 |
| State eligibility criteria include an individual measure of cognitive/intellectual functioning (e.g., IQ test) is at least 2.0 standard deviations below the mean/70 or below. (n=27) [a] | AL, AK, AZ, AR, CO, DE, FL, GA, HI, ID, IN, KY, MI, MN, MO, MT, NV, NJ, NC, OH, OK, OR, SD, TX, VA, WV, WY | 1.26 | 1.07 | 0.45 – 3.18 |
| State eligibility criteria include an individual measure of cognitive/intellectual functioning (e.g., IQ test) is at least 1.5 standard deviations below the mean. (n=1) [a] | VT [b] | [b] | [b] | [b] |
| State eligibility criteria include achievement scores at least one standard deviation below the mean/77 or below. (n=1) [a] | AL | 1.05 | 1.05 | 1.05 |
| State eligibility criteria include scores on measures of language, reading, and math are 2.0 standard deviations below the mean. (n=2) [a] | CO, WI | 0.88 | 0.88 | 0.45 – 1.31 |

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Mental Retardation Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State eligibility criteria includes documentation on an individually administered test or assessment that the child's academic or pre academic skills are coexistent with the child's deficits in intellectual functioning. (n=1) [a] | WY | 0.72 | 0.72 | 0.72 |
| ***State considers adaptive behavior in definition and eligibility requirements*** | | | | |
| State eligibility criteria includes one domain on an adaptive behavior scale is at least 2.0 standard deviations below the mean/70 or below OR two domains on an adaptive behavior scale is at least 1.5 standard deviations below the mean. (n=1) [a] | NC | 1.67 | 1.67 | 1.67 |
| State eligibility criteria include composite scores at least two standard deviations below the mean on a comprehensive standardized adaptive behavior measure. (n=1) [a] | VA | 1.00 | 1.00 | 1.00 |
| State eligibility criteria includes an adaptive behavior scale is at least 2.0 standard deviations below the mean/70 or below. (n=3) [a] | AL, AZ, KY | 1.60 | 1.05 | 0.88 – 2.85 |
| State eligibility criteria includes a standard score of at least 2.0 standard deviations below the mean on standardized or nationally normed measures of adaptive behavior, as measured by comprehensive, individual assessments that include interviews of the parents, tests, and observations of the child in adaptive behavior relevant to the child's age. (n=1) [a] | WI | 1.31 | 1.31 | 1.31 |
| State eligibility criteria includes a composite score on a nationally normed, technically adequate measure of adaptive behavior is at or below the 15th percentile. (n=1). [a] | MN | 1.16 | 1.16 | 1.16 |
| State eligibility criteria includes documentation of needs and level of support required in at least four of the seven adaptive behavior domains across multiple environments: a) daily living and independent living skills; b) social and interpersonal skills; c) communication skills; d) academic skills; e) recreation and leisure skills; f) community and participation skills; g) work and work-related skills. (n=1) [a] | MN | 1.16 | 1.16 | 1.16 |
| State eligibility criteria include a composite score on an individual standardized adaptive behavior instrument which measures 2.0 standard deviations or more below the mean. (n=1) [a] | MN | 1.16 | 1.16 | 1.16 |
| State eligibility criteria includes documentation on standardized adaptive behavior measurements that include information gathered from parents and school staff attesting that the child's deficits in adaptive behavior is coexistent with the child's deficits in intellectual functioning. (n=1) [a] | WY | 0.72 | 0.72 | 0.72 |

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Mental Retardation Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| ***Other state definition and eligibility requirements*** | | | | |
| State eligibility criteria include one or more individually administered achievement test results are significantly subaverage OR developmental skills assessment results are significantly subaverage. (n=1) [a] | SC | 1.63 | 1.63 | 1.63 |
| State specifies types of qualified professionals who are to complete evaluation (e.g., psychologist, psychiatrist). [a] (n=9) | AK, GA, ID, MI, NJ, NV, OH, VA, WV | 1.29 | 1.00 | 0.48 – 3.18 |
| State eligibility criteria include levels of cognitive development and adaptive behavior in home, school and community settings that are below age expectations with respect to the use of symbols for the interpretation of information and the solution of problems. (n=1) [a] | NJ | 0.51 | 0.51 | 0.51 |
| No difference (n=20) | CA, CT, DC, IL, IA, KS, LA, ME, MD, MA, MS, NH, NM, NY, ND, PA, RI, TN, UT, WA | 0.97 | 0.88 | 0.44 – 2.45 |
| National state-level average (n=50) [b] | | 1.16 | 1.04 | 0.44 – 3.18 |

EXHIBIT READS: The mean percentage of students in the Mental Retardation disability category in states whose eligibility criteria include general intellectual functioning in the range of 2.0 to 3.0 standard deviations below the mean (e.g., I.Q. of 56 to 70) OR general intellectual functioning in the range of 1.0 to 2.0 standard deviations below the mean (e.g., I.Q. of 71 to 80) with significant adaptive behavior AND/OR academic deficiencies occurring in 1 or more areas as observed in the school and/or the community is 1.91.

The percentage of students in the Mental Retardation disability category was calculated as the number of students ages 6 through 21 years in the Mental Retardation category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Mental Retardation living in Vermont.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6- through 21-year-olds with a diagnosis of Mental Retardation is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.48: Percentage of Students in the Emotional Disturbance Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Emotional Disturbance Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State eligibility criteria require that emotional disturbance characteristics must be present/exhibited for a specified period of time (i.e., 3, 4, or 6, months). (n=6) [a] | FL, ID, MN, NV, SC, SD | 1.02 | 0.76 | 0.51 – 2.15 |
| State specifies including information on the child's in-depth social history. (n=1) [a] | | 0.95 | 0.95 | 0.95 |
| State requires that characteristics must be exhibited in two or more settings, some states specified settings such as school, home, and community. (n=10) [a] | AL, CO, FL, ID, KY, LA, MN, MO, MT, WV | 0.92 | 0.84 | 0.24 – 2.15 |
| State specifies that a child, despite the implementation of one or more instructional and/or behavioral interventions within regular education, continues to exhibit behavioral and emotional responses in school that are so different from appropriate age, cultural, or ethnic norms that the responses adversely affect the child's academic, social, or vocational performance and/or his/her presence continues to be detrimental to the education of others. (n=8) [a] | CO, FL, KY, LA, NV, TN, WV, WY MO | 0.82 | 0.84 | 0.43 – 1.30 |
| State specifies that specifically prescribed and consistently employed interventions have not resulted in significant improvement in the student's problem behavior. A certified staff member such as a special education teacher, guidance counselor or certified school psychologist, a licensed school psychologist, or a licensed psycho-educational specialist with expertise in behavior management has provided consultation to the classroom teacher(s) or other appropriate staff members for a minimum of four weeks through the development of a written behavioral intervention plan. (n=1) [a] | SC | 0.66 | 0.66 | 0.66 |
| State eligibility criteria include student rating is within the highest level of significance on a valid and reliable problem behavior rating scale (or similarly named subscale) by both a certified teacher and another adult knowledgeable of the student. (n=1) [a] | SC | 0.66 | 0.66 | 0.66 |
| State eligibility criteria include student rating is within the highest level of significance on a valid and reliable personality measure (if the administration of a personality measure has been deemed developmentally appropriate), or there exists a significant discrepancy between the observed behavior and the student's performance on the personality measure. (n=1) [a] | SC | 0.66 | 0.66 | 0.66 |

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Emotional Disturbance Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State eligibility criteria include a student's performance falls two standard deviations or more below the mean in emotional functions, as measured in school, home, and community on nationally normed technically adequate measures . (n=1)[a] | TN | 0.43 | 0.43 | 0.43 |
| State specifies that more than one knowledgeable observer has evidenced emotional disturbance characteristics. (n=2)[a] | ID, WV | 0.68 | 0.68 | 0.61 – 0.75 |
| State specifies types of qualified professionals who are to be part of the evaluation team (e.g., psychologist, psychiatrist). (n=7) [a] | AL, AK, AR, ID, NV, NJ, SC | 0.54 | 0.61 | 0.19 – 0.94 |
| State eligibility criteria include standard scores (total or composite) on two out of three of the same norm-referenced behavior rating scale must be at least two standard deviations above or below the mean. (n=1) [a] | AL | 0.24 | 0.24 | 0.24 |
| No difference (n=33) | AZ, CA, CT, DC, DE, GA, HI, IA, IL, IN, KS, MA, MD, ME, MI, MS, NC, ND, NE, NH, NM, NY, OH, OK, OR, PA, RI, TX, UT, VA, VT [b], WA, WI | 1.15 | 1.11 | 0.39 – 2.67 |
| National state-level average (n=50) [b] | | 1.02 | 0.94 | 0.19 – 2.67 |

EXHIBIT READS: The mean percentage of students in the Emotional Disturbance disability category in states whose eligibility criteria require that emotional disturbance characteristics must be present/exhibited for a specified period of time (i.e., 3, 4, or 6 months) is 1.02.

The percentage of students in the Emotional Disturbance disability category was calculated as the number of students ages 6 through 21 years in the Emotional Disturbance category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria shown are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Emotional Disturbance living in Vermont.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6 through 21 year olds with a diagnosis of Emotional Disturbance is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.49: Percentage of Students in the Speech or Language Impairment Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in Speech or Language Impairment Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State specifies medical or speech or language specialist (n = 14) [a] | AK, CA, DE, GA, ID, MN, MT, NV, NJ, SC, SD, VT [b], WV, WY | 2.71 | 2.30 | 1.48 – 4.58 |
| State includes criteria for all four categories [c] listed in the federal definition (n = 11) [a] | AL, FL, ID, MN, MO, NC, OR, SC, SD, VT [b], WV, WY | 3.06 | 3.06 | 2.04 – 4.58 |
| State includes criteria for at least one but not all four categories listed in the federal definition (n = 4) [a] | AR, MT, TN, WI | 2.81 | 2.86 | 2.47 – 3.03 |
| State specifies, for at least one of the four categories, a difference between 1 and 1.99 SD (n = 11) [a] | FL, HI, ID, MO, MT, NJ, SC, SD, WV, WI, WY | 3.07 | 3.22 | 0.43 – 4.58 |
| State specifies for at least one of the four categories, a difference of 2 or more SD (n = 3) [a] | AL, MN, VT [b] | 2.22 | 2.22 | 2.20 – 2.25 |
| State provides non-standardized test benchmarks for at least one of the four federal categories (n = 14) [a] | CA, FL, ID, MN, MO, MT, NC, OR, SD, TN, VT [b], WV, WI, WY | 3.00 | 3.03 | 2.04 – 4.58 |
| State requires more than one assessment (standardized or benchmark) for at least one of the four federal categories (n = 9) [a] | HI, ID, MI, MN, NJ, NC, VT [b], WV, WI | 2.64 | 2.54 | 0.43 – 4.58 |
| No differences (n = 27) | AZ, CO, CT, DC, IA, IL, IN, KS, KY, LA, ME, MD, MA, MS, NE, NH, NM, NY, ND, OH, OK, PA, RI, TX, UT, VA, WA | 2.62 | 2.41 | 0.43 – 4.58 |
| National state-level average (n = 50) [b] | | 2.68 | 2.47 | 0.43 – 4.58 |

EXHIBIT READS: The mean percentage of students in the Speech or Language Impairment disability category in states that specify a medical or speech or language specialist may make the diagnosis is 2.71.

The percentage of students in the Speech or Language Impairment disability category was calculated as the number of students ages 6 through 21 years in the Mental Retardation category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Speech or Language Impairment living in Vermont.

[c] The federal definition includes four categories: (1) communication disorder, (2) articulation, (3) language impairment and (4) voice impairment.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6 through 21 year olds with a diagnosis of autism is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.50: Percentage of Students in the Other Health Impairment Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in Other Health Impairment Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State expands federal list of chronic or acute health problems—for example, specifically mentions cancer, Fetal Alcohol Syndrome, tuberculosis and other communicable infectious diseases, or HIV/AIDS (n = 6) [a] | CA, CO, FL, ID, UT, WI | 0.87 | 0.84 | 0.00 – 1.88 |
| State includes specific symptoms or behaviors related to ADD/ADHD (n = 2) [a] | DE, VA | 2.11 | 2.11 | 1.81 – 2.40 |
| No difference (n = 43) [a] | AL, AK, AZ, AR, CT, DC, GA, HI, IA, IL, IN, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NM, NJ, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, VT [b], WA, WV, WY | 1.63 | 1.58 | 0.12 – 3.22 |
| National state-level average (n = 50) [b] | | 1.55 | 1.55 | 0.00 – 3.22 |

EXHIBIT READS: The mean percentage of students in the Other Health Impairment disability category in states that expand the federal list of chronic or acute health problems—for example, specifically mentions cancer, Fetal Alcohol Syndrome, tuberculosis and other communicable infectious diseases, or HIV/AIDS—is 0.87.

The percentage of students in the Other Health Impairment disability category was calculated as the number of students ages 6 through 21 years in the Mental Retardation category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Other Health Impairment living in Vermont.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6 through 21 year olds with a diagnosis of Other Health Impairment is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.51: Percentage of Grade 1–4 Students in the Developmental Delay Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in Developmental Delay Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State does not use developmental delay category or does not use it for students over age 6 (n = 17) | AZ, AR, CA, CO, FL, IA, IN, MT, NV, NH, NJ, NY, OH, OR, RI, SD, TX | | | |
| State specifies different age range categories (n = 12) [a] | HI, KY, LA, MI, MO, NC, NV, SD, UT, VA, WA, WV | 1.72 | 1.94 | 0.00 – 4.32 |
| A child age 3 through 8 (n = 4) | HI, KY, LA, WA | 2.84 | 2.51 | 2.01 – 4.32 |
| A child age 3 through 7 (n = 2) | NC, UT | 1.76 | 1.76 | 1.37 – 2.15 |
| A child age 3 through 5 (n = 3) | MO, SD, WV | 0.10 | 0.10 | 0.00 – 0.20 |
| A child age 2 by Sept 30th through 5 (n = 1) | VA | 1.87 | 1.87 | 1.87 |
| A child through 7 years of age (n = 1) | MI | 0.30 | 0.30 | 0.30 |
| State includes measurement criteria for standardized tests (n = 20). [a] | AL, DE, FL, GA, HI, ID, IN, KY, ME, MO, NV, NM, NC, OK, SC, SD, UT, WA, WV, WY | 1.44 | 1.21 | 0.00 – 4.32 |
| The standard score in one developmental domain must be at least 2.0 standard deviations below the mean or the standard scores on two or more developmental domains must be at least 1.5 standard deviations below the mean (n = 15) [a] | AL, DE, FL,GA, ID, IN, KY, ME, MO, NV, NC, SC, SD, UT, WA | 1.33 | 1.05 | 0.03 – 4.32 |
| A child who is functioning at lower than 75% of the normal rate of development in two or more areas of development (n = 1) [a] | WV | 0.00 | 0.00 | 0.00 |
| State includes criteria percentage below chronological age or delay for standardized tests (n = 5) [a] | AL, DE, FL, NM, NC | 1.35 | 1.21 | 0.07 – 2.91 |
| Exclusion criteria (n = 4) [a] | AL,GA, ID, WY | 0.98 | 1.00 | 0.06 – 1.87 |
| State requires evidence that disability is not caused by visual/hearing impairment (n = 2) [a] | AL, WY | 0.55 | 0.55 | 0.06 – 1.05 |
| State criteria include exclusion factors such as environmental/economic/cultural factors as primary causes for disability (n = 2)[a] | GA, ID | 1.41 | 1.41 | 0.95 – 1.87 |

| Difference from Federal Eligibility Criteria | States | Percentage of Students in Developmental Delay Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| No difference (n = 23) | AK, AR, AZ, CA, CO, CT, DC, IA, IL, MD, MN, MS, MT, NH, NJ, NY, ND, OH, OR, PA, RI, TX, WI | 0.70 | 0.15 | 0.00 – 2.69 |
| National state-level average (n = 50) [b] | | 1.31 | 1.16 | 0.00 – 4.32 |

EXHIBIT READS: The mean percentage of students in the Developmental Delay disability category in states that specify different age range categories is 1.72.

The percentage of students in the Developmental Delay disability category was calculated as the number of students ages 6 through 9 years in the Developmental Delay category for a state divided by the total enrollment in grades 1 through 4 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table DG74, *Children with Disabilities (IDEA) School Age Tables* does not include the number of children identified with Developmental Delays ages 6 through 9 living in Tennessee.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of students in grades 1 through 4 with a diagnosis of Developmental Delay is from Table DG74 *Children with Disabilities (IDEA) School Age Tables* from the Ed*Facts* Initiative Data System (Ed*Facts*; retrieved October 9, 2009). Grades 1–4 enrollment for each state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

**Exhibit D.52: Percentage of Students in the Visual Impairment including Blindness Disability Category by State Definition and Eligibility Requirements (Fall 2007)**

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Visual Impairment Including Blindness Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| State includes criteria for visual acuity requirements for visual impairment (n = 20) [a] | AK, AR, CO, DE, FL, GA, ID, KY, MI, MN, MO, MT[b], NV, OH, OK, OR, SC, VT[b], WV, WI | 0.05 | 0.05 | 0.03 – 0.10 |
| Visual acuity of 20/70 or less in better eye after correction (n = 15)[a] | AK, AR, CO, FL, ID, KY, MI, MT[b], OH, OK, OR, SC, VT [b], WV, WI | 0.06 | 0.05 | 0.03 – 0.10 |
| Visual acuity of 20/200 or less in better eye after correction (n = 3)[a] | DE, GA, NV | 0.04 | 0.04 | 0.04 – 0.05 |
| State includes criteria for visual acuity requirements for blindness (n = 6)[a] | DE, HI, MO, SD[b], TN, WY | 0.06 | 0.06 | 0.04 – 0.08 |
| Visual acuity between 20/70 and 20/200 in better eye after correction for partially sighted (n = 1)[a] | DE | 0.04 | 0.04 | 0.04 |
| Visual acuity of 20/200 or less in better eye after correction (n = 6)[a] | DE, HI, MO, SC, SD[b], TN, WY | 0.06 | 0.06 | 0.04 – 0.08 |
| State includes criteria for visual acuity requirements for partially sighted (n = 7)[a] | DE, GA, HI, NV, SD[b], TN, WY | 0.05 | 0.04 | 0.04 – 0.08 |
| Visual acuity of 20/70 or less in better eye after correction for partial blindness (n = 2)[a] | NV, SD[b] | 0.04 | 0.04 | 0.04 |
| Visual acuity of 20/50 or less in better eye after correction (n = 2)[a] | TN, WY | 0.08 | 0.08 | 0.07 – 0.08 |
| Visual acuity of 20/70 to 20/200 in the better eye and with best correction, or less (n = 3)[a] | DE, GA, HI | 0.04 | 0.04 | 0.04 – 0.05 |
| State includes criteria for visual field acuity (n = 21)[a] | AK, AR, CO, DE, GA, HI, ID, KY, MI, MN, MO, MT[b], NV, OK, OR, SC, TN, VT[b], WV, WI, WY | 0.06 | 0.05 | 0.03 – 0.10 |
| Visual field acuity of less than 20 degrees (n = 3)[a] | AR, DE, HI | 0.04 | 0.04 | 0.04 – 0.05 |
| Visual field acuity of 20 degrees or less (n = 17)[a] | AK, CO, GA, ID, KY, MI, MN, MO, MT[b], NV, OH, OK, SC, TN, VT[b], WV, WY | 0.06 | 0.06 | 0.03 – 0.10 |

| Difference from Federal Eligibility Criteria | States | Percentage of Students in the Visual Impairment Including Blindness Category | | |
|---|---|---|---|---|
| | | Mean % | Median % | Range % |
| No difference (n = 25) [b] | AL, AZ, CA, CT, DC, IA[b], IL, IN, KS, LA, MA, MD, MS, NE, NH, NJ, NM, NY, ND, PA, RI[b], TX, UT, VA, WA | 0.06 | 0.06 | 0.03 – 0.09 |
| National state-level average (n = 46) [b] | | 0.06 | 0.06 | 0.03 – 0.10 |

EXHIBIT READS: The mean percentage of students in the Visual Impairment including Blindness disability category in states that include criteria for visual acuity requirements for visual impairment is 0.05.

The percentage of students in the Visual Impairment including Blindness disability category was calculated as the number of students ages 6 through 21 years in the Visual Impairments category for a state (Fall 2007) divided by the total enrollment in grades 1 through 12 for the state (school year 2007–2008) multiplied by 100. The number shown in the column labeled "Mean" is the mean percentage for states in the row.

[a] The differences from federal eligibility criteria are not mutually exclusive. Therefore some states appear in more than one row.

[b] Table 1-3, *Students ages 3 through 21 served under IDEA, Part B, by disability category and state, Fall 2007* does not include the number of children identified with Visual Impairments including Blindness living in Iowa, Montana, Rhode Island, South Dakota, or Vermont.

NOTE: States may differ from the federal criteria in one or more ways as categories are not mutually exclusive.

SOURCE: The number of 6 through 21 year olds with a diagnosis of Visual Impairment including Blindness is from Table 1-3 *Students ages 6 through 21 served under IDEA, Part B, by Disability Category and State: Fall 2007* from the Data Accountability Center (DAC; www.ideadata.org/TABLES31ST/AR_1-3.xls, retrieved November 16, 2009). Grades 1–12 enrollment for the state is from the Common Core of Data Build-A-Table state total enrollment (CCD; http/nces.ed.gov/ccd/bat/, retrieved November 20, 2009).

# Appendix E: Supplemental Exhibits for Chapter 4

**Exhibit E.1: State Early Learning Guidelines for Infants and Toddlers and Standards for Preschool-Age Children (Fiscal Year 2009 and School Year 2008–2009)**

| | For Infants and Toddlers Birth through Age 2[a] | | | | For Preschool-Age Children [b] | | | |
|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | |
| | N | % | Missing | Total [c] | N | % | Missing | Total [c] |
| State has early learning guidelines/standards | 32 | 62.75 | 0 | 51 | 48 | 94.12 | 0 | 51 |
| **Among states with guidelines, domains covered:** | | | | | | | | |
| Social/emotional | 31 | 100.00 | 1 | 31 | 46 | 95.83 | 0 | 48 |
| Communication/language | 31 | 100.00 | 1 | 31 | 44 | 91.67 | 0 | 48 |
| Physical/health | 30 | 96.77 | 1 | 31 | 44 | 91.67 | 0 | 48 |
| Cognitive | 30 | 96.77 | 1 | 31 | 40 | 83.33 | 0 | 48 |
| Approaches to learning | 26 | 83.87 | 1 | 31 | 37 | 77.08 | 0 | 48 |
| Other | 5 | 16.13 | 1 | 31 | 22 | 45.83 | 0 | 48 |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators reported their state has early learning guidelines for infants and toddlers. Among states with early learning guidelines for infants and toddlers ages birth to 3 years, 31 Part C program coordinators (100 percent) reported the early learning guidelines cover the social/emotional domain.

For Part C respondent regarding states having early learning guidelines, N = 51; for domains covered, N = 31.

For Part B respondents, regarding states having early learning standards, N = 51; for domains covered, N = 48.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Early learning guidelines for infants and toddlers in fiscal year 2009.

[b] Early learning standards for preschool-age children in school year 2008–2009.

[c] Total refers to the number of coordinators who answered the question. One Part C program coordinator indicated their state had early learning guidelines but did not provide information on the specific domains the covered in the early learning guidelines.

SOURCE: State Part C Questionnaire – Items 35, 37; State Section 619 Questionnaire – Items 19, 20.

**Exhibit E.2**: **State Agency Involved in the Release of Early Learning Guidelines for Infants and Toddlers (Fiscal Year 2009)**

| | Yes | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| State has general early learning guidelines | 32 | 62.75 | 0 | 51 |
| **Among states with early learning guidelines, the agency that released the early learning guidelines is:** | | | | |
| Education | 23 | 74.19 | 1 | 31 |
| Child care | 14 | 45.16 | 1 | 31 |
| Human services | 9 | 29.03 | 1 | 31 |
| Head Start/Early Head Start | 8 | 25.81 | 1 | 31 |
| Health | 5 | 16.13 | 1 | 31 |
| Social services | 5 | 16.13 | 1 | 31 |
| Developmental disabilities | 2 | 6.45 | 1 | 31 |
| Mental health | 1 | 3.23 | 1 | 31 |
| Other | 5 | 16.13 | 1 | 31 |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators (63 percent) reported their state has general early learning guidelines for infants and toddlers ages birth through 2 years. Among states with early learning guidelines, 23 Part C program coordinators (74 percent) reported the education agency is involved in the release of early learning guidelines.

For early learning guidelines, N = 51; for agency releasing early learning guidelines, N = 31.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program coordinators who answered the question. One Part C program coordinator indicated the state had early learning guidelines but did not provide information on the agency involved in the release of early learning guidelines.

SOURCE: State Part C Questionnaire – Items 35, 36.

**Exhibit E.3: State Use of Standards-Based IFSPs for Infants and Toddlers (Fiscal Year 2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| State has general early learning guidelines | 32 | 62.75 | 0 | 51 |
| **Among states with early learning guidelines, the state guidance regarding standards-based IFSPs is:** | | | | |
| State provides neither a mandated nor suggested IFSP | 27 | 84.38 | — | — |
| State provides either a mandated or suggested IFSP | 5 | 15.62 | — | — |
| Total [a] | 32 | 100.00 | — | — |

EXHIBIT READS: Thirty-two Part C early intervention program coordinators (63 percent) reported that their state has early learning guidelines. In states with early learning guidelines, 27 Part C program coordinators (85 percent) have neither a mandated nor a suggested standards-based IFSP for infants and toddlers ages birth through age 2.

For early learning guidelines, N = 51; for provision of standards-based IFSP, N = 32.

[a] Total refers to the number of Part C program coordinators that answered the question.

SOURCE: State Part C Questionnaire – Items 35, 38, 39.

**Exhibit E.4: Requirements for Use of Standards-Based IEPs for Preschool-Age Children and Children and Youth (School Year 2008–2009)**

| | Preschool-Age Children | | | Children and Youth | | |
|---|---|---|---|---|---|---|
| | States | | | States | | |
| | N | % | States responding yes | N | % | States responding yes |
| SEA provides neither a mandated nor suggested IEP | 28 | 54.90 | AR, CA, CT, DC, DE, FL, GA, KS, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NV, OK, OR, PA, SD, TN, TX, UT, WA | 23 | 46.00 | AR, CA, DC, DE, FL, KS, MA, ME, MN, MO, MT, NE, NH, NJ, NV, NY, OH, OR, SD, UT, WA, WI, WY |
| SEA provides a suggested IEP | 17 | 33.33 | AK, CO, ID, IL, IN, KY, LA, NE, NM, NY, OH, RI, SC, VA, VT, WI, WV | 19 | 38.00 | AL, AZ, CO, CT, GA, IL, IN, MD, MI, MS, NC, ND, NM, OK, PA, RI, TX, VA, VT |
| SEA provides a mandated IEP | 6 | 11.76 | AL, AZ, HI, IA, MA, WY | 7 | 14.00 | HI, IA, ID, KY, LA, SC, TN |
| SEA provides both a mandated and suggested IEP | 0 | 0.00 | | 1 | 2.00 | AK |
| Total | 51 | 100.00 | | 50 | 100.00 | |

EXHIBIT READS: Twenty-eight Part B preschool-age special education program coordinators (55 percent) reported that their state provides neither a mandated nor a suggested IEP for preschool-age children. Twenty-three SEAs (46 percent) reported that they provides neither a mandated nor suggested IEP for children and youth.

For Part B preschool-age respondents, N = 51; for Part B respondents, N = 50.

[a] Alaska indicated they provide both a mandated and a suggested IEP. A review of the *Alaska Special Education Handbook* (Alaska Department of Education and Early Development 2007) suggests there is a mandated IEP, but districts are able to develop their own IEP form provided it addresses the required components and is reviewed and approved by the Department (Part IV § 6).

[b] Total refers to the number of coordinators who answered the questions.

SOURCE: State Section 619 Questionnaire – Items 21, 22; State Part B Questionnaire – Items 22, 23.

**Exhibit E.5: Target Audience for State Agency Training or Professional Development on Alignment of Early Learning Guidelines and Early Intervention Services, for Infants and Toddlers (Fiscal Years 2008 and 2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| State agency provided any training/professional development [b] | 8 | 25.00 | 0 | 32 |
| **Among states that provided training/professional development, target audience:** | | | | |
| Part C early intervention providers | 8 | 100.00 | 0 | 8 |
| Service coordinators | 7 | 87.50 | 0 | 8 |
| Administrators | 7 | 87.50 | 0 | 8 |
| Other | 3 | 37.50 | 0 | 8 |

EXHIBIT READS: Among 32 states that have early learning guidelines for infants and toddlers, eight Part C early intervention program coordinators (25 percent) reported the state provides training or professional development on the alignment of early learning guidelines and the provision of Part C program services. Among states that have early learning guidelines for infants and toddlers and provide training or professional development related to the early learning guidelines, eight Part C program coordinators (100 percent) indicated states target Part C program providers for training and professional development.

For provision of training/professional development, N = 32; for target audience, N = 8.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program coordinators who answered the question.

[b] The 32 states that have general early learning guidelines for infants and toddlers were asked whether the state agency provided any training/professional development, and about the target audience.

SOURCE: State Part C Questionnaire – Items 35, 41, 42.

**Exhibit E.6: Topics Covered by the Professional Development on Standards-Based IFSPs for Infants and Toddlers (Fiscal Year 2008 or 2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| State provided training or professional development on standards-based IFSPs [b] | 8 | 25.00 | 0 | 32 |
| **Among states providing training or professional development related to standards-based IFSPs, covered topics were:** | | | | |
| Linking assessment to instruction | 8 | 100.00 | 0 | 8 |
| Assessment of student/child current performance/skills | 6 | 75.00 | 0 | 8 |
| Developing standards-based goals | 3 | 37.50 | 0 | 8 |
| Other | 3 | 37.50 | 0 | 8 |

EXHIBIT READS: Among the 32 states with early learning guidelines, eight Part C early intervention program coordinators (25 percent) reported their state provides training or professional development on standards-based IFSPs. Among the eight Part C program coordinators reporting their state provides training or professional development on standards-based IFSPs, eight (100 percent) reported the professional development addresses linking assessment to instruction as a covered topic.

For provision of training/professional development, N = 32; for topics covered, N = 8.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part C program coordinators who answered the question.

[b] The 32 states that have general early learning guidelines for infants and toddlers where asked whether the state agency provided any training/professional development and about the topics covered.

SOURCE: State Part C Questionnaire – Items 35, 41, 43.

**Exhibit E.7**: **Topics Covered by the Professional Development on Standards-Based IEPs for Preschool-Age Children (School Year 2007–2008 or 2008–2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [b] |
| State provided training or professional development on standards-based IEPs | 16 | 31.37 | 0 | 51 |
| **Among states providing training or professional development related to standards-based IEPs, covered topics were:** | | | | |
| Linking assessment to instruction | 14 | 87.50 | 0 | 16 |
| Assessment of children's current skills | 14 | 87.50 | 0 | 16 |
| Developing standards-based goals for cognitive skills | 11 | 68.75 | 0 | 16 |
| Developing standards-based goals for social/emotional learning | 11 | 68.75 | 0 | 16 |
| Developing standards-based goals for communication, learning skills | 11 | 68.75 | 0 | 16 |
| Developing standards-based goals for physical/health | 10 | 62.50 | 0 | 16 |
| Developing standards-based goals for approaches to learning | 10 | 62.50 | 0 | 16 |
| Other | 4 | 25.00 | 0 | 16 |

EXHIBIT READS: Among the 16 states (32 percent) reported to provide training or professional development on standards-based IEPs for the preschool-age population, 14 (88 percent) Part B preschool-age special education program coordinators indicated that state professional development covers the topic of linking assessment to instruction.

For providing training or professional development, N = 51; for topics covered, N = 16.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part B preschool-age special education program coordinators who answered the question.

SOURCE: State Section 619 Questionnaire – Items 24, 26.

**Exhibit E.8: Topics Covered by the Professional Development on Standards-Based IEPs for Children and Youth (School Year 2007–2008 or 2008–2009)**

| | States | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| SEA provided training or professional development on standards-based IEPs | 36 | 70.59 | 0 | 51 |
| **Among SEAs providing training or professional development related to standards-based IEPs , covered topics were:** | | | | |
| Assessment of student's current performance | 31 | 86.11 | 0 | 36 |
| Use of instructional strategies, supports, and accommodations necessary for students with disabilities to achieve standards-based goals | 31 | 86.11 | 0 | 36 |
| Developing standards-based goals for academic content areas | 30 | 83.33 | 0 | 36 |
| Use of testing accommodations | 29 | 80.56 | 0 | 36 |
| Developing standards-based goals for academic achievement | 28 | 77.78 | 0 | 36 |
| Other | 1 | 2.78 | 0 | 36 |

EXHIBIT READS: Among the 36 SEAs (71 percent) reported by the Part B special education program coordinator to provide training or professional development on standards-based IEPs for children and youth, 31 (86 percent) were reported to cover the topic of assessment of student's current performance.

For provision of training or professional development, N = 51; for topics covered, N = 36.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part B program coordinators who answered the question.

SOURCE: State Part B Questionnaire – Items 26, 28.

**Exhibit E.9: Percentage of States Providing Training or Professional Development on Standards-Based IEPs for Preschool-Age Children and Children and Youth Targeting Specific Audiences (School Years 2007–2008 and 2008–2009)**

| | Part B Preschool-Age Special Education Program | | | | Part B School-Age Special Education Program | | | |
|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | |
| | N | % | Missing | Total [a] | N | % | Missing | Total [a] |
| State agency provided any training/professional development | 16 | 31.37 | 0 | 51 | 36 | 70.59 | 0 | 51 |
| **Among SEAs that provided training, target audience:** | | | | | | | | |
| Special education staff | 14 | 87.50 | 0 | 16 | 36 | 100.00 | 0 | 36 |
| Speech and language therapists | 10 | 62.50 | 0 | 16 | 18 | 50.00 | 0 | 36 |
| School administrative officials | 9 | 56.25 | 0 | 16 | 28 | 77.78 | 0 | 36 |
| Paraprofessionals or instructional learning assistants | 5 | 31.25 | 0 | 16 | 7 | 19.44 | 0 | 36 |
| School psychologists | 5 | 31.25 | 0 | 16 | 13 | 36.11 | 0 | 36 |
| General education staff | 4 | 25.00 | 0 | 16 | 16 | 44.44 | 0 | 36 |
| Principals | 3 | 18.75 | 0 | 16 | 22 | 61.11 | 0 | 36 |
| Reading specialists | 1 | 6.25 | 0 | 16 | 7 | 19.44 | 0 | 36 |
| Math specialists | 1 | 6.25 | 0 | 16 | 5 | 13.89 | 0 | 36 |
| School counselors | 1 | 6.25 | 0 | 16 | 9 | 25.00 | 0 | 36 |
| School or district nurse | 0 | 0.00 | 0 | 16 | 5 | 13.89 | 0 | 36 |
| Other | 5 | 31.25 | 0 | 16 | 9 | 25.00 | 0 | 36 |

EXHIBIT READS: Thirty-two percent of Part B preschool special education coordinators (16) reported providing training or professional development on the development of standard-based IEPs to special education staff. Seventy-one percent of Part B school-age special education coordinators (36) reported providing training or professional development on the development of standard-based IEPs to special education staff.

For Part B program respondents, regarding provision of professional development or training, N = 51; for the specific audience targeted, N = 16.

For Part B program respondents, regarding provision of professional development or training, N = 51; for the specific audience targeted, N = 36.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Other responses included: parents, community organizations, physical or occupational therapists, state or district test or accountability staff, district special education administrators, and open audience.

[a] Total refers to the number of states that answered the question.

SOURCE: State Section 619 Questionnaire – Items 24, 25; State Part B Questionnaire – Items 26, 27.

**Exhibit E.10: District Policies on Standards-Based IEPs (School Year 2007–2008 and 2008–2009)**

| | Districts | | | |
|---|---|---|---|---|
| | % | SE | Missing | Total [a] |
| District has formal written policies regarding the development of standards-based IEPs | 38.74 | 2.24 | 3 | 1145 |
| Among districts with formal written policies regarding the development of standards-based IEPs, district personnel received some training or professional development on the development of standards-based IEPs | 89.14 | 2.48 | 0 | 512 |

EXHIBIT READS: The percentage of district Part B special education program administrators who reported having formal written policies regarding the development of standards-based IEPs is 39. The percentage of district Part B program administrators who reported having formal written policies regarding the development of standards-based IEPs and also provide training or professional development on the development of standards-based IEPs is 89.

For districts having formal written policies regarding the development of standards-based IEPs, N = 1,145. For training or professional development on the development of standards-based IEPs, N = 512.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Total refers to the number of district Part B school-age special education program administrators who answered the question.

SOURCE: District Part B Questionnaire – Items 24, 25.

**Exhibit E.11: Percentage of Certified Related Service Professionals Serving School-Age Children and Youth by Profession (Fall 2006)**

| | Average | Minimum | Maximum | Total [a] |
|---|---|---|---|---|
| Psychologists | 97.99 | 89.55 | 100.00 | 50 |
| Counselors and Rehabilitation | 96.70 | 76.67 | 100.00 | 50 |
| Medical/Nursing Staff | 96.09 | 56.36 | 100.00 | 47 |
| Social workers | 95.89 | 60.00 | 100.00 | 50 |
| Physical education teachers and recreation and therapeutic recreation specialists | 95.05 | 57.89 | 100.00 | 49 |
| Speech-language pathologists | 94.35 | 0.00 | 100.00 | 49 |
| Occupational therapists | 93.86 | 0.00 | 100.00 | 50 |
| Audiologists | 93.32 | 0.00 | 100.00 | 49 |
| Physical therapists | 92.53 | 0.00 | 100.00 | 50 |
| Orientation and Mobility Specialists | 91.01 | 0.00 | 100.00 | 46 |
| Interpreters | 84.96 | 0.00 | 100.00 | 50 |

EXHIBIT READS: Nationally, 98 percent of psychologists providing services to school-age children and youth served by the Part B school-age special education program are certified. States range in the percentage of certified psychologists from a low of 90 to a high of 100.

For psychologists, counselors and rehabilitation, social workers, occupational therapists, physical therapists and interpreters, N = 51.

For physical education teachers and recreation and therapeutic recreation specialists, speech-language pathologists and audiologists, N = 49.

For medical/nursing staff, N=47.

For orientation and mobility specialists, N = 46.

Percentage certified for each state was calculated as the number of certified personnel in a particular category (e.g., psychologists) divided by the number of personnel in the same category (e.g., psychologists) multiplied by 100. The national data were calculated as the average of the percentage for all states with data.

[a] Total refers to the number of states reporting data.

SOURCE: Table 3-5 *Personnel employed (FTE) to provide special education and related services to children and students ages 3 through 21 under IDEA, Part B, by personnel type, certification status and state,* available from the Data Accountability Center (DAC; https:/www.ideadata.org/TABLES31ST/AR_3-5.xls, retrieved March 3, 2010).

**Exhibit E.12: Certification/Licensure Requirements for Part C Early Intervention Program Special Educators (Fiscal Year 2009)**

| Requirements | States | | Missing | Total [a] |
|---|---|---|---|---|
| | N | % | | |
| Undergraduate or graduate degree program | 42 | 84.00 | 1 | 50 |
| Exam/proficiency test | 25 | 50.00 | 1 | 50 |
| Coursework (not leading to a degree) | 14 | 28.00 | 1 | 50 |
| Portfolio | 13 | 26.00 | 1 | 50 |
| Other | 8 | 16.00 | 1 | 50 |

EXHIBIT READS: An undergraduate or graduate degree program is a requirement for Part C early intervention program special educators in 42 states (84 percent).

N = 50.

Percentages do not sum to 100 because response categories were not mutually exclusive.

[a] Total refers to the number of Part C program coordinators who answered the question.

SOURCE: State Part C Questionnaire – Item 46.

**Exhibit E.13: Agency Responsible for Licensing/Certification of Special Educators by IDEA Program Early Intervention Special Educators, Preschool Special Education Teachers, and Special Education Teachers (Fiscal Year 2009 and School Year 2008–2009)**

| | Early Intervention Special Educators [a] | | | | Preschool Special Education Teachers [b] | | | | Special Education Teachers [c] | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | N | % | Missing | Total [c] | N | % | Missing | Total [c] | N | % | Missing | Total [c] |
| SEA | 37 [d] | 72.54 | 0 | 51 | 46 | 90.20 | 0 | 51 | 43 | 84.31 | 0 | 51 |
| Part C lead agency | 16 | 31.37 | 0 | 51 | — | — | — | — | — | — | — | — |
| State licensing and certification agency that is not part of the SEA (or the Part C lead agency) | 5 | 9.80 | 0 | 51 | 4 | 7.84 | 0 | 51 | 7 | 13.73 | 0 | 51 |
| Other | 3 | 5.88 | 0 | 51 | 1 | 1.96 | 0 | 51 | 1 | 1.96 | 0 | 51 |

EXHIBIT READS: Licensing and certification for Part C program special educators is overseen by the SEA in 37 states (73 percent). SEAs oversee licensing and certification of preschool special education teachers in 46 states (90 percent) and for elementary and secondary school special education teachers in 43 states (84 percent).

For Part C respondents, N = 51; for Part B preschool-age respondents, N = 51; for Part B respondents, N = 51. Categories are not mutually exclusive.

[a] Part C program agency responsibilities in fiscal year 2009.

[b] Part B preschool-age special education program and Part B school-age special education program agency responsibilities in school year 2008–2009.

[c] Total refers to the number of coordinators who answered the question.

[d] For 25 of the 37 states in which the SEA oversees licensing/certification for Part C special educators, the SEA is not the lead or co-lead Part C agency. For 10 of the 37 states the SEA is the lead Part C agency, and for 2 of the 37 states, the SEA is a co-lead agency.

SOURCE: State Part C Questionnaire – Items 1, 45; State Section 619 Questionnaire – Item 27; State Part B Questionnaire – Item 14.

**Exhibit E.14: State Certification/Licensure Requirements for Preschool Special Education Staff (School Year 2008–2009)**

| Requirements | States | |
|---|---|---|
| | N | % |
| Early childhood special education certification | 24 | 47.06 |
| Blended early childhood/early childhood special education certification | 12 | 23.53 |
| Special education certification | 12 | 23.53 |
| General early childhood certification plus preschool special education add-on or endorsement | 11 | 21.57 |
| Special education certification plus preschool special education add-on or endorsement | 9 | 17.65 |
| General early childhood certification (including special education requirements) | 4 | 7.84 |
| General early childhood certification (no special education requirements) | 2 | 3.92 |
| Other | 9 | 17.65 |
| No certification/licensure required | 0 | 0.00 |
| Total [a] | 51 | — |

EXHIBIT READS: Twenty-four Part B preschool-age special education program coordinators (47 percent) reported state certification/licensure requirements for preschool special education staff include an early childhood special education certification.

N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of Part B preschool-age special education program coordinators who answered the question.

SOURCE: State Section 619 Questionnaire – Item 28.

**Exhibit E.15: Ways in Which Preschool Special Education Staff Qualify for Certification (School Year 2008–2009)**

| | Required | | Optional | | Not Applicable | | | |
|---|---|---|---|---|---|---|---|---|
| | States | | States | | States | | Total [a] | |
| **Methods** | **N** | **%** | **N** | **%** | **N** | **%** | **N** | **%** |
| Undergraduate or graduate degree program | 45 | 90.00 | 2 | 4.00 | 3 | 6.00 | 50 | 100.00 |
| Exam/proficiency test | 35 | 70.00 | 3 | 6.00 | 12 | 24.00 | 50 | 100.00 |
| Coursework (not leading to a degree) | 12 | 24.00 | 5 | 10.00 | 33 | 66.00 | 50 | 100.00 |
| Portfolio | 6 | 12.00 | 5 | 10.00 | 39 | 78.00 | 50 | 100.00 |
| Other | 8 | 16.00 | 2 | 4.00 | 40 | 80.00 | 50 | 100.00 |

EXHIBIT READS: Forty-five Part B preschool-age special education program coordinators (90 percent) reported that their state requires an undergraduate or graduate degree program for certification of preschool special education staff. Two Part B coordinators (4 percent) reported that in their state an undergraduate or graduate degree program is an option requirement for certification of preschool special education staff. Three Part B coordinators (6 percent) reported that an undergraduate or graduate degree programs is neither required nor an optional requirement for certification of preschool special education staff.

N = 50.

[a] Total refers to the number of Part B program coordinators who answered the question.

SOURCE: State Section 619 Questionnaire – Item 29.

**Exhibit E.16: State Options for New Elementary or Secondary Teachers to Demonstrate Subject-Matter Competency for Identification as Highly Qualified Special Education Teachers**

| Overall | Total N | States | % |
|---|---|---|---|
| Specific state content test | 40 | AL, AK, AZ, AR, CA, CO, CT, DC, FL, GA, HI, ID, IL, IN, KS, KY, LA, MD, MA, MI, MN, MS, MO, NE, NV, NJ, NM, NY, ND, OR, PA, SD, TN, TX, UT, VT, VA, WV, WI, WY | 78.43 |
| Undergraduate major in content area | 32 | AL, AK, AZ, AR, CA, CO, CT, DC, GA, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, NV, NJ, NM, NY, OR, PA, SD, TN, TX, UT, VA, WY | 62.75 |
| Credit hours equal to major | 31 | AL, AK, AZ, AR, CA, CO, DC, HI, ID, IL, IN, KY, LA, ME, MD, MA, MI, MN, MS, MT, NE, NV, NJ, NM, NY, OR, PA, TN, TX, UT, VA | 60.78 |
| Graduate degree in content area | 25 | AL, AZ, AR, CA, CT, DC, IL, IN, KY, LA, ME, MD, MA, MN, NE, NV, NM, NY, OK, OR, SD, TN, TX, UT, VA | 49.02 |
| Professional educator certificate | 10 | AL, FL, GA, IL, MD, MT, NV, NM, NY, TX | 19.61 |
| National board certification | 16 | AZ, AR, CO, DC, FL, ID, IL, ME, MD, MA, MI, NE, NJ, NM, OR, UT | 31.37 |
| HOUSSE is an option | 17 | AZ, CO, CT, IL, KS, ME, MD, MA, MO, MT, NE, NV, NJ, NY, OK, VA, WV | 33.33 |
| Other | 5 | CA, CO, MT, VT, WY | 9.80 |

EXHIBIT READS: Forty (78 percent) states accept an passing grade on a specific state content test as demonstration of subject-matter competence.

N = 51.

NOTE: Other included: completion of a preparation program, completing a certain number of credit hours in particular subjects, a multi-dimensional test, an endorsement, or completing an approved university subject-matter program.

SOURCE: Individual state regulations related to highly qualified status for teachers.

**Exhibit E.17: Summary of Praxis Series Tests Used by States for Certification, Licensure, or Highly Qualified Status in Selected Subject-Matter Areas**

| Subject-Matter Area | Number of States | States | Praxis Test Number and Name | Minimum Passing Score | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Min | Max | Mean | Median | Mode |
| Elementary education | 35 | AL, AK, AR, CO, CT, DE, DC, HI, ID, IN, KS, KY, LA, ME, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, SC, SD, TN, UT, VT, VA, WV, WI, WY | 0061 Mathematics: Content Knowledge (Graphing calculator required) | 123 | 156 | 134.94 | 136 | 136 |
| Elementary education | 23 | AL, AK, CO, DE, DC, ID, IA, KY, LA, ME, MD, MN, MS, NH, NJ, OH, RI, SD, TN, UT, VT, VA, WI | 0014 Elementary Education: Content Knowledge (Calculator Allowed) | 137 | 153 | 145.04 | 145 | 143 |
| Elementary education | 22 | CT, DC, HI, ID, IN, KS, KY, LA, ME, MD, MN, MS, MO, OH, OR, PA, SC, SD, TN, UT, WV, WY | 0353 Education of Exceptional Students: Core Content Knowledge | 136 | 162 | 151.62 | 152 | 150 |
| Elementary education | 18 | AK, CT, HI, IN, IA, KS, MS, MO, NE, NV, NC, ND, PA, SC, TN, UT, WV, WY | 0011 Elementary Education: Curriculum, Instruction, and Assessment | 150 | 168 | 159.50 | 159 | 164 |
| Elementary education | 15 | HI, ID, KY, LA, ME, MN, MS, NV, ND, OH, RI, SC, TN, UT, WV | 0522 Principles of Learning and Teaching: Grades K-6 | 152 | 169 | 162.27 | 162 | 161 |
| Elementary education | 15 | AR, HI, ID, KY, LA, MN, MS, MO, OH, SC, SD, TN, UT, WV, WY | 0523 Principles of Learning and Teaching: Grades 5 – 9 | 152 | 168 | 158.73 | 159 | 157 |
| Elementary education | 9 | CT, DC, HI, MD, NV, NC, RI, SC, UT | 0012 Elementary Education: Content Area Exercises (Calculator prohibited) | 135 | 150 | 144.86 | 148 | 148 |
| Elementary education | 9 | AR, HI, LA, ME, MN, OH, SD, TN, UT | 0521 Principles of Learning and Teaching: Early Childhood | 155 | 172 | 162.89 | 160 | 172 |
| Elementary education | 6 | IN, NV, NJ, NC, OH, SC | 0200 Introduction to the Teaching of Reading | 510 | 560 | 545.00 | 550 | 560 |
| Elementary education | 3 | AK, TN, WV | 0432 General Science: Content Knowledge, Part 2 (Calculators Prohibited) | 136 | 149 | 144.67 | 149 | 149 |

| Subject-Matter Area | Number of States | States | Praxis Test Number and Name | Minimum Passing Score | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Min | Max | Mean | Median | Mode |
| Elementary education – specifically special education | 4 | MS, NC, PA, RI | 0511 Fundamental Subjects | 142 | 160 | 150.00 | 149 | NA |
| Secondary: English | 34 | AL, AK, AR, CO, CT, DE, DC, HI, ID, IL, KS, KY, LA, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, SC, SD, TN, UT, VT, VA, WV, WI, WY | 0041 English Language, Literature and Composition: Content Knowledge | 142 | 172 | 159.97 | 160 | 160 |
| Secondary: English | 31 | AL, AK, CT, DE, HI, IN, KS, KY, LA, ME, MD, MN, MS, MO, NV, NH, NJ, NC, ND, OH, OR, PA, RI, SC, SD, TN, UT, VT, VA, WV, WY | 0049 Middle School English Language Arts | 145 | 165 | 156.13 | 156 | 160 |
| Secondary: English | 9 | AK, AR, CT, KY, NV, OR, SC, UT, VT | 0042 English Language, Literature and Composition: Essays | 145 | 160 | 155.00 | 155 | 160 |
| Secondary: English | 9 | AR, DC, HI, LA, MD, NV, NC, TN, UT | 0043 English Language, Literature and Composition: Pedagogy | 130 | 155 | 145.63 | 147.5 | 150 |

EXHIBIT READS: Eighteen states use scores from Praxis test 0011 (Elementary Education: Curriculum, Instruction, and Assessment) for certification, licensure or determination of highly qualified status. The minimum passing score among the states is 150. The maximum passing score is 168. The mean passing score is 159.50. The median passing score is 159. The modal passing score is 164.

N = 43.

SOURCE: State-specific websites for Praxis Series (http:/www.ets.org/portal/site/ets/menuitem.fab2360b1645a1de9b3a0779f1751509/?vgnextoid= 8c05ee3d74f4010VgnVCM10000022f95190RCRD&WT.ac=Praxis+Brochure+and+Front+Door) retrieved September 3, 2009.

**Exhibit E.18: Elements Required in HOUSSE Certification for Current Special Education Teachers in Elementary, Middle and High Schools (School Year 2008–2009)**

| | Yes | | Total [a] | |
|---|---|---|---|---|
| | N | % | N | % |
| HOUSSE for teachers at elementary level | 41 | 80.39 | 51 | 100.00 |

**If HOUSSE is an option, method:**

| | Required | | Optional | | Not Applicable | | Total [b] | |
|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % |
| Classroom experience | 13 | 31.71 | 18 | 43.90 | 10 | 24.39 | 41 | 100.00 |
| Performance evaluation | 9 | 21.95 | 7 | 17.07 | 25 | 60.98 | 41 | 100.00 |
| Content area test scores | 9 | 21.95 | 24 | 58.54 | 8 | 19.51 | 41 | 100.00 |
| Completion of professional development, including additional coursework | 8 | 19.51 | 27 | 65.85 | 6 | 14.63 | 41 | 100.00 |
| Student achievement data | 2 | 4.88 | 7 | 17.07 | 32 | 78.05 | 41 | 100.00 |
| Portfolio | 1 | 2.44 | 9 | 21.95 | 31 | 75.61 | 41 | 100.00 |
| National board certification | 0 | 0.00 | 32 | 78.05 | 9 | 21.95 | 41 | 100.00 |
| Other | 5 | 12.20 | 14 | 34.15 | 22 | 53.66 | 41 | 100.00 |

EXHIBIT READS: Among SEAs reported to allow HOUSSE by the Part B program coordinator, 32 percent require classroom experience for elementary school teachers, 34 percent require classroom experience for middle school teachers and 36 percent require classroom experience for high school teachers.

For use of HOUSSE certification, N = 51. For specific elements used in elementary schools, N = 41. For specific elements used in middle schools, N = 44. For specific elements used in high schools, N = 45.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

[b] Total refers to the number of states with HOUSSE as an option at the elementary school level that answered the question. Number of states with HOUSSE as an option that did not answer the question: 0.

SOURCE: State Part B Questionnaire – Item 16.

**Exhibit E.19: National Estimates of the Percentage of Funded Full-Time Equivalent Vacancies or Departures (School Year 2008–2009)**

| | Special Education Teachers for Preschool-Age Children | | | | | | Special Education Teachers for School-Age Children | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Vacancies [a] | | | Departures [b] | | | Vacancies [a] | | | Departures [b] | | |
| Implementation | N | % | (SE) | N | % | (SE) | N | % | (SE) | N | % | (SE) |
| Full-time equivalent (FTE) positions | 829 | 5.29 | 1.37 | 816 | 10.94 | 1.65 | 1092 | 5.21 | 1.05 | 1076 | 12.53 | 1.10 |

EXHIBIT READS: Of the 829 Districts that reported the number of FTE funded positions and number of FTE positions left vacant for ages 3 through 5, the average percentage of funded positions that were vacant is 5 percent.

Special education teachers for preschool-age, vacancies N = 829; departures N = 816.

Special education teachers for school-age, vacancies N = 1,092; departures N = 1,076.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] The percentage of funded positions left vacant or filled by a full-time substitute was calculated as the number of FTEs reported as vacant divided by the number of funded FTEs which was then multiplied by 100.

[b] The percentage of funded positions which were left vacant due to teachers leaving special education or the district was calculated as the number of FTEs reported as staff leaving special education or the district divided by the number of funded FTEs which was then multiplied by 100.

NOTE: Number of districts responding to the question: 1,148. Number of districts that did not answer the question: 0.

SOURCE: District Questionnaire – Items 29, 30 and 31.

**Exhibit E.20: Types of Special Education Teachers for Which District Has Routinely Experienced Difficulty Finding Qualified Applicants over the Past Three Years (School Years 2006–2007, 2007–2008 and 2008–2009)**

| | Districts | | | |
|---|---|---|---|---|
| | % | (SE) | Missing | Total [a] |
| **Special education teachers who serve children in:** | | | | |
| High school | 58.34 | 2.96 | 0 | 725 |
| Middle school | 49.16 | 3.03 | 0 | 725 |
| Elementary school | 39.10 | 2.98 | 0 | 725 |
| Preschool | 24.32 | 2.59 | 0 | 725 |
| Vocational or alternative school | 11.78 | 1.85 | 0 | 725 |
| **Special education teachers who primarily serve children with:** | | | | |
| Emotional disturbance/behavior disorders | 54.65 | 3.04 | 0 | 725 |
| Autism | 46.12 | 3.04 | 0 | 725 |
| Mental retardation | 29.27 | 2.81 | 0 | 725 |
| Learning disabilities | 28.91 | 2.80 | 0 | 725 |
| Other low-incidence disabilities (e.g., other health impairments, orthopedic impairments, multiple disabilities) | 28.23 | 2.66 | 0 | 725 |
| Sensory impairments (hearing/vision) | 27.00 | 2.52 | 0 | 725 |
| Developmental delays | 22.41 | 2.57 | 0 | 725 |
| Other | 9.23 | 1.86 | 0 | 725 |
| **Secondary school special education teachers of:** | | | | |
| Mathematics | 48.70 | 3.01 | 0 | 725 |
| Science | 37.68 | 2.68 | 0 | 725 |
| English/language arts | 27.23 | 2.81 | 0 | 725 |
| Social studies (including history, civics, geography and economics) | 19.78 | 2.23 | 1 | 724 |
| Other subjects | 7.36 | 1.59 | 1 | 724 |

EXHIBIT READS: Among districts reported by Part B special education program administrators as having difficulty finding qualified applicants, 58 percent reported difficulty finding high school special education teachers.

For experiencing difficulty in finding qualified applicants, N = 1,148. For particular types of teachers, N = 725, except for secondary school special education teachers of social studies and other subjects, N = 724.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Total reported for the first row is among all 1,148 districts that responded to the survey, and refers to the number of districts responding to the question. Total reported for all other rows is among the 725 districts that reported routinely having difficulty finding qualified applicants over the past three years, and refers to the number of districts that answered the question.

SOURCE: District Part B Questionnaire – Item 26.

**Exhibit E.21: Strategies Used by States to Increase the Number of Qualified Special Educators, Qualified Preschool Special Education Staff and Highly Qualified Teachers (Fiscal Years 2008 and 2009, School Years 2007–2008 and 2008–2009)**

| | Qualified Special Educators (Fiscal Years 2008 and 2009) | | | | Preschool Special Education Staff (School Years 2007–2008 and 2008–2009) | | | | Highly Qualified Special Education Teacher (School Years 2007–2008 and 2008–2009) | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | States | | | | States | | | | States | | | |
| Strategy | N | % | Missing | Total [a] | N | % | Missing | Total [a] | N | % | Missing | Total [a] |
| Collaborate with universities to create programs and curricula to ensure that graduates meet standards | 31 | 62.00 | 1 | 50 | 27 | 52.94 | 0 | 51 | 33 | 64.71 | 0 | 51 |
| Provide alternative routes to certification in special education for persons with a bachelor's degree | 13 | 26.00 | 1 | 50 | 18 | 35.29 | 0 | 51 | 31 | 60.78 | 0 | 51 |
| Provide funding for teachers to participate in professional development opportunities | 11 | 22.00 | 1 | 50 | 16 | 31.37 | 0 | 51 | 26 | 50.98 | 0 | 51 |
| Provide alternative routes to certification in special education for persons with content area certification/a special education degree | 9 | 18.00 | 1 | 50 | 22 | 41.18 | 0 | 51 | 36 | 70.59 | 0 | 51 |
| Pay for tutoring to prepare teachers for certifications tests/licensure exams | 1 | 2.00 | 1 | 50 | 3 | 5.88 | 0 | 51 | 10 | 19.61 | 0 | 51 |
| Pay fees for tests/licensure exams | 1 | 2.00 | 1 | 50 | 1 | 1.96 | 0 | 51 | 15 | 29.41 | 0 | 51 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | — | — | — | — | — | — | — | — | 7 | 13.73 | 0 | 51 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | — | — | — | — | — | — | — | — | 13 | 25.49 | 0 | 51 |

| Strategy | Qualified Special Educators (Fiscal Years 2008 and 2009) | | | | Preschool Special Education Staff (School Years 2007–2008 and 2008–2009) | | | | Highly Qualified Special Education Teacher (School Years 2007–2008 and 2008–2009) | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | States | | | | States | | | | States | | | |
| | N | % | Missing | Total [a] | N | % | Missing | Total [a] | N | % | Missing | Total [a] |
| Other | 10 | 20.00 | 1 | 50 | 6 | 11.76 | 0 | 51 | 8 | 15.69 | 0 | 51 |
| None of the above | 9 | 18.00 | 1 | 50 | 11 | 21.57 | 0 | 51 | 2 | 3.92 | 0 | 51 |

EXHIBIT READS: Thirty-one Part C early intervention program coordinators (62 percent) reported that in their state collaboration with universities to create programs and curricula to ensure graduates meet state standards is a strategy used to increase the number of qualified early intervention special educators. Twenty-seven Part B preschool-age special education program coordinators (53 percent) reported their state collaborates with universities to create programs and curricula to ensure that graduates meet state standards for qualified preschool special education staff. Thirty-three Part B special education program coordinators (65 percent) reported their state collaborates with universities to create programs and curricula to ensure that graduates meet state standards for highly qualified special education teachers.

For Part C respondents, N = 50; for Part B respondents, N = 51; for Part B program respondents, N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of coordinators who answered the question.

SOURCE: State Part C Questionnaire – Item 48; State Section 619 Questionnaire – Item 30; State Part B Questionnaire – Item 15.

**Exhibit E.22: Strategies Used by Districts to Increase the Proportion of Currently Employed Special Education Teachers That Are Highly Qualified (School Years 2007–2008 and 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| Strategy | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| Provide time or funding for teachers to participate in professional development opportunities | 63.62 | 2.34 | 12 | 1136 | 76.08 | 2.33 | 8 | 717 | 50.65 | 3.77 | 2 | 419 |
| Pay fees for tests/licensure exams | 18.85 | 1.74 | 12 | 1136 | 24.76 | 2.48 | 8 | 717 | 12.71 | 2.33 | 2 | 419 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 14.21 | 1.51 | 12 | 1136 | 15.28 | 1.95 | 8 | 717 | 13.09 | 2.30 | 2 | 419 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 10.19 | 1.24 | 12 | 1136 | 14.21 | 1.99 | 8 | 717 | 6.01 | 1.44 | 2 | 419 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 6.34 | 1.11 | 12 | 1136 | 7.73 | 1.5 | 8 | 717 | 4.89 | 1.63 | 2 | 419 |
| Other | 1.72 | 0.49 | 11 | 1137 | 2.06 | 0.79 | 7 | 718 | 1.35 | 0.58 | 2 | 419 |
| None of the above | 30.74 | 2.30 | 12 | 1136 | 18.03 | 2.19 | 8 | 717 | 43.96 | 3.76 | 2 | 419 |

EXHIBIT READS: Sixty-four percent of district special education administrators reported their district provides time or funding for teachers to participate in professional development opportunities as a strategy to increase the proportion of highly qualified elementary and secondary special education teachers. Seventy-six percent of district special education administrators who reported that their district routinely had difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers. Fifty-one percent of district special education administrators who reported that their district routinely had no difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers.

For among all districts, N = 1,135 except for other, N = 1,137.

For districts having difficulty, N = 717, except for other, N = 718.

For districts having no difficulty, N = 419.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

SOURCE: District Part B Questionnaire – Items 26, 33.

**Exhibit E.23: Supports or Incentives for Recruitment of New Special Education Teachers (School Year 2008–2009)**

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| Mentoring or induction programs | 33.49 | 2.05 | 3 | 1145 | 46.61 | 2.97 | 1 | 724 | 19.83 | 2.40 | 0 | 421 |
| Placement of a teacher on a higher step of the salary schedule | 6.10 | 0.98 | 3 | 1145 | 9.47 | 1.74 | 1 | 724 | 2.59 | 0.77 | 0 | 421 |
| Bonus supplement to regular compensation | 4.20 | 0.72 | 3 | 1145 | 6.37 | 1.25 | 1 | 724 | 1.94 | 0.66 | 0 | 421 |
| Signing bonus | 4.17 | 0.89 | 3 | 1145 | 6.02 | 1.42 | 1 | 724 | 2.25 | 1.04 | 0 | 421 |
| Permanent salary augmentation or adjustment to normal base salary | 3.92 | 0.78 | 3 | 1145 | 4.87 | 1.15 | 1 | 724 | 2.92 | 1.04 | 0 | 421 |
| Payoff of student loans | 1.62 | 0.62 | 3 | 1145 | 2.75 | 1.17 | 1 | 724 | 0.44 | 0.33 | 0 | 421 |
| Relocation assistance | 1.05 | 0.27 | 3 | 1145 | 1.62 | 0.43 | 1 | 724 | 0.46 | 0.33 | 0 | 421 |
| Finder's fee to existing staff for new teacher referrals | 0.20 | 0.11 | 3 | 1145 | 0.39 | 0.22 | 1 | 724 | 0.00 | 0.00 | 0 | 421 |
| Other | 3.98 | 0.77 | 3 | 1145 | 6.24 | 1.34 | 1 | 724 | 1.64 | 0.69 | 0 | 421 |
| None of the above | 57.13 | 2.26 | 3 | 1145 | 40.89 | 3.03 | 1 | 724 | 74.04 | 2.78 | 0 | 421 |

EXHIBIT READS: Thirty-three percent of district special education administrators reported their state using mentoring or induction programs as a strategy to recruit special education teachers. Forty-seven percent of district special education administrators who reported their districts had difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers. Twenty percent of district special education administrators who reported their districts experienced no difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers.

For among all districts, N = 1,145.

For among districts routinely having difficulty finding qualified applicants, N = 724.

For among districts having no difficulty finding qualified applicants, N = 421.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district did not routinely have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

SOURCE: District Part B Questionnaire – Items 26, 27.

**Exhibit E.24: Pay Incentives Used by Districts to Retain Current Special Education Teachers (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| Attained National Board for Professional Teaching Standards certification | 16.00 | 1.40 | 6 | 1142 | 20.62 | 2.08 | 2 | 723 | 11.16 | 1.80 | 3 | 418 |
| Teach students with certain disabilities | 3.26 | 0.56 | 6 | 1142 | 4.59 | 0.96 | 3 | 722 | 1.89 | 0.55 | 2 | 419 |
| Demonstrate excellence in teaching | 3.14 | 0.85 | 5 | 1143 | 2.79 | 0.97 | 2 | 723 | 3.50 | 1.44 | 2 | 419 |
| Teach certain academic subjects | 2.39 | 0.55 | 5 | 1143 | 3.32 | 0.97 | 2 | 723 | 1.43 | 0.52 | 2 | 419 |
| Teach in hard-to-staff schools | 1.62 | 0.47 | 6 | 1142 | 2.46 | 0.85 | 2 | 723 | 0.70 | 0.36 | 3 | 418 |

EXHIBIT READS: Sixteen percent of district special education administrators reported their district offers pay incentives for attaining National Board for Professional Teaching Standards certification to retain current special education teachers. Twenty-one percent of district special education administrators who reported their district routinely had difficulty in finding qualified applicants reported offering pay incentives for attaining National Board for Professional Teaching Standards certification. Eleven percent of district special education administrators who reported their district routinely had no difficulty in finding qualified applicants reported the district offered pay incentives for attaining National Board for Professional Teaching Standards certification.

For among all districts, N = 1,142 expect for demonstrate excellence in teaching, N = 1,143.

For among districts having difficulty findings qualified applicants, N = 723, except for teach students with certain disabilities, N = 722.

For among districts not having difficulty finding qualified applicants, N = 419, except for attained National Board for Professional Teaching Standards certification, N = 418.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

SOURCE: District Part B Questionnaire – Items 26, 28.

**Exhibit E.25: Combination of Agencies Releasing Early Learning Guidelines Describing Expectations for Young Children's Learning and Environment (Fiscal Year 2009)**

| | Yes | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [a] |
| State has general early learning guidelines | 32 | 62.75 | 0 | 51 |
| **Among states with early learning guidelines, early learning guidelines were released by:** | | | | |
| Education only | 10 | 31.25 | 1 | 31 |
| Child care only | 5 | 15.63 | 1 | 31 |
| Human services only | 1 | 3.13 | 1 | 31 |
| Education and Head Start/Early Head Start | 1 | 3.13 | 1 | 31 |
| Education and social services | 1 | 3.13 | 1 | 31 |
| Education, Head Start/Early Head Start, and child care | 1 | 3.13 | 1 | 31 |
| Education, social services and child care | 1 | 3.13 | 1 | 31 |
| Education, human services and other | 1 | 3.13 | 1 | 31 |
| Education, human services and child care | 1 | 3.13 | 1 | 31 |
| Education, human services and Head Start/Early Head Start | 1 | 3.13 | 1 | 31 |
| Education, human services, health and child care | 1 | 3.13 | 1 | 31 |
| Education, human services, health, Head Start/Early Head Start and child care | 1 | 3.13 | 1 | 31 |
| Education, health, social services, Head Start/Early Head Start and developmental disabilities | 1 | 3.13 | 1 | 31 |
| Education, human services, Head Start/ Early Head Start, developmental disabilities, child care and other | 1 | 3.13 | 1 | 31 |
| Education, human services, health, social services, Head Start/Early Head Start, child care and other | 1 | 3.13 | 1 | 31 |
| Education, human services, health, mental health, social services, Head Start/Early Head Start and child care | 1 | 3.13 | 1 | 31 |
| Other | 2 | 6.25 | 1 | 31 |

EXHIBIT READS: Among states with early learning guidelines, 10 states (31 percent) reported that these guidelines are released by a state educational agency only.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Items 35, 36.

**Exhibit E.26: State Early Learning Guidelines or Standards for Infants and Toddlers or Preschool-Age Children (Fiscal Year 2009 and School Year 2008–2009)**

| | For infants and Toddlers Birth through Age 2[a] | | | | For Preschool-Age Children [b] | | | |
|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | |
| | N | % | Missing | Total [c] | N | % | Missing | Total [c] |
| State has early learning guidelines/standards | 32 | 62.75 | 0 | 51 | 48 | 94.12 | 0 | 51 |
| **Among states with guidelines, domains covered:** | | | | | | | | |
| All five domains | 25 | 80.65 | 1 | 31 | 34 | 70.83 | 0 | 48 |

EXHIBIT READS: Thirty-two states (63 percent) reported having early learning guidelines for infants and toddlers birth through age 2. Among states with guidelines, 25 states (81 percent) reported covering all 5 domains by these guidelines.

[a] Early learning guidelines for infants and toddlers in FY 2009.

[b] Early learning standards for preschool-age children in SY 2008–2009.

[c] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Items 35, 37; State Section 619 Questionnaire – Items 19, 20.

**Exhibit E.27: Among States Providing Early Learning Guidelines, Percentage That Have Formal Written Guidance Regarding the Development and Use of Standards-Based IFSPs for Infants and Toddlers (Fiscal Year 2009)**

| | Yes | | | |
|---|---|---|---|---|
| | N | % | Missing | Total [b] |
| State agency has formal policies in place | 2 | 6.25 | 0 | 32 |

EXHIBIT READS: Two of the 32 states (6 percent) with early learning guidelines provide formal policy regarding the development and use of standards-based IFSPs.

[a] State guidance for IFSPs in FY 2009.

[b] Total refers to the number of states that answered the question.

SOURCE: State Part C Questionnaire – Items 35, 40.

**Exhibit E.28: Among States Providing Standards-Based IEPs, Percent That Have Formal Policies in Place Regarding the Development and Use of Standards-Based IEPs (School Year 2008–2009)**

| Part B Preschool-Age Special Education Program [a] | | | | Part B School-Age Special Education Program [a] | | | |
|---|---|---|---|---|---|---|---|
| N | % | Missing | Total [b] | N | % | Missing | Total [b] |
| 10 | 43.48 | 0 | 23 | 15 | 57.69 | 1 | 26 |

EXHIBIT READS: Among states providing standards-based IEPs, 10 states (43 percent) have formal policies in place regarding the development and use of standards-based IEPs.

[a] State guidance for IEPs in SY 2008–2009.

[b] Total refers to the number of states that answered the question.

SOURCE: State Section 619 Questionnaire – Item 21, 22, 23; State Part B Questionnaire – Items 22, 23, 24.

**Exhibit E.29: Teachers Employed (FTE) to Provide Special Education to Children under IDEA by Age Group, Qualification Status, and State (Fall 2006)**

| State | Part B Preschool-Age Special Education Program | | Part B School-Age Special Education Program | |
|---|---|---|---|---|
| | FTE teachers | % highly qualified [a] | FTE teachers | % highly qualified [a] |
| Alabama | 289 | 91.70 | 5,600 | 87.68 |
| Alaska | 80 | 97.50 | 990 | 85.35 |
| Arizona | 654 | 80.28 | 5,976 | 86.08 |
| Arkansas | 554 | 77.80 | 3,803 | 91.74 |
| California | 2022 | 90.55 | 32,169 | 89.89 |
| Colorado | 283 | 83.04 | 4,765 | 89.09 |
| Connecticut | 31 | 100.00 | 4,892 | 100.00 |
| Delaware | 115 | 98.26 | 1,465 | 50.38 |
| District of Columbia | 768 | 73.57 | [b] | [c] |
| Florida | 1392 | 65.00 | 17,155 | 45.93 |
| Georgia | 734 | 77.93 | 15,376 | 88.51 |
| Hawaii | 411 | 82.24 | 1,813 | 75.34 |
| Idaho | 141 | 82.98 | 1,105 | 89.41 |
| Illinois | 1384 | 99.86 | 19,902 | 99.64 |
| Indiana | 605 | 100.00 | 7,032 | 96.00 |
| Iowa | 478 | 100.00 | 5,761 | 100.00 |
| Kansas | 451 | 87.80 | 3,890 | 79.10 |
| Kentucky | 399 | 97.74 | 6,569 | 94.63 |
| Louisiana | 661 | 80.48 | 6,350 | 66.28 |
| Maine | 319 | 100.00 | 2,818 | 91.31 |
| Maryland | 607 | 86.16 | 8,171 | 76.77 |
| Massachusetts | 1220 | 95.33 | 8,630 | 88.44 |
| Michigan | 954 | 98.01 | 12,991 | 97.57 |
| Minnesota | 383 | 96.87 | 8,476 | 93.71 |
| Mississippi | 0 | [c] | 1,124 | 75.89 |
| Missouri | 822 | 97.08 | 9,155 | 97.75 |
| Montana | 95 | 97.89 | 826 | 97.82 |
| Nebraska | 219 | 88.13 | 2,320 | 95.09 |
| Nevada | 376 | 69.68 | 2,586 | 85.34 |
| New Hampshire | 21 | 100.00 | 2,656 | 100.00 |
| New Jersey | 1555 | 97.94 | 19,062 | 96.00 |

| State | Part B Preschool-Age Special Education Program | | Part B School-Age Special Education Program | |
|---|---|---|---|---|
| | FTE teachers | % highly qualified [a] | FTE teachers | % highly qualified [a] |
| New Mexico | 183 | 91.80 | 2,433 | 86.60 |
| New York | 4371 | 89.84 | 39,888 | 85.75 |
| North Carolina | 872 | 95.18 | 10,264 | 96.06 |
| North Dakota | 84 | 88.10 | 825 | 96.00 |
| Ohio | 1580 | 100.00 | 19,431 | 96.30 |
| Oklahoma | 0 | [c] | 7,948 | 75.08 |
| Oregon | 170 | 94.71 | 3,422 | 89.22 |
| Pennsylvania | 1488 | 95.70 | 20,304 | 92.21 |
| Rhode Island | 115 | 81.74 | 1,876 | 83.48 |
| South Carolina | 550 | 94.73 | 6,112 | 92.69 |
| South Dakota | 108 | 94.44 | 915 | 79.67 |
| Tennessee | 709 | 55.99 | 6,070 | 87.68 |
| Texas | 3163 | 97.66 | 22,628 | 95.84 |
| Utah | 210 | 88.57 | 2,509 | 77.64 |
| Vermont | 118 | 94.92 | 1,058 | 92.72 |
| Virginia | 739 | 99.32 | 13,322 | 83.88 |
| Washington | 557 | 97.13 | 5,195 | 96.63 |
| West Virginia | 273 | 81.68 | 2,818 | 88.93 |
| Wisconsin | 704 | 97.59 | 7,836 | 95.90 |
| Wyoming | 127 | 57.48 | 440 | 81.36 |
| U. S. Average | 669.49 | 87.91 | 8,023 | 88.74 |

EXHIBIT READS: Ninety-two percent of Part B preschool-age special education program FTE special education teachers in Alabama were reported to be highly qualified.

[a] The percentage of highly qualified was calculated as the number of highly qualified divided by the number of FTE.

[b] Data were not available.

[c] The percentage cannot be calculated as the state either reported 0 FTE or data were not available.

SOURCE. The data in column 2, and for calculations in column 3, are from *Table 3-1 Teachers employed (FTE) to provide special education and related services to children ages 3 through 5 under IDEA, Part B, by qualification status and state: Fall 2006* available from the Data Accountability Center (DAC). The data in column 4, and for calculations in column 5, are from *Table 3-2 Teachers employed (FTE) to provide special education and related services to students ages 6 through 21 under IDEA, Part B, by qualification status and state: Fall 2006* available from the Data Accountability Center (DAC). These data are publicly available.

**Exhibit E.30: Qualified Paraprofessionals Employed (FTE) to Provide Special Education and Related Services to Children under IDEA by Age Group, Qualification Status and State (Fall 2006)**

| State | Part B Preschool-Age Special Education Program Paraprofessionals | | Part B School-Age Special Education Program Paraprofessionals | |
|---|---|---|---|---|
| | Total employed (FTE) | % qualified [a] | Total employed (FTE) | % qualified [a] |
| Alabama | 400 | 91.75 | 4380 | 86.35 |
| Alaska | [b] | [c] | [b] | [c] |
| Arizona | 1054 | 73.43 | 7680 | 75.53 |
| Arkansas | 771 | 43.19 | 2324 | 79.91 |
| California | 3450 | 91.77 | 43730 | 79.17 |
| Colorado | 266 | 100.00 | 5469 | 100.00 |
| Connecticut | [b] | [c] | 8538 | 100.00 |
| Delaware | 0 | [c] | 1003 | 44.87 |
| District of Columbia | 1296 | 38.27 | [b] | [c] |
| Florida | 1326 | 46.08 | 12800 | 43.93 |
| Georgia | 734 | 100.00 | 11626 | 100.00 |
| Hawaii | 447 | 93.96 | 1799 | 91.16 |
| Idaho | 329 | 100.00 | 2261 | 100.00 |
| Illinois | [b] | [c] | 31296 | 100.00 |
| Indiana | 638 | 100.00 | 8181 | 100.00 |
| Iowa | 2064 | 100.00 | 5251 | 100.00 |
| Kansas | 781 | 100.00 | 9588 | 100.00 |
| Kentucky | 694 | 91.79 | 5008 | 95.13 |
| Louisiana | 849 | 96.11 | 5669 | 93.37 |
| Maine | 24 | 100.00 | 3861 | 98.63 |
| Maryland | 548 | 91.79 | 7185 | 82.98 |
| Massachusetts | 1778 | 33.01 | 12671 | 14.60 |
| Michigan | 906 | 99.01 | 8992 | 96.41 |
| Minnesota | 1 | 100.00 | 9994 | 100.00 |
| Mississippi | 0 | [c] | 1670 | 100.00 |
| Missouri | 725 | 100.00 | 7604 | 100.00 |
| Montana | 122 | 100.00 | 1064 | 100.00 |
| Nebraska | 200 | 100.00 | 3174 | 100.00 |
| Nevada | 327 | 38.23 | 1796 | 30.07 |
| New Hampshire | 1288 | 100.00 | 5484 | 100.00 |
| New Jersey | 1799 | 100.00 | 1644 | 89.78 |

| State | Part B Preschool-Age Special Education Program Paraprofessionals | | Part B School-Age Special Education Program Paraprofessionals | |
|---|---|---|---|---|
| | Total employed (FTE) | % qualified [a] | Total employed (FTE) | % qualified [a] |
| New Mexico | 22 | 31.82 | 2908 | 95.80 |
| New York | 3932 | 60.35 | 30422 | 90.07 |
| North Carolina | 1269 | 98.50 | 7404 | 97.61 |
| North Dakota | [b] | [c] | 1407 | 92.89 |
| Ohio | 439 | 99.54 | 1586 | 100.00 |
| Oklahoma | 460 | 88.48 | 2751 | 87.35 |
| Oregon | 339 | 100.00 | 5668 | 100.00 |
| Pennsylvania | 964 | 74.69 | 16069 | 84.84 |
| Rhode Island | [b] | [c] | [b] | [c] |
| South Carolina | 593 | 98.15 | 4213 | 96.30 |
| South Dakota | 0 | [c] | 1495 | 100.00 |
| Tennessee | 573 | 97.73 | 5760 | 97.07 |
| Texas | 2987 | 95.85 | 12427 | 97.92 |
| Utah | 386 | 2.85 | 3283 | 1.13 |
| Vermont | 187 | 98.40 | 3104 | 96.62 |
| Virginia | 1610 | 100.00 | 11808 | 100.00 |
| Washington | 556 | 100.00 | 5967 | 100.00 |
| West Virginia | 243 | 98.77 | 1513 | 95.64 |
| Wisconsin | 84 | 98.81 | 5684 | 99.00 |
| Wyoming | 19 | 26.32 | 1049 | 64.25 |
| U. S. Average | | 83.69 | | 87.42 |

EXHIBIT READS: The state of Alabama had 400 paraprofessional FTEs to provide Part B preschool-age special education program services to children ages 3–5, of which 92 percent were qualified. Alabama had 4,380 paraprofessional FTEs to provide Part B school-age special education program services to children and youth ages 6–21, of which 86 percent were qualified.

[a] The percentage of qualified was calculated as the number of qualified divided by the number of FTE.

[b] Data were not available.

[c] The percentage cannot be calculated as the state either reported 0 FTE or data were not available.

SOURCE. The data in column 2, and for calculations in column 3, are from *Table 3-3 Paraprofessionals employed (FTE) to provide special education and related services to children ages 3 through 5 under IDEA, Part B, by qualification status and state: Fall 2006* available from the Data Accountability Center (DAC; https:/www.ideadata.org/TABLES31ST/AR_3-3.xls, retrieved March 3, 2010). The data in column 4, and for calculations in column 5, are from *Table 3-4 Paraprofessionals employed (FTE) to provide special education and related services to children ages 6 through 21 under IDEA, Part B, by qualification status and state: Fall 2006* available from the Data Accountability Center (DAC; https:/www.ideadata.org/TABLES31ST/AR_3-4.xls, retrieved March 3, 2010). These data are publicly available.

**Exhibit E.31: Age Ranges for Which Special Educator Certification or Credential Is Applicable in the State (Fiscal Year 2009)**

| | Yes | |
|---|---|---|
| **Age Range** | **N** | **%** |
| Birth to age 8 | 14 | 28.00 |
| Other | 14 | 28.00 |
| Birth to age 3 | 13 | 26.00 |
| Birth to age 5 | 9 | 18.00 |
| Total [a] | 50 | 100.00 |

EXHIBIT READS: Thirteen states (26 percent) reported that special educator certification or credentials are required for infants and toddlers ages birth to 3 years.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 1.

SOURCE: State Part C Questionnaire – Item 47.

**Exhibit E.32: HOUSSE Subject-Matter Requirements for Current Special Education Teachers in Middle Schools (School Year 2008–2009)**

| | Yes | | Total [a] | |
|---|---|---|---|---|
| | N | % | N | % |
| HOUSSE for teachers at middle school level | 44 | 86.27 | 51 | 100.00 |

**If HOUSSE is an option, method:**

| | Required | | Optional | | Not Applicable | | Total [b] | |
|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % |
| Classroom experience | 15 | 34.09 | 18 | 40.91 | 11 | 25.00 | 44 | 100.00 |
| Performance evaluation | 11 | 25.00 | 7 | 15.91 | 26 | 59.09 | 44 | 100.00 |
| Completion of professional development, including additional coursework | 11 | 25.00 | 27 | 61.36 | 6 | 13.64 | 44 | 100.00 |
| Content area test scores | 9 | 20.45 | 23 | 52.27 | 12 | 27.27 | 44 | 100.00 |
| Student achievement data | 3 | 6.82 | 8 | 18.18 | 33 | 75.00 | 44 | 100.00 |
| Portfolio | 2 | 4.55 | 9 | 20.45 | 33 | 75.00 | 44 | 100.00 |
| National board certification | 0 | 0.00 | 31 | 70.45 | 13 | 29.55 | 44 | 100.00 |
| Other | 4 | 9.09 | 15 | 34.09 | 25 | 56.82 | 44 | 100.00 |

EXHIBIT READS: Forty-four states (86 percent) reported current middle school special education teachers could use HOUSSE to meet subject-matter requirements for highly qualified teacher status.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

[b] Total refers to the number of states with HOUSSE at the middle school level that answered the question. Number of states with HOUSSE as an option at the middle school level that did not answer the question: 0.

SOURCE: State Part B Questionnaire – Item 17.

**Exhibit E.33: HOUSSE Subject-Matter Requirements for Current Special Education Teachers in High Schools (School Year 2008–2009)**

| | Yes | | Total [a] | |
|---|---|---|---|---|
| | N | % | N | % |
| HOUSSE for teachers at high school level | 45 | 88.24 | 51 | 100.00 |

**If HOUSSE is an option, method:**

| | Required | | Optional | | Not Applicable | | Total [b] | |
|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % |
| Classroom experience | 16 | 35.56 | 19 | 42.22 | 10 | 22.22 | 45 | 100.00 |
| Completion of professional development, including additional coursework | 12 | 26.67 | 28 | 62.22 | 5 | 11.11 | 45 | 100.00 |
| Performance evaluation | 11 | 24.44 | 7 | 15.56 | 27 | 60.00 | 45 | 100.00 |
| Content area test scores | 9 | 20.00 | 25 | 55.56 | 11 | 24.44 | 45 | 100.00 |
| Student achievement data | 3 | 6.67 | 8 | 17.78 | 34 | 75.56 | 45 | 100.00 |
| Portfolio | 2 | 4.44 | 8 | 17.78 | 35 | 77.78 | 45 | 100.00 |
| National board certification | 0 | 0.00 | 31 | 68.89 | 14 | 31.11 | 45 | 100.00 |
| Other | 3 | 6.67 | 13 | 28.89 | 29 | 64.44 | 45 | 100.00 |

EXHIBIT READS: Forty-five states (88 percent) reported current high school special education teachers may use HOUSSE to meet subject-matter requirements for highly qualified teacher status. Sixteen states (36 percent) reported that classroom experience is a required element of HOUSSE for current high school special education teachers.

[a] Total refers to the number of states that answered the question. Number of states that did not answer the question: 0.

[b] Total refers to the number of states with HOUSSE as an option at the high school level that answered the question. Number of states with HOUSSE as an option at the high school level that did not answer the question: 0.

SOURCE: State Part B Questionnaire – Item 18.

**Exhibit E.34: Pay Incentives Districts Used to Retain Current Special Education Teachers (School Year 2008–2009)**

| | Among All Districts | | | |
|---|---|---|---|---|
| | Yes | | | |
| | % | (SE) | Total [a] | Missing |
| Use any incentive | 20.47 | 1.55 | 1140 | 8 |

EXHIBIT READS: Twenty percent of districts reported using at least one type of pay incentives to retain current special education teachers.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

[a] Total refers to the number of districts that answered the question.

SOURCE: District Part B Questionnaire – Item 28.

## Exhibit E.35: Types of Special Education Teachers for Which District Has Experienced Difficulty Finding Qualified Applicants over the Past Three Years by Region (School Years 2006–2007, 2007–2008 and 2008–2009)

| | Northeastern Districts | | | | Southern Districts | | | | Midwestern Districts | | | | Western Districts | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] |
| Districts reported having difficulty finding qualified applicants over the past three years | 50.87 | 5.07 | 0 | 179 | 52.39 | 3.5 | 0 | 443 | 50.07 | 4.8 | 0 | 243 | 51.35 | 5.4 | 2 | 281 |
| **Special education teachers who serve children in:** | | | | | | | | | | | | | | | | |
| High school | 56.17 | 7.56 | 0 | 102 | 57.82 | 4.47 | 0 | 289 | 67.59 | 5.14 | 0 | 146 | 44.73 | 6.84 | 0 | 188 |
| Middle school | 33.26 | 6.8 | 0 | 102 | 51.12 | 4.48 | 0 | 289 | 55.66 | 5.60 | 0 | 146 | 52.06 | 6.85 | 0 | 188 |
| Elementary school | 30.10 | 6.52 | 0 | 102 | 42.50 | 4.49 | 0 | 289 | 37.53 | 5.52 | 0 | 146 | 47.36 | 6.87 | 0 | 188 |
| Preschool | 13.41 | 5.28 | 0 | 102 | 23.38 | 3.72 | 0 | 289 | 26.64 | 5.07 | 0 | 146 | 32.92 | 5.95 | 0 | 188 |
| Vocational or alternative school | 12.00 | 4.63 | 0 | 102 | 12.38 | 2.56 | 0 | 289 | 12.64 | 3.33 | 0 | 146 | 9.28 | 4.29 | 0 | 188 |
| **Special Education teachers who primarily serve children with:** | | | | | | | | | | | | | | | | |
| Emotional disturbance/behavior disorders | 39.76 | 7.13 | 0 | 102 | 55.84 | 4.49 | 0 | 289 | 58.92 | 5.61 | 0 | 146 | 61.40 | 6.60 | 0 | 188 |
| Autism | 39.35 | 7.16 | 0 | 102 | 48.93 | 4.45 | 0 | 289 | 44.83 | 5.64 | 0 | 146 | 52.23 | 6.87 | 0 | 188 |
| Mental retardation | 20.09 | 5.96 | 0 | 102 | 29.35 | 4.02 | 0 | 289 | 30.64 | 5.29 | 0 | 146 | 36.51 | 6.77 | 0 | 188 |
| Learning disabilities | 16.60 | 5.56 | 0 | 102 | 29.15 | 4.02 | 0 | 289 | 31.40 | 5.39 | 0 | 146 | 37.27 | 6.84 | 0 | 188 |
| Other low-incidence disabilities (e.g., other health impairments, orthopedic impairments, multiple disabilities) | 16.75 | 5.39 | 0 | 102 | 31.53 | 3.97 | 0 | 289 | 29.03 | 5.03 | 0 | 146 | 35.01 | 6.46 | 0 | 188 |
| Sensory impairments (hearing/vision) | 11.45 | 3.24 | 0 | 102 | 34.82 | 4.23 | 0 | 289 | 30.89 | 5.33 | 0 | 146 | 27.10 | 5.71 | 0 | 188 |
| Developmental delays | 14.49 | 5.41 | 0 | 102 | 20.87 | 3.65 | 0 | 289 | 24.10 | 4.99 | 0 | 146 | 29.68 | 5.92 | 0 | 188 |
| Other | | 4.58 | 0 | 102 | 6.20 | 1.7 | 0 | 289 | 8.45 | 3.06 | 0 | 146 | 14.12 | 5.52 | 0 | 188 |
| **Secondary school special education teachers of:** | | | | | | | | | | | | | | | | |
| Mathematics | 59.79 | 7.42 | 0 | 102 | 57.13 | 4.42 | 0 | 289 | 35.18 | 5.34 | 0 | 146 | 50.86 | 6.64 | 0 | 188 |
| Science | 40.76 | 5.87 | 0 | 102 | 43.04 | 4.2 | 0 | 289 | 28.33 | 4.86 | 0 | 146 | 44.66 | 6.60 | 0 | 188 |
| English/language arts | 28.12 | 7.91 | 0 | 102 | 33.21 | 4.02 | 0 | 289 | 23.17 | 4.80 | 0 | 146 | 26.28 | 5.84 | 0 | 188 |
| Social Studies (including history, civics, geography and economics) | 14.21 | 3.55 | 1 | 101 | 25.43 | 3.69 | 0 | 289 | 16.04 | 4.01 | 0 | 146 | 25.52 | 6.41 | 0 | 188 |
| Other subjects | 3.91 | 1.96 | 1 | 101 | 6.85 | 2.02 | 0 | 289 | 9.85 | 3.43 | 0 | 146 | 7.17 | 4.13 | 0 | 188 |

EXHIBIT READS: Fifty-one percent of Northeastern districts reported having difficulty finding qualified applicants over the past three years. Fifty-two percent of Southern districts reported having difficulty finding qualified applicants over the past three years. Fifty percent of Midwestern districts reported having difficulty finding qualified applicants over the past three years. Fifty-one percent of Western districts reported having difficulty finding qualified applicants over the past three years.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Total reported for the first row is among all 1,148 districts that responded to the survey, and refers to the number of districts responding to the question. Total reported for all other rows is among the 725 districts that reported routinely having difficulty finding qualified applicants over the past three years, and refers to the number of districts that answered the question.

SOURCE: District Questionnaire – Item 26. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit E.36: Types of Special Education Teachers for Which District Has Experienced Difficulty Finding Qualified Applicants over the Past Three Years by Urbanicity (School Years 2006–2007, 2007–2008 and 2008–2009)**

| | Urban Districts | | | | Suburban Districts | | | | Rural Districts | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] |
| Districts reported having difficulty finding qualified applicants over the past three years | 80.00 | 2.16 | 1 | 369 | 53.20 | 2.37 | 1 | 585 | 45.53 | 4.34 | 0 | 192 |
| **Special education teachers who serve children in:** | | | | | | | | | | | | |
| High school | 57.57 | 2.85 | 0 | 294 | 58.83 | 3.16 | 0 | 338 | 57.97 | 5.74 | 0 | 93 |
| Middle school | 49.90 | 2.97 | 0 | 294 | 48.03 | 3.15 | 0 | 338 | 50.22 | 5.98 | 0 | 93 |
| Elementary school | 38.51 | 2.9 | 0 | 294 | 30.33 | 2.8 | 0 | 338 | 48.68 | 6.1 | 0 | 93 |
| Preschool | 31.15 | 2.77 | 0 | 294 | 21.20 | 2.45 | 0 | 338 | 26.23 | 5.26 | 0 | 93 |
| Vocational or alternative school | 16.91 | 2.21 | 0 | 294 | 12.46 | 2.09 | 0 | 338 | 9.96 | 3.55 | 0 | 93 |
| **Special Education teachers who primarily serve children with:** | | | | | | | | | | | | |
| Emotional disturbance/behavior disorders | 63.05 | 2.94 | 0 | 294 | 56.10 | 3.17 | 0 | 338 | 51.30 | 5.99 | 0 | 93 |
| Autism | 59.95 | 2.88 | 0 | 294 | 47.05 | 3.18 | 0 | 338 | 42.18 | 5.93 | 0 | 93 |
| Mental retardation | 26.78 | 2.59 | 0 | 294 | 27.16 | 2.72 | 0 | 338 | 32.08 | 5.63 | 0 | 93 |
| Learning disabilities | 24.72 | 2.56 | 0 | 294 | 24.05 | 2.68 | 0 | 338 | 35.04 | 5.67 | 0 | 93 |
| Other low-incidence disabilities (e.g., other health impairments, orthopedic impairments, multiple disabilities) | 38.59 | 2.95 | 0 | 294 | 29.54 | 2.77 | 0 | 338 | 24.62 | 5.11 | 0 | 93 |
| Sensory impairments (hearing/vision) | 31.07 | 2.8 | 0 | 294 | 24.12 | 2.57 | 0 | 338 | 29.23 | 4.84 | 0 | 93 |
| Developmental delays | 24.06 | 2.57 | 0 | 294 | 18.20 | 2.37 | 0 | 338 | 26.60 | 5.28 | 0 | 93 |
| Other | 9.47 | 1.78 | 0 | 294 | 8.06 | 1.67 | 0 | 338 | 10.44 | 3.83 | 0 | 93 |
| **Secondary school special education teachers of:** | | | | | | | | | | | | |
| Mathematics | 57.65 | 2.95 | 0 | 294 | 51.80 | 3.08 | 0 | 338 | 43.45 | 6.02 | 0 | 93 |
| Science | 49.37 | 2.96 | 0 | 294 | 43.00 | 3.07 | 0 | 338 | 29.47 | 5.06 | 0 | 93 |
| English/language arts | 33.10 | 2.79 | 0 | 294 | 23.96 | 2.56 | 0 | 338 | 29.50 | 5.76 | 0 | 93 |
| Social studies (including history, civics, geography and economics) | 28.73 | 2.62 | 1 | 293 | 19.55 | 2.44 | 0 | 338 | 18.12 | 4.29 | 0 | 93 |
| Other subjects | 7.35 | 1.52 | 1 | 293 | 6.70 | 1.52 | 0 | 338 | 8.07 | 3.24 | 0 | 93 |

EXHIBIT READS: Eighty percent of urban districts reported having difficulty finding qualified applicants over the past three years. Fifty-three percent of suburban districts reported having difficulty finding qualified applicants over the past three years. Forty-six percent of rural districts reported having difficulty finding qualified applicants over the past three years.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Total reported for the first row is among all 1,148 districts that responded to the survey, and refers to the number of districts responding to the question. Total reported for all other rows is among the 725 districts that reported routinely having difficulty finding qualified applicants over the past three years, and refers to the number of districts that answered the question.

SOURCE: District Questionnaire – Item 26. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit E.37: Types of Special Education Teachers for Which District Has Experienced Difficulty Finding Qualified Applicants over the Past Three Years by District Size (School Years 2006–2007, 2007–2008 and 2008–2009)**

| | District Enrollment Less than 1,000 | | | | District Enrollment between 1,000 and 10,000 | | | | District Enrollment Greater than 10,000 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] |
| Districts reported having difficulty finding qualified applicants over the past three years | 36.30 | 3.82 | 0 | 297 | 61.37 | 3.09 | 1 | 577 | 84.33 | 2.94 | 1 | 272 |
| **Special education teachers who serve children in:** | | | | | | | | | | | | |
| High school | 51.06 | 6.00 | 0 | 113 | 61.26 | 3.60 | 0 | 373 | 65.99 | 4.10 | 0 | 239 |
| Middle school | 45.40 | 6.11 | 0 | 113 | 50.40 | 4.03 | 0 | 373 | 54.56 | 4.17 | 0 | 239 |
| Elementary school | 40.44 | 6.25 | 0 | 113 | 37.89 | 3.79 | 0 | 373 | 41.34 | 4.15 | 0 | 239 |
| Preschool | 28.51 | 5.92 | 0 | 113 | 19.45 | 2.73 | 0 | 373 | 37.28 | 4.05 | 0 | 239 |
| Vocational or alternative school | 11.10 | 3.81 | 0 | 113 | 11.32 | 2.21 | 0 | 373 | 16.51 | 2.61 | 0 | 239 |
| **Special Education teachers who primarily serve children with:** | | | | | | | | | | | | |
| Emotional disturbance/behavior disorders | 46.02 | 6.23 | 0 | 113 | 57.67 | 3.84 | 0 | 373 | 66.08 | 4.03 | 0 | 239 |
| Autism | 41.25 | 6.06 | 0 | 113 | 45.43 | 3.70 | 0 | 373 | 65.61 | 3.44 | 0 | 239 |
| Mental retardation | 25.70 | 5.43 | 0 | 113 | 30.82 | 3.59 | 0 | 373 | 32.38 | 4.00 | 0 | 239 |
| Learning disabilities | 34.39 | 5.74 | 0 | 113 | 26.48 | 3.58 | 0 | 373 | 24.43 | 3.89 | 0 | 239 |
| Other low-incidence disabilities (e.g., other health impairments, orthopedic impairments, multiple disabilities) | 24.93 | 5.43 | 0 | 113 | 27.90 | 3.43 | 0 | 373 | 40.70 | 4.19 | 0 | 239 |
| Sensory impairments (hearing/vision) | 17.84 | 4.42 | 0 | 113 | 29.25 | 3.24 | 0 | 373 | 44.35 | 4.21 | 0 | 239 |
| Developmental delays | 22.34 | 5.47 | 0 | 113 | 21.49 | 3.30 | 0 | 373 | 27.62 | 3.90 | 0 | 239 |
| Other | 11.36 | 4.24 | 0 | 113 | 7.81 | 2.14 | 0 | 373 | 10.04 | 2.22 | 0 | 239 |

| | District Enrollment Less than 1,000 | | | | District Enrollment between 1,000 and 10,000 | | | | District Enrollment Greater than 10,000 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [a] |
| **Secondary school special education teachers of:** | | | | | | | | | | | | |
| Mathematics | 35.10 | 5.97 | 0 | 113 | 53.10 | 3.84 | 0 | 373 | 68.69 | 4.02 | 0 | 239 |
| Science | 26.80 | 5.48 | 0 | 113 | 39.72 | 3.31 | 0 | 373 | 61.83 | 4.13 | 0 | 239 |
| English/language arts | 21.18 | 4.98 | 0 | 113 | 30.50 | 3.90 | 0 | 373 | 28.93 | 3.83 | 0 | 239 |
| Social studies (including history, civics, geography and economics) | 16.81 | 4.51 | 0 | 113 | 20.15 | 2.93 | 1 | 372 | 27.31 | 3.96 | 0 | 239 |
| Other subjects | 5.86 | 3.19 | 0 | 113 | 7.81 | 2.02 | 1 | 372 | 9.72 | 2.56 | 0 | 239 |

EXHIBIT READS: Thirty-six percent of districts with enrollment less than 1,000 reported having difficulty finding qualified applicants over the past three years. Sixty-one percent of districts with enrollment between 1,000 and 10,000 reported having difficulty finding qualified applicants over the past three years. Eighty-four percent of districts with enrollment greater than 10,000 reported having difficulty finding qualified applicants over the past three years.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Total reported for the first row is among all 1,148 districts that responded to the survey, and refers to the number of districts responding to the question. Total reported for all other rows is among the 725 districts that reported routinely having difficulty finding qualified applicants over the past three years, and refers to the number of districts that answered the question.

SOURCE: District Questionnaire – Item 26.

**Exhibit E.38: Strategies Used by Districts to Increase the Proportion of Currently Employed Special Education Teachers That are Highly Qualified by Region (School Years 2007–2008 and 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Northeastern Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 74.95 | 4.10 | 3 | 176 | 81.67 | 5.63 | 2 | 100 | 68.01 | 5.86 | 1 | 76 |
| Pay fees for tests/licensure exams | 6.70 | 2.36 | 3 | 176 | 7.74 | 2.96 | 2 | 100 | 5.62 | 3.66 | 1 | 76 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 17.71 | 3.82 | 3 | 176 | 17.14 | 4.91 | 2 | 100 | 18.3 | 5.68 | 1 | 76 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 11.10 | 3.01 | 3 | 176 | 13.87 | 4.57 | 2 | 100 | 8.24 | 4.07 | 1 | 76 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 3.07 | 1.82 | 3 | 176 | 1.75 | 1.25 | 2 | 100 | † | † | 1 | 76 |
| Other | 0.80 | 0.60 | 3 | 176 | 0.44 | 0.25 | 2 | 100 | † | † | 1 | 76 |
| None of the above | 21.85 | 3.79 | 3 | 176 | 16.35 | 5.50 | 2 | 100 | 27.55 | 4.87 | 1 | 76 |
| **Southern Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 63.62 | 3.41 | 2 | 441 | 73.44 | 3.73 | 2 | 287 | 52.83 | 5.56 | 0 | 154 |
| Pay fees for tests/licensure exams | 33.52 | 3.23 | 2 | 441 | 40.88 | 4.31 | 2 | 287 | 25.43 | 4.84 | 0 | 154 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 14.95 | 2.33 | 2 | 441 | 17.13 | 3.06 | 2 | 287 | 12.55 | 3.58 | 0 | 154 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 13.44 | 2.24 | 2 | 441 | 16.76 | 3.21 | 2 | 287 | 9.79 | 3.09 | 0 | 154 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 8.60 | 1.66 | 2 | 441 | 11.80 | 2.70 | 2 | 287 | 5.08 | 1.76 | 0 | 154 |
| Other | 2.42 | 1.02 | 2 | 441 | 2.98 | 1.45 | 2 | 287 | † | † | 0 | 154 |
| None of the above | 25.54 | 3.14 | 2 | 441 | 13.31 | 2.63 | 2 | 287 | 38.97 | 5.48 | 0 | 154 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Midwestern Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 63.54 | 4.72 | 0 | 243 | 80.42 | 3.72 | 0 | 146 | 46.61 | 7.85 | 0 | 97 |
| Pay fees for tests/licensure exams | 14.72 | 3.12 | 0 | 243 | 21.48 | 4.9 | 0 | 146 | 7.93 | 3.47 | 0 | 97 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 11.60 | 2.52 | 0 | 243 | 10.8 | 2.87 | 0 | 146 | 12.41 | 4.16 | 0 | 97 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 8.78 | 2.22 | 0 | 243 | 12.88 | 3.65 | 0 | 146 | 4.67 | 2.38 | 0 | 97 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 3.84 | 1.52 | 0 | 243 | 6.94 | 2.89 | 0 | 146 | † | † | 0 | 97 |
| Other | 1.87 | 1.07 | 0 | 243 | 2.3 | 1.87 | 0 | 146 | † | † | 0 | 97 |
| None of the above | 32.45 | 4.71 | 0 | 243 | 16.22 | 3.6 | 0 | 146 | 48.72 | 7.9 | 0 | 97 |
| **Western Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 51.47 | 5.57 | 7 | 276 | 65.43 | 6.07 | 4 | 184 | 36.82 | 8.46 | 1 | 92 |
| Pay fees for tests/licensure exams | 22.1 | 4.88 | 7 | 276 | 29.26 | 6.64 | 4 | 184 | 14.6 | 7 | 1 | 92 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 14.34 | 3.63 | 7 | 276 | 19.12 | 5.56 | 4 | 184 | 9.33 | 4.63 | 1 | 92 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 7.91 | 2.42 | 7 | 276 | 13.85 | 4.55 | 4 | 184 | † | † | 1 | 92 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 11.81 | 4 | 7 | 276 | 10.58 | 4.33 | 4 | 184 | 13.09 | 6.97 | 1 | 92 |
| Other | 1.57 | 0.73 | 6 | 277 | 2.26 | 1.18 | 3 | 185 | † | † | 1 | 92 |
| None of the above | 43.45 | 5.56 | 7 | 276 | 28.9 | 6.01 | 4 | 184 | 58.73 | 8.79 | 1 | 92 |

EXHIBIT READS: Seventy-five percent of Northeastern district Part B program administrators reported their district provides time or funding for teachers to participate in professional development opportunities as a strategy to increase the proportion of highly qualified elementary and secondary special education teachers. Eighty-two percent of Northeastern district Part B program

administrators who reported that their district routinely had difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers. Sixty-eight percent of Northeastern district Part B program administrators who reported that their district routinely had no difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 26, 33. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit E.39: Strategies Used by Districts to Increase the Proportion of Currently Employed Special Education Teachers That are Highly Qualified by Urbanicity (School Years 2007–2008 and 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Urban Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 61.91 | 2.65 | 8 | 362 | 66.69 | 2.87 | 6 | 288 | 42.93 | 6.08 | 1 | 74 |
| Pay fees for tests/licensure exams | 24.07 | 2.18 | 8 | 362 | 24.77 | 2.49 | 6 | 288 | 21.29 | 4.45 | 1 | 74 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 20.52 | 2.09 | 8 | 362 | 22.13 | 2.40 | 6 | 288 | 14.09 | 3.81 | 1 | 74 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 16.80 | 1.99 | 8 | 362 | 19.78 | 2.39 | 6 | 288 | 4.94 | 2.07 | 1 | 74 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 12.81 | 1.81 | 8 | 362 | 14.39 | 2.13 | 6 | 288 | 6.53 | 2.93 | 1 | 74 |
| Other | 3.13 | 0.98 | 8 | 362 | 3.92 | 1.22 | 6 | 288 | 0.00 | | 1 | 74 |
| None of the above | 29.60 | 2.52 | 8 | 362 | 23.87 | 2.64 | 6 | 288 | 52.37 | 6.05 | 1 | 74 |
| **Suburban Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 62.36 | 2.35 | 4 | 582 | 70.44 | 2.87 | 2 | 336 | 53.17 | 3.69 | 1 | 246 |
| Pay fees for tests/licensure exams | 15.50 | 1.48 | 4 | 582 | 22.08 | 2.32 | 2 | 336 | 8.02 | 1.68 | 1 | 246 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 15.86 | 1.71 | 4 | 582 | 19.55 | 2.51 | 2 | 336 | 11.67 | 2.30 | 1 | 246 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 10.64 | 1.47 | 4 | 582 | 14.47 | 2.27 | 2 | 336 | 6.30 | 1.76 | 1 | 246 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 5.13 | 0.93 | 4 | 582 | 6.44 | 1.40 | 2 | 336 | 3.64 | 1.17 | 1 | 246 |
| Other | 1.98 | 0.62 | 3 | 583 | 1.59 | 0.61 | 1 | 337 | 2.41 | 1.13 | 1 | 246 |
| None of the above | 32.32 | 2.30 | 4 | 582 | 22.24 | 2.68 | 2 | 336 | 43.77 | 3.69 | 1 | 246 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Rural Districts** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 64.98 | 4.23 | 0 | 192 | 84.09 | 4.2 | 0 | 93 | 49.01 | 6.26 | 0 | 99 |
| Pay fees for tests/licensure exams | 21.32 | 3.25 | 0 | 192 | 27.64 | 4.98 | 0 | 93 | 16.04 | 4.09 | 0 | 99 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 11.94 | 2.52 | 0 | 192 | 9.26 | 3.2 | 0 | 93 | 14.17 | 3.81 | 0 | 99 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 8.99 | 2.12 | 0 | 192 | 12.77 | 3.81 | 0 | 93 | 5.83 | 2.24 | 0 | 99 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 6.68 | 2.07 | 0 | 192 | 7.72 | 3.05 | 0 | 93 | 5.81 | 2.85 | 0 | 99 |
| Other | 1.31 | 0.81 | 0 | 192 | † | † | 0 | 93 | † | † | 0 | 99 |
| None of the above | 29.42 | 4.16 | 0 | 192 | 12.28 | 3.97 | 0 | 93 | 43.75 | 6.23 | 0 | 99 |

EXHIBIT READS: Sixty-two percent of urban district Part B program administrators reported their district provides time or funding for teachers to participate in professional development opportunities as a strategy to increase the proportion of highly qualified elementary and secondary special education teachers. Sixty-seven percent of urban district Part B program administrators who reported that their district routinely had difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers. Forty-three percent of urban district Part B program administrators who reported that their district routinely had no difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 26, 33. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit E.40: Strategies Used by Districts to Increase the Proportion of Currently Employed Special Education Teachers That Are Highly Qualified by District Enrollment (School Years 2007–2008 and 2008–2009)**

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Less than 1,000** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 58.45 | 4.06 | 1 | 296 | 80.32 | 4.71 | 0 | 113 | 45.95 | 5.41 | 1 | 183 |
| Pay fees for tests/licensure exams | 17.99 | 3.05 | 1 | 296 | 29.80 | 5.67 | 0 | 113 | 11.24 | 3.24 | 1 | 183 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 10.82 | 2.29 | 1 | 296 | 13.39 | 4.15 | 0 | 113 | 9.34 | 2.80 | 1 | 183 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 7.72 | 2.01 | 1 | 296 | 11.61 | 4.21 | 0 | 113 | 5.50 | 2.00 | 1 | 183 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 5.79 | 1.96 | 1 | 296 | 8.64 | 3.73 | 0 | 113 | 4.16 | 2.27 | 1 | 183 |
| Other | 0.99 | 0.74 | 1 | 296 | † | † | 0 | 113 | † | † | 1 | 183 |
| None of the above | 37.12 | 4.00 | 1 | 296 | 17.73 | 4.68 | 0 | 113 | 48.20 | 5.36 | 1 | 183 |

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment between 1,000 and 10,000** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 68.33 | 2.88 | 2 | 576 | 74.54 | 3.10 | 1 | 372 | 58.47 | 5.25 | 0 | 204 |
| Pay fees for tests/licensure exams | 18.04 | 2.07 | 2 | 576 | 20.20 | 2.69 | 1 | 372 | 14.62 | 3.38 | 0 | 204 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 16.63 | 2.21 | 2 | 576 | 15.21 | 2.44 | 1 | 372 | 18.89 | 4.14 | 0 | 204 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 11.62 | 1.69 | 2 | 576 | 15.07 | 2.46 | 1 | 372 | 6.15 | 1.94 | 0 | 204 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 5.68 | 1.24 | 2 | 576 | 5.59 | 1.38 | 1 | 372 | 5.82 | 2.30 | 0 | 204 |
| Other | 2.17 | 0.71 | 2 | 576 | 1.68 | 0.70 | 1 | 372 | 2.95 | 1.48 | 0 | 204 |
| None of the above | 25.34 | 2.79 | 2 | 576 | 18.11 | 2.79 | 1 | 372 | 36.81 | 5.32 | 0 | 204 |

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Greater than 10,000** | | | | | | | | | | | | |
| Provide time or funding for teachers to participate in professional development opportunities | 67.28 | 3.84 | 9 | 264 | 70.58 | 3.52 | 7 | 232 | 49.83 | 6.89 | 1 | 32 |
| Pay fees for tests/licensure exams | 31.79 | 3.64 | 9 | 264 | 33.59 | 3.95 | 7 | 232 | 22.28 | 6.73 | 1 | 32 |
| Provide free or subsidized training for special education teachers to obtain content area credentials | 21.70 | 2.66 | 9 | 264 | 21.95 | 3.09 | 7 | 232 | 20.40 | 2.92 | 1 | 32 |
| Provide free or subsidized training for highly qualified secondary school teachers to obtain special education credentials | 18.23 | 2.34 | 9 | 264 | 18.07 | 2.72 | 7 | 232 | 19.07 | 2.97 | 1 | 32 |
| Pay for tutoring to prepare teachers for certification tests/licensure exams | 15.68 | 2.57 | 9 | 264 | 16.70 | 2.92 | 7 | 232 | 10.31 | 5.59 | 1 | 32 |
| Other | 3.84 | 1.38 | 8 | 265 | 3.64 | 1.39 | 6 | 233 | † | † | 1 | 32 |
| None of the above | 23.07 | 3.46 | 9 | 264 | 18.57 | 2.88 | 7 | 232 | 46.85 | 6.48 | 1 | 32 |

EXHIBIT READS: Fifty-eight percent of district Part B program administrators in districts with enrollment less than 1,000 reported their district provides time or funding for teachers to participate in professional development opportunities as a strategy to increase the proportion of highly qualified elementary and secondary special education teachers. Eighty percent of district Part B program administrators in districts with enrollment less than 1,000 who reported that their district routinely had difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers. Forty-six percent of district Part B program administrators in districts with enrollment less than 1,000 who reported that their district routinely had no difficulty finding qualified applicants reported providing time or funding for teachers to participate in professional development opportunities to increase the proportion of highly qualified elementary and secondary special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 26, 33.

**Exhibit E.41: Supports or Incentives for Recruitment of New Special Education Teachers by Region (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Northeastern Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 52.30 | 5.01 | 0 | 179 | 58.53 | 7.34 | 0 | 102 | 45.84 | 6.83 | 0 | 77 |
| Placement of a teacher on a higher step of the salary schedule | 9.66 | 2.67 | 0 | 179 | 15.35 | 4.83 | 0 | 102 | 3.77 | 2.15 | 0 | 77 |
| Bonus supplement to regular compensation | 0.78 | 0.59 | 0 | 179 | 1.53 | 1.16 | 0 | 102 | 0 | | 0 | 77 |
| Signing bonus | † | † | 0 | 179 | † | † | 0 | 102 | 0 | | 0 | 77 |
| Permanent salary augmentation or adjustment to normal base salary | 0.30 | 0.13 | 0 | 179 | 0.59 | 0.26 | 0 | 102 | 0 | | 0 | 77 |
| Payoff of student loans | † | † | 0 | 179 | † | † | 0 | 102 | 0 | | 0 | 77 |
| Relocation assistance | † | † | 0 | 179 | † | † | 0 | 102 | 0 | | 0 | 77 |
| Finder's fee to existing staff for new teacher referrals | 0 | | 0 | 179 | 0 | | 0 | 102 | 0 | | 0 | 77 |
| Other | 5.12 | 2.15 | 0 | 179 | 8.93 | 4.09 | 0 | 102 | † | † | 0 | 77 |
| None of the above | 43.39 | 4.99 | 0 | 179 | 33 | 7.07 | 0 | 102 | 54.16 | 6.83 | 0 | 77 |
| **Southern Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 30.57 | 2.96 | 1 | 442 | 42.56 | 4.23 | 1 | 288 | 17.43 | 3.95 | 0 | 154 |
| Placement of a teacher on a higher step of the salary schedule | 0.92 | 0.37 | 1 | 442 | 1.67 | 0.69 | 1 | 288 | † | † | 0 | 154 |
| Bonus supplement to regular compensation | 10.15 | 1.97 | 1 | 442 | 12.52 | 2.75 | 1 | 288 | 7.55 | 2.84 | 0 | 154 |
| Signing bonus | 6.07 | 1.46 | 1 | 442 | 9.69 | 2.44 | 1 | 288 | 2.10 | 1.44 | 0 | 154 |
| Permanent salary augmentation or adjustment to normal base salary | 10.53 | 2.46 | 1 | 442 | 9.96 | 2.66 | 1 | 288 | 11.16 | 4.28 | 0 | 154 |
| Payoff of student loans | 1.99 | 0.81 | 1 | 442 | 2.46 | 0.93 | 1 | 288 | † | † | 0 | 154 |
| Relocation assistance | 2.94 | 1.03 | 1 | 442 | 4.18 | 1.52 | 1 | 288 | 1.58 | 1.38 | 0 | 154 |
| Finder's fee to existing staff for new teacher referrals | † | † | 1 | 442 | † | † | 1 | 288 | 0 | | 0 | 154 |
| Other | 3.88 | 1.39 | 1 | 442 | 2.65 | 0.92 | 1 | 288 | 5.24 | 2.73 | 0 | 154 |
| None of the above | 54.53 | 3.38 | 1 | 442 | 40.70 | 4.48 | 1 | 288 | 69.69 | 5.01 | 0 | 154 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Midwestern Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 26.84 | 3.50 | 0 | 243 | 41.49 | 5.17 | 0 | 146 | 12.15 | 3.57 | 0 | 97 |
| Placement of a teacher on a higher step of the salary schedule | 6.93 | 1.81 | 0 | 243 | 10.02 | 3.15 | 0 | 146 | 3.83 | 1.60 | 0 | 97 |
| Bonus supplement to regular compensation | 2.66 | 1.41 | 0 | 243 | 5.16 | 2.77 | 0 | 146 | † | † | 0 | 97 |
| Signing bonus | 6.02 | 2.23 | 0 | 243 | 8.31 | 3.58 | 0 | 146 | † | † | 0 | 97 |
| Permanent salary augmentation or adjustment to normal base salary | 2.22 | 1.36 | 0 | 243 | † | † | 0 | 146 | † | † | 0 | 97 |
| Payoff of student loans | 1.90 | 1.31 | 0 | 243 | 3.79 | 2.58 | 0 | 146 | 0 | | 0 | 97 |
| Relocation assistance | † | † | 0 | 243 | † | † | 0 | 146 | 0 | | 0 | 97 |
| Finder's fee to existing staff for new teacher referrals | 0 | | 0 | 243 | 0 | | 0 | 146 | 0 | | 0 | 97 |
| Other | 3.40 | 1.04 | 0 | 243 | 6.79 | 1.98 | 0 | 146 | 0 | | 0 | 97 |
| None of the above | 63.67 | 4.13 | 0 | 243 | 46.14 | 5.55 | 0 | 146 | 81.24 | 4.68 | 0 | 97 |
| **Western Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 28.95 | 4.53 | 2 | 281 | 47.98 | 6.84 | 0 | 188 | 8.87 | 4.51 | 0 | 93 |
| Placement of a teacher on a higher step of the salary schedule | 6.89 | 2.33 | 2 | 281 | 11.67 | 4.37 | 0 | 188 | 1.85 | 1.18 | 0 | 93 |
| Bonus supplement to regular compensation | 3.65 | 0.93 | 2 | 281 | 6.26 | 1.72 | 0 | 188 | 0.88 | 0.54 | 0 | 93 |
| Signing bonus | 2.87 | 0.88 | 2 | 281 | 3.62 | 1.26 | 0 | 188 | 2.08 | 1.23 | 0 | 93 |
| Permanent salary augmentation or adjustment to normal base salary | 3.06 | 0.76 | 2 | 281 | 5.36 | 1.43 | 0 | 188 | 0.63 | 0.36 | 0 | 93 |
| Payoff of student loans | 2.26 | 1.82 | 2 | 281 | 3.88 | 3.51 | 0 | 188 | † | † | 0 | 93 |
| Relocation assistance | 1.53 | 0.62 | 2 | 281 | 2.47 | 1.06 | 0 | 188 | † | † | 0 | 93 |
| Finder's fee to existing staff for new teacher referrals | 0.96 | 0.58 | 2 | 281 | 1.88 | 1.13 | 0 | 188 | 0 | | 0 | 93 |
| Other | 3.95 | 1.93 | 2 | 281 | 6.71 | 3.67 | 0 | 188 | † | † | 0 | 93 |
| None of the above | 63.00 | 4.86 | 2 | 281 | 40.14 | 6.85 | 0 | 188 | 87.12 | 4.76 | 0 | 93 |

EXHIBIT READS: Fifty-two percent of Northeastern district Part B program administrators reported their state using mentoring or induction programs as a strategy to recruit special education teachers. Fifty-nine percent of Northeastern district Part B program administrators who reported their districts had difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers. Forty-six percent of Northeastern district Part B program administrators who reported their districts experienced no difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district did not routinely have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 26, 27. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit E.42: Supports or Incentives for Recruitment of New Special Education Teachers by Urbanicity (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Urban Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 54.19 | 2.70 | 1 | 369 | 59.14 | 2.99 | 0 | 294 | 34.38 | 5.81 | 0 | 75 |
| Placement of a teacher on a higher step of the salary schedule | 10.69 | 1.72 | 1 | 369 | 12.76 | 2.08 | 0 | 294 | † | † | 0 | 75 |
| Bonus supplement to regular compensation | 9.07 | 1.46 | 1 | 369 | 10.04 | 1.68 | 0 | 294 | 5.16 | 2.75 | 0 | 75 |
| Signing bonus | 8.50 | 1.40 | 1 | 369 | 9.89 | 1.69 | 0 | 294 | 2.93 | 1.63 | 0 | 75 |
| Permanent salary augmentation or adjustment to normal base salary | 8.16 | 1.42 | 1 | 369 | 8.08 | 1.59 | 0 | 294 | 8.50 | 3.16 | 0 | 75 |
| Payoff of student loans | 2.76 | 0.81 | 1 | 369 | 3.21 | 0.98 | 0 | 294 | † | † | 0 | 75 |
| Relocation assistance | 4.71 | 1.12 | 1 | 369 | 5.40 | 1.35 | 0 | 294 | † | † | 0 | 75 |
| Finder's fee to existing staff for new teacher referrals | † | † | 1 | 369 | † | † | 0 | 294 | 0 | 0 | 0 | 75 |
| Other | 5.36 | 1.24 | 1 | 369 | 6.02 | 1.47 | 0 | 294 | † | † | 0 | 75 |
| None of the above | 32.05 | 2.57 | 1 | 369 | 25.12 | 2.70 | 0 | 294 | 59.81 | 5.90 | 0 | 75 |
| **Suburban Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 43.74 | 2.33 | 2 | 584 | 57.90 | 3.14 | 1 | 337 | 27.68 | 3.09 | 0 | 247 |
| Placement of a teacher on a higher step of the salary schedule | 8.80 | 1.44 | 2 | 584 | 11.39 | 2.19 | 1 | 337 | 5.85 | 1.77 | 0 | 247 |
| Bonus supplement to regular compensation | 4.27 | 0.75 | 2 | 584 | 6.02 | 1.30 | 1 | 337 | 2.27 | 0.63 | 0 | 247 |
| Signing bonus | 2.11 | 0.55 | 2 | 584 | 3.15 | 0.91 | 1 | 337 | 0.94 | 0.55 | 0 | 247 |
| Permanent salary augmentation or adjustment to normal base salary | 3.20 | 0.81 | 2 | 584 | 3.44 | 0.77 | 1 | 337 | 2.93 | 1.48 | 0 | 247 |
| Payoff of student loans | 1.14 | 0.19 | 2 | 584 | 2.14 | 0.35 | 1 | 337 | 0 | 0 | 0 | 247 |
| Relocation assistance | 0.82 | 0.30 | 2 | 584 | 1.55 | 0.55 | 1 | 337 | 0 | 0 | 0 | 247 |
| Finder's fee to existing staff for new teacher referrals | 0.40 | 0.25 | 2 | 584 | 0.74 | 0.47 | 1 | 337 | 0 | 0 | 0 | 247 |
| Other | 6.37 | 1.12 | 2 | 584 | 10.47 | 1.94 | 1 | 337 | 1.73 | 0.79 | 0 | 247 |
| None of the above | 46.70 | 2.42 | 2 | 584 | 31.66 | 2.97 | 1 | 337 | 63.77 | 3.54 | 0 | 247 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Rural Districts** | | | | | | | | | | | | |
| Mentoring or induction programs | 21.54 | 3.44 | 0 | 192 | 31.80 | 5.88 | 0 | 93 | 12.97 | 3.55 | 0 | 99 |
| Placement of a teacher on a higher step of the salary schedule | 3.05 | 1.45 | 0 | 192 | 6.71 | 3.17 | 0 | 93 | 0 | 0 | 0 | 99 |
| Bonus supplement to regular compensation | 3.55 | 1.29 | 0 | 192 | 5.97 | 2.47 | 0 | 93 | † | † | 0 | 99 |
| Signing bonus | 5.54 | 1.74 | 0 | 192 | 8.28 | 3.07 | 0 | 93 | 3.26 | 1.87 | 0 | 99 |
| Permanent salary augmentation or adjustment to normal base salary | 4.06 | 1.41 | 0 | 192 | 5.74 | 2.47 | 0 | 93 | 2.66 | 1.55 | 0 | 99 |
| Payoff of student loans | 1.93 | 1.03 | 0 | 192 | 3.32 | 2.11 | 0 | 93 | † | † | 0 | 99 |
| Relocation assistance | † | † | 0 | 192 | † | † | 0 | 93 | † | † | 0 | 99 |
| Finder's fee to existing staff for new teacher referrals | 0 | | 0 | 192 | 0 | | 0 | 93 | 0 | 0 | 0 | 99 |
| Other | 1.62 | 0.92 | 0 | 192 | † | † | 0 | 93 | † | † | 0 | 99 |
| None of the above | 69.77 | 3.87 | 0 | 192 | 54.18 | 6.12 | 0 | 93 | 82.81 | 4.13 | 0 | 99 |

EXHIBIT READS: Fifty-four percent of urban district Part B program administrators reported their state using mentoring or induction programs as a strategy to recruit special education teachers. Fifty-nine percent of urban district Part B program administrators who reported their districts had difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers. Thirty-four percent of urban district Part B program administrators who reported their districts experienced no difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district did not routinely have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 26, 27. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit E.43: Supports or Incentives for Recruitment of New Special Education Teachers by District Enrollment (School Year 2008–2009)**

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Less than 1,000** | | | | | | | | | | | | |
| Mentoring or induction programs | 16.90 | 2.52 | 1 | 296 | 29.86 | 4.95 | 1 | 112 | 9.54 | 2.35 | 0 | 184 |
| Placement of a teacher on a higher step of the salary schedule | 3.67 | 1.35 | 1 | 296 | 7.94 | 3.50 | 1 | 112 | 1.25 | 0.72 | 0 | 184 |
| Bonus supplement to regular compensation | 2.52 | 1.08 | 1 | 296 | 5.77 | 2.87 | 1 | 112 | 0.68 | 0.29 | 0 | 184 |
| Signing bonus | 4.10 | 1.56 | 1 | 296 | 7.09 | 3.34 | 1 | 112 | 2.40 | 1.57 | 0 | 184 |
| Permanent salary augmentation or adjustment to normal base salary | 3.09 | 1.06 | 1 | 296 | 3.09 | 1.39 | 1 | 112 | 3.09 | 1.46 | 0 | 184 |
| Payoff of student loans | 1.53 | 1.01 | 1 | 296 | 4.22 | 2.72 | 1 | 112 | 0.00 | 0.00 | 0 | 184 |
| Relocation assistance | † | † | 1 | 296 | † | † | 1 | 112 | 0.00 | 0.00 | 0 | 184 |
| Finder's fee to existing staff for new teacher referrals | 0.00 | 0.00 | 1 | 296 | 0.00 | 0.00 | 1 | 112 | 0.00 | 0.00 | 0 | 184 |
| Other | 0.63 | 0.31 | 1 | 296 | † | † | 1 | 112 | 0.49 | 0.32 | 0 | 184 |
| None of the above | 73.47 | 3.22 | 1 | 296 | 55.70 | 6.05 | 1 | 112 | 83.56 | 3.22 | 0 | 184 |
| **District Enrollment between 1,000 and 10,000** | | | | | | | | | | | | |
| Mentoring or induction programs | 45.66 | 2.93 | 1 | 577 | 52.49 | 3.67 | 0 | 373 | 34.81 | 4.75 | 0 | 204 |
| Placement of a teacher on a higher step of the salary schedule | 7.89 | 1.52 | 1 | 577 | 10.25 | 2.20 | 0 | 373 | 4.15 | 1.59 | 0 | 204 |
| Bonus supplement to regular compensation | 4.98 | 1.05 | 1 | 577 | 5.91 | 1.36 | 0 | 373 | 3.51 | 1.68 | 0 | 204 |
| Signing bonus | 3.07 | 0.97 | 1 | 577 | 4.23 | 1.53 | 0 | 373 | 1.22 | 0.64 | 0 | 204 |
| Permanent salary augmentation or adjustment to normal base salary | 4.09 | 1.23 | 1 | 577 | 5.16 | 1.74 | 0 | 373 | 2.39 | 1.47 | 0 | 204 |
| Payoff of student loans | 1.64 | 0.83 | 1 | 577 | 1.92 | 1.27 | 0 | 373 | 1.19 | 0.90 | 0 | 204 |
| Relocation assistance | 1.11 | 0.42 | 1 | 577 | 1.55 | 0.66 | 0 | 373 | † | † | 0 | 204 |
| Finder's fee to existing staff for new teacher referrals | † | † | 1 | 577 | † | † | 0 | 373 | 0.00 | 0.00 | 0 | 204 |
| Other | 6.74 | 1.56 | 1 | 577 | 8.98 | 2.29 | 0 | 373 | 3.19 | 1.75 | 0 | 204 |
| None of the above | 45.80 | 2.98 | 1 | 577 | 35.91 | 3.62 | 0 | 373 | 61.52 | 4.83 | 0 | 204 |

| Strategy | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Greater than 10,000** | | | | | | | | | | | | |
| Mentoring or induction programs | 67.00 | 3.71 | 1 | 272 | 68.69 | 3.79 | 0 | 239 | 57.90 | 13.38 | 0 | 33 |
| Placement of a teacher on a higher step of the salary schedule | 10.86 | 2.80 | 1 | 272 | 10.20 | 2.26 | 0 | 239 | † | † | 0 | 33 |
| Bonus supplement to regular compensation | 10.88 | 1.89 | 1 | 272 | 10.81 | 2.00 | 0 | 239 | 11.25 | 5.63 | 0 | 33 |
| Signing bonus | 13.00 | 2.13 | 1 | 272 | 12.31 | 2.49 | 0 | 239 | † | † | 0 | 33 |
| Permanent salary augmentation or adjustment to normal base salary | 8.76 | 1.67 | 1 | 272 | 9.07 | 1.90 | 0 | 239 | 7.10 | 3.01 | 0 | 33 |
| Payoff of student loans | 2.16 | 0.74 | 1 | 272 | 2.56 | 0.88 | 0 | 239 | 0.00 | 0.00 | 0 | 33 |
| Relocation assistance | 7.40 | 1.47 | 1 | 272 | 5.89 | 1.73 | 0 | 239 | † | † | 0 | 33 |
| Finder's fee to existing staff for new teacher referrals | 1.77 | 1.31 | 1 | 272 | 2.10 | 1.55 | 0 | 239 | 0.00 | 0.00 | 0 | 33 |
| Other | 8.55 | 2.74 | 1 | 272 | 8.63 | 3.09 | 0 | 239 | 8.11 | 5.11 | 0 | 33 |
| None of the above | 19.30 | 3.01 | 1 | 272 | 20.26 | 3.50 | 0 | 239 | 14.13 | 4.20 | 0 | 33 |

EXHIBIT READS: Seventeen percent of district Part B program administrators in districts with enrollment less than 1,000 reported their state using mentoring or induction programs as a strategy to recruit special education teachers. Thirty percent of district Part B program administrators in districts with enrollment less than 1,000 who reported their districts had difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers. Ten percent of district Part B program administrators in districts with enrollment less than 1,000 who reported their districts experienced no difficulty in finding qualified applicants reported using mentoring or induction programs as a strategy to recruit special education teachers.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district did not routinely have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Part B Questionnaire – Items 26, 27.

**Exhibit E.44: Activities That Result in a Teacher Pay Incentive for Current Special Education Teachers by Region (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Northeastern Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 8.22 | 2.43 | 1 | 178 | 11.22 | 4.23 | 0 | 102 | 5.10 | 2.43 | 1 | 76 |
| Teach students with certain disabilities | 0.16 | 0.09 | 0 | 179 | 0.31 | 0.18 | 0 | 102 | 0 | | 0 | 77 |
| Demonstrate excellence in teaching | † | † | 0 | 179 | † | † | 0 | 102 | 0 | | 0 | 77 |
| Teach certain academic subjects | 0.16 | 0.09 | 0 | 179 | † | † | 0 | 102 | 0 | | 0 | 77 |
| Teach in hard-to-staff schools | 0.21 | 0.10 | 1 | 178 | 0.42 | 0.20 | 0 | 102 | 0 | | 1 | 76 |
| **Southern Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 34.17 | 3.27 | 3 | 440 | 40.05 | 4.31 | 2 | 287 | 27.83 | 4.93 | 1 | 153 |
| Teach students with certain disabilities | 8.81 | 1.71 | 3 | 440 | 10.59 | 2.52 | 2 | 287 | 6.88 | 2.29 | 1 | 153 |
| Demonstrate excellence in teaching | 6.46 | 1.79 | 3 | 440 | 5.25 | 1.94 | 2 | 287 | 7.76 | 3.10 | 1 | 153 |
| Teach certain academic subjects | 6.52 | 1.51 | 3 | 440 | 7.39 | 2.11 | 2 | 287 | 5.57 | 2.17 | 1 | 153 |
| Teach in hard-to-staff schools | 3.52 | 0.93 | 3 | 440 | 4.09 | 1.05 | 2 | 287 | 2.91 | 1.58 | 1 | 153 |
| **Midwestern Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 7.23 | 1.81 | 0 | 243 | 9.11 | 2.67 | 0 | 146 | 5.35 | 2.41 | 0 | 97 |
| Teach students with certain disabilities | 1.26 | 0.95 | 0 | 243 | 2.51 | 1.89 | 0 | 146 | 0 | | 0 | 97 |
| Demonstrate excellence in teaching | 0.73 | 0.48 | 0 | 243 | † | † | 0 | 146 | 0.72 | 0.72 | 0 | 97 |
| Teach certain academic subjects | 0.24 | 0.14 | 0 | 243 | † | † | 0 | 146 | 0 | | 0 | 97 |
| Teach in hard-to-staff schools | 0.24 | 0.11 | 0 | 243 | 0.48 | 0.23 | 0 | 146 | 0 | | 0 | 97 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Western Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 19.15 | 4.06 | 2 | 281 | 28.21 | 6.30 | 0 | 188 | 9.35 | 4.57 | 1 | 92 |
| Teach students with certain disabilities | 3.77 | 0.99 | 3 | 280 | 5.73 | 1.68 | 1 | 187 | 1.70 | 0.99 | 1 | 92 |
| Demonstrate excellence in teaching | 6.90 | 3.63 | 2 | 281 | 6.24 | 4.13 | 0 | 188 | 7.62 | 6.24 | 1 | 92 |
| Teach certain academic subjects | 3.91 | 2.18 | 2 | 281 | 6.79 | 4.14 | 0 | 188 | † | † | 1 | 92 |
| Teach in hard-to-staff schools | 3.41 | 2.12 | 2 | 281 | 6.26 | 4.08 | 0 | 188 | † | † | 1 | 92 |

EXHIBIT READS: Eight percent of Northeastern district Part B program administrators reported their district offered pay incentives for attaining National Board for Professional Teaching Standards certification to retain current special education teachers. Eleven percent of Northeastern district Part B program administrators who reported their district routinely had difficulty in finding qualified applicants reported offering pay incentives for attaining National Board for Professional Teaching Standards certification. Five percent of Northeastern district Part B program administrators who reported their district routinely had no difficulty in finding qualified applicants reported the district offered pay incentives for attaining National Board for Professional Teaching Standards certification.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 26, 28. Region is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable CCDST97) and ag061a.sas7bdat (retrieved on 11/12/2008, variableCCDST06) available from http:/nces.ed.gov/ccd/pubagency.asp. Classification was based on the Census Regions and Divisions of the United States, available from http:/www.census.gov/geo/www/us_regdiv.pdf.

**Exhibit E.45: Activities That Result in a Teacher Pay Incentive for Current Special Education Teachers by Urbanicity (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | No | | Yes | | No | | Yes | | No | |
| | % | (SE) | Missing | Total[a] | % | (SE) | Missing | Total[b] | % | (SE) | Missing | Total[c] |
| **Urban Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 35.70 | 2.52 | 2 | 368 | 35.47 | 2.8 | 1 | 293 | 35.67 | 5.86 | 1 | 74 |
| Teach students with certain disabilities | 10.04 | 1.57 | 2 | 368 | 11.01 | 1.83 | 2 | 292 | 6.35 | 2.86 | 0 | 75 |
| Demonstrate excellence in teaching | 5.31 | 1.08 | 1 | 369 | 5.56 | 1.20 | 1 | 293 | 4.40 | 2.54 | 0 | 75 |
| Teach certain academic subjects | 6.34 | 1.21 | 1 | 369 | 7.22 | 1.45 | 1 | 293 | 2.93 | 1.64 | 0 | 75 |
| Teach in hard-to-staff schools | 7.46 | 1.33 | 1 | 369 | 8.48 | 1.59 | 1 | 293 | † | † | 0 | 75 |
| **Suburban Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 16.00 | 1.53 | 2 | 584 | 20.75 | 2.29 | 0 | 338 | 10.57 | 1.97 | 1 | 246 |
| Teach students with certain disabilities | 3.31 | 0.59 | 2 | 584 | 4.14 | 0.92 | 0 | 338 | 2.36 | 0.72 | 1 | 246 |
| Demonstrate excellence in teaching | 1.59 | 0.53 | 2 | 584 | 1.87 | 0.75 | 0 | 338 | 1.28 | 0.76 | 1 | 246 |
| Teach certain academic subjects | 2.06 | 0.48 | 2 | 584 | 2.37 | 0.71 | 0 | 338 | 1.70 | 0.63 | 1 | 246 |
| Teach in hard-to-staff schools | 1.26 | 0.36 | 3 | 583 | 1.67 | 0.58 | 0 | 338 | 0.79 | 0.41 | 2 | 245 |
| **Rural Districts** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 13.61 | 2.36 | 2 | 190 | 17.31 | 3.86 | 1 | 92 | 10.56 | 2.87 | 1 | 98 |
| Teach students with certain disabilities | 2.40 | 0.98 | 2 | 190 | 3.71 | 1.92 | 1 | 92 | 1.32 | 0.82 | 1 | 98 |
| Demonstrate excellence in teaching | 4.30 | 1.66 | 2 | 190 | 3.20 | 2.06 | 1 | 92 | 5.21 | 2.57 | 1 | 98 |
| Teach certain academic subjects | 2.22 | 1.04 | 2 | 190 | 3.53 | 2.07 | 1 | 92 | † | † | 1 | 98 |
| Teach in hard-to-staff schools | 1.23 | 0.89 | 2 | 190 | † | † | 1 | 92 | † | † | 1 | 98 |

EXHIBIT READS: Thirty-six percent of urban district Part B program administrators reported their district offered pay incentives for attaining National Board for Professional Teaching Standards certification to retain current special education teachers. Thirty-five percent of urban district Part B program administrators who reported their district routinely had difficulty in finding qualified applicants reported offering pay incentives for attaining National Board for Professional Teaching Standards certification. Thirty-six percent of urban district Part B program administrators who reported their district routinely had no difficulty in finding qualified applicants reported the district offered pay incentives for attaining National Board for Professional Teaching Standards certification.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: District Questionnaire – Items 26, 28. Urbanicity is based on the NCES Common Core of Data Local Education Agency (School District) Universe Survey Data file Ccdagn97.sd2 (retrieved 08/19/1999, variable MSC97) and ag061a.sas7bdat (retrieved on 11/12/2008, variable MSC06) available from http:/nces.ed.gov/ccd/pubagency.asp.

**Exhibit E.46: Activities That Result in a Teacher Pay Incentive for Current Special Education Teachers by District Size (School Year 2008–2009)**

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Less than 1,000** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 4.93 | 1.54 | 2 | 295 | 5.73 | 2.63 | 0 | 113 | 4.47 | 1.95 | 2 | 182 |
| Teach students with certain disabilities | 1.32 | 0.57 | 2 | 295 | † | † | 0 | 113 | 1.53 | 0.76 | 2 | 182 |
| Demonstrate excellence in teaching | 4.13 | 1.65 | 2 | 295 | 5.16 | 2.69 | 0 | 113 | 3.54 | 2.17 | 2 | 182 |
| Teach certain academic subjects | 1.57 | 0.93 | 2 | 295 | 2.54 | 2.36 | 0 | 113 | 1.01 | 0.58 | 2 | 182 |
| Teach in hard-to-staff schools | 1.39 | 0.93 | 2 | 295 | † | † | 0 | 113 | † | † | 2 | 182 |
| **District Enrollment between 1,000 and 10,000** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 23.12 | 2.31 | 3 | 575 | 25.13 | 3.17 | 1 | 372 | 19.94 | 3.23 | 1 | 203 |
| Teach students with certain disabilities | 4.21 | 1.00 | 2 | 576 | 5.34 | 1.55 | 1 | 372 | 2.43 | 0.77 | 0 | 204 |
| Demonstrate excellence in teaching | 1.67 | 0.63 | 2 | 576 | 1.05 | 0.52 | 1 | 372 | 2.64 | 1.37 | 0 | 204 |
| Teach certain academic subjects | 2.76 | 0.70 | 2 | 576 | 3.38 | 0.95 | 1 | 372 | 1.78 | 1.01 | 0 | 204 |
| Teach in hard-to-staff schools | 0.82 | 0.29 | 3 | 575 | 1.12 | 0.43 | 1 | 372 | † | † | 1 | 203 |

| | Among All Districts | | | | Among Districts That Routinely Had Difficulty Finding Qualified Applicants | | | | Among Districts That Routinely Had NO Difficulty Finding Qualified Applicants | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | % | (SE) | Missing | Total [a] | % | (SE) | Missing | Total [b] | % | (SE) | Missing | Total [c] |
| **District Enrollment Greater than 10,000** | | | | | | | | | | | | |
| Attained National Board for Professional Teaching Standards certification | 46.05 | 4.19 | 1 | 272 | 44.57 | 4.80 | 1 | 238 | 53.00 | 7.60 | 0 | 33 |
| Teach students with certain disabilities | 10.73 | 2.11 | 2 | 271 | 12.30 | 2.48 | 2 | 237 | † | † | 0 | 33 |
| Demonstrate excellence in teaching | 6.62 | 1.13 | 1 | 272 | 4.52 | 1.30 | 1 | 238 | 17.98 | 1.99 | 0 | 33 |
| Teach certain academic subjects | 5.82 | 1.46 | 1 | 272 | 5.54 | 1.47 | 1 | 238 | 7.41 | 5.10 | 0 | 33 |
| Teach in hard-to-staff schools | 9.22 | 1.78 | 1 | 272 | 9.13 | 1.87 | 1 | 238 | 8.08 | 5.35 | 0 | 33 |

EXHIBIT READS: Five percent of district Part B program administrators in districts with enrollment less than 1,000 reported their district offered pay incentives for attaining National Board for Professional Teaching Standards certification to retain current special education teachers. Six percent of district Part B program administrators in districts with enrollment less than 1,000 who reported their district routinely had difficulty in finding qualified applicants reported offering pay incentives for attaining National Board for Professional Teaching Standards certification. Four percent of district Part B program administrators in districts with enrollment less than 1,000 who reported their district routinely had no difficulty in finding qualified applicants reported the district offered pay incentives for attaining National Board for Professional Teaching Standards certification.

Percentages do not sum to 100 because response categories are not mutually exclusive.

Percentages and standard errors are population estimates calculated from weighted data. The numbers shown for missing and total Ns were calculated from unweighted data.

[a] Among all 1,148 district Part B program administrators who responded to the survey, total refers to the number of districts responding to the question.

[b] Among the 725 district Part B program administrators who reported their district routinely had difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

[c] Among the 421 district Part B program administrators who reported their district routinely did not have difficulty finding qualified applicants over the past three years, total refers to the number of districts that answered the question.

† Values suppressed to protect respondent confidentiality.

SOURCE: Questionnaire – Items 26, 28.

# Appendix F: The Congruence among Different Data Sources on the Incidence of Dispute Resolution Events

The results reported on the incidence of disputes were based on data collected as part of the states' Annual Performance Report (APR). These data were made available to the public from the Data Accountability Center (DAC) and Center for Appropriate Dispute Resolution in Special Education (CADRE). The IDEA-NAIS surveys also collected data on the incidence of disputes. For Part B preschool-age and school-age special education programs the correlation between the 2007–2008 DAC and IDEA-NAIS derived rates per 10,000 preschool- and school-age children of mediations held, due process hearings requested, and due process hearing completed were 0.99, 0.99 and 0.90 respectively.

For the Part C early intervention programs, the number of disputes was so low that correlations are not particularly informative. However, for the 2007–2008 school year, states reported the same, or very similar numbers of mediations held, hearings requested and hearings held to both the IDEA-NAIS and APR surveys. In a few instances, states failed to report any number to IDEA-NAIS, even though they had reported a number on their APR. For mediations held, there was perfect agreement for 44 states and for states with discrepant reports, all but one had discrepancies of 3 mediations or fewer. California reported 18 mediations to IDEA-NAIS, but 32 to DAC, a discrepancy of 14. For hearings requested, one state failed to report a number to IDEA-NAIS, but among those that reported, all had either perfect agreement or discrepancies of two or fewer in the counts of hearings requested. For hearings held, five states failed to report a number to IDEA-NAIS, but among those that reported, all had either perfect agreement or discrepancies of at most one hearing held.

Thus, while the IDEA-NAIS and DAC data were very similar, the DAC data were more complete (i.e., had fewer missing values). We therefore chose to report the DAC data in the main section of the report.

Exhibit F.1 presents terms used in this document and the data element names from CADRE files, DAC files, SLIIDEA and IDEA-NAIS. CADRE and DAC both use data, and the same term, for individual dispute data elements contained in Table 7 (*Number of written, signed complaints initiated through dispute resolution procedures for children ages 3 through 21 served under IDEA, Part B, by case status and state: 2007–2008)* and Table 4 (*Number of written, signed complaints initiated through dispute resolution procedures for children ages Birth through 2 served under IDEA, Part C, by case status and state*: 2007–2008).

**Exhibit F.1: Crosswalk of Common Terms for Dispute Resolution Events**

| Term Used in Document | SPP/APR (DAC) Term (element number) | SLIIDEA Term | IDEA-NAIS Term |
|---|---|---|---|
| Signed Written Complaints | Written Signed Complaints Total (1) | [a] | [a] |
| Mediations Held | Mediations Total (2.1) | Formal Mediations | Formal Mediations |
| Due Process Hearings Requested | Hearing Requests Total (3) | [a] | Impartial Due Process Hearing Requests |
| Due Process Hearings Completed | Hearings (fully adjudicated) Total (3.2) | Impartial Due Process Hearings Completed | Impartial Due Process Hearings Completed |
| Resolution Meetings Held | HR – Resolution Sessions Total (3.1) | [a] | [a] |
| Expedited Hearings Requested | EHR – Expedited Hearings (fully adjudicated) Total (4.2) | [a] | [a] |

[a] The element was not collected.

# Appendix G: Supplemental Exhibits for Chapter 5

**Exhibit G.1: Supports to Early Intervention Providers, Preschool-Age Program Staff, and LEAs to Promote the Participation of Parents of Children and Youth with IFSPs/IEPs (Fiscal Year 2009 and 2008–2009 School Year)**

| | Early Intervention Providers [a] | | | | Preschool-Age Program Staff [b] | | | | LEA Staff [c] | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| Agency Supports | N | % | Missing | Total [d] | N | % | Missing | Total [d] | N | % | Missing | Total [d] |
| Workshops or professional development on increasing parent involvement | 31 | 62.00 | 1 | 50 | 36 | 70.59 | 0 | 51 | 39 | 78.00 | 1 | 50 |
| Technical assistance related to promoting parent involvement | 28 | 56.00 | 1 | 50 | 35 | 68.63 | 0 | 51 | 46 | 92.00 | 1 | 50 |
| Written guidelines related to parent involvement | 26 | 52.00 | 1 | 50 | 14 | 27.45 | 0 | 51 | 24 | 48.00 | 1 | 50 |
| Funds to provider agencies to help parents participate in IEP/IFSP meetings | 21 | 42.00 | 1 | 50 | 8 | 15.69 | 0 | 51 | 9 | 18.00 | 1 | 50 |
| Other activity | 5 | 10.00 | 1 | 50 | 9 | 17.65 | 0 | 51 | 7 | 14.00 | 1 | 50 |
| None of the above | 7 | 14.00 | 1 | 50 | 3 | 5.88 | 0 | 51 | 2 | 4.00 | 1 | 50 |

EXHIBIT READS: Sixty-two percent of Part C early intervention programs provide workshops or professional development on increasing parental involvement to early intervention providers; 71 percent provide the workshops to preschool-age program staff; and 78 percent provide workshops to LEAs.

For Part C respondents, N = 50; for Part B preschool-age program respondents, N = 51; for Part B program respondents, N = 50.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Part C program provided supports in fiscal year 2009.

[b] Part B preschool-age program provided supports in the 2008–2009 school year.

[c] Part B school-age program provided supports in the 2008–2009 school year.

[d] Total refers to the number of Part C programs and Part B preschool-age and school-age programs that answered the question.

SOURCE: State Part C Questionnaire – Item 50; State Section 619 Questionnaire – Item 31; State Part B Questionnaire – Item 19.

**Exhibit G.2: Methods of Program Collaboration with Federally Funded Parent Training and Information Centers (PTIs) in States Aware of PTI in their State (Fiscal Year 2009 and 2008–2009 School Year)**

| | State Early Intervention Programs [a] | | | | Preschool-Age Special Education Programs [b] | | | | Special Education Programs [c] | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Yes | | | | Yes | | | | Yes | | | |
| | N | % | Missing | Total [d] | N | % | Missing | Total [d] | N | % | Missing | Total [d] |
| **In programs that reported awareness of a PTI in their state, types of collaboration between program and PTI [e]:** | | | | | | | | | | | | |
| Dissemination of information regarding each other's services | 32 | 72.73 | 1 | 44 | 38 | 77.55 | 0 | 49 | 41 | 80.39 | 0 | 51 |
| Family/Parent outreach efforts | 27 | 61.36 | 1 | 44 | 21 | 42.86 | 0 | 49 | 34 | 66.67 | 0 | 51 |
| Development of training/ guidance materials | 22 | 50.00 | 1 | 44 | 24 | 48.98 | 0 | 49 | 40 | 78.43 | 0 | 51 |
| Development or delivery of professional development | 17 | 38.64 | 1 | 44 | 28 | 57.14 | 0 | 49 | 36 | 70.59 | 0 | 51 |
| Delivery of technical assistance | 16 | 36.36 | 1 | 44 | 23 | 46.94 | 0 | 49 | 38 | 74.51 | 0 | 51 |
| Promotion of alternative dispute resolution models | 6 | 13.64 | 1 | 44 | 12 | 24.49 | 0 | 49 | 28 | 54.90 | 0 | 51 |
| Other activity | 10 | 22.73 | 1 | 44 | 8 | 16.33 | 0 | 49 | 16 | 31.37 | 0 | 51 |
| None of the above | 5 | 11.36 | 1 | 44 | 2 | 4.08 | 0 | 49 | 0 | 0.00 | 0 | 51 |

EXHIBIT READS: Among Part C early intervention program coordinators who were aware of their state Parent Training and Information Center (PTI), 73 percent (32) collaborate on the dissemination of information regarding each other's services. Among Part B preschool-age special education program coordinators who were aware of their state PTI, 77 percent (38) collaborate on the dissemination of information regarding each other's services. Among Part B program coordinators who were aware of their state PTI, 80 percent (41) collaborate on the dissemination of information regarding each other's services.

For Part C respondents, N = 44; for Part B preschool-age program respondents, N = 49; for Part B school-age respondents, N = 51.

Percentages do not sum to 100 because response categories are not mutually exclusive.

[a] Type of collaboration by Part C programs reporting a federally funded Parent Training and Information Center (PTI) in fiscal year 2009.

[b] Type of collaboration by Part B preschool-age special education programs reporting a federally funded Parent Training and Information Center (PTI) in the 2008–2009 school year.

[c] Type of collaboration by Part B school-age programs reporting a federally funded Parent Training and Information Center (PTI) in the 2008–2009 school year.

[d] Total refers to the number of Part C programs, Part B preschool-age or school-age programs that answered the question.

[e] Methods of collaboration were not available for eight states as six Part C coordinators and two Part B preschool-age coordinators reported that their state did not have a PTI. These reports could be due to (1) lack of respondent knowledge of the PTI or (2) lack of identification of an organization as the state PTI given the organization's name.

SOURCE: State Part C Questionnaire – Items 51, 52; State Section 619 Questionnaire – Items 32, 33; State Part B Questionnaire – Items 20, 21.

**Exhibit G.3: Topics Addressed in District Offerings to Parents of Children and Youth with IFSPs/IEPs (2008–2009 School Year)**

| Topics | Made Written Materials Available [a] | | Offered Workshops or Discussion/Support Groups [b] | | Made Written Materials Available AND Offered Workshops or Discussion/Support Groups [c] | |
|---|---|---|---|---|---|---|
| | % | (SE) | % | (SE) | % | (SE) |
| Understanding the law and their legal rights under IDEA | 85.80 | 1.49 | 25.18 | 1.79 | 20.38 | 1.61 |
| Understanding their child's disability | 69.23 | 2.38 | 37.10 | 2.30 | 24.37 | 1.83 |
| Participating in state- or district-wide assessments | 67.11 | 2.21 | 22.39 | 1.93 | 16.10 | 1.68 |
| Using strategies for making a successful transition from preschool to school | 58.38 | 2.39 | 34.11 | 2.17 | 23.95 | 1.94 |
| Using interventions for children with behavioral challenges | 57.50 | 2.41 | 37.56 | 2.37 | 23.93 | 2.05 |
| Using alternate dispute resolution procedures | 44.54 | 2.44 | 10.94 | 1.46 | 7.02 | 1.26 |
| Developing and implementing a standards-based IEP | 42.43 | 2.46 | 17.89 | 1.62 | 10.84 | 1.26 |

EXHIBIT READS: On the topic of understanding the law and their legal rights under IDEA, 86 percent of districts make written materials available, 25 percent offer workshops or discussion or support groups, and 20 percent do both.

N = 1,140.

Percentages and standard errors are population estimates calculated from weighted data. The numbers reported for missing and total Ns were calculated from unweighted data.

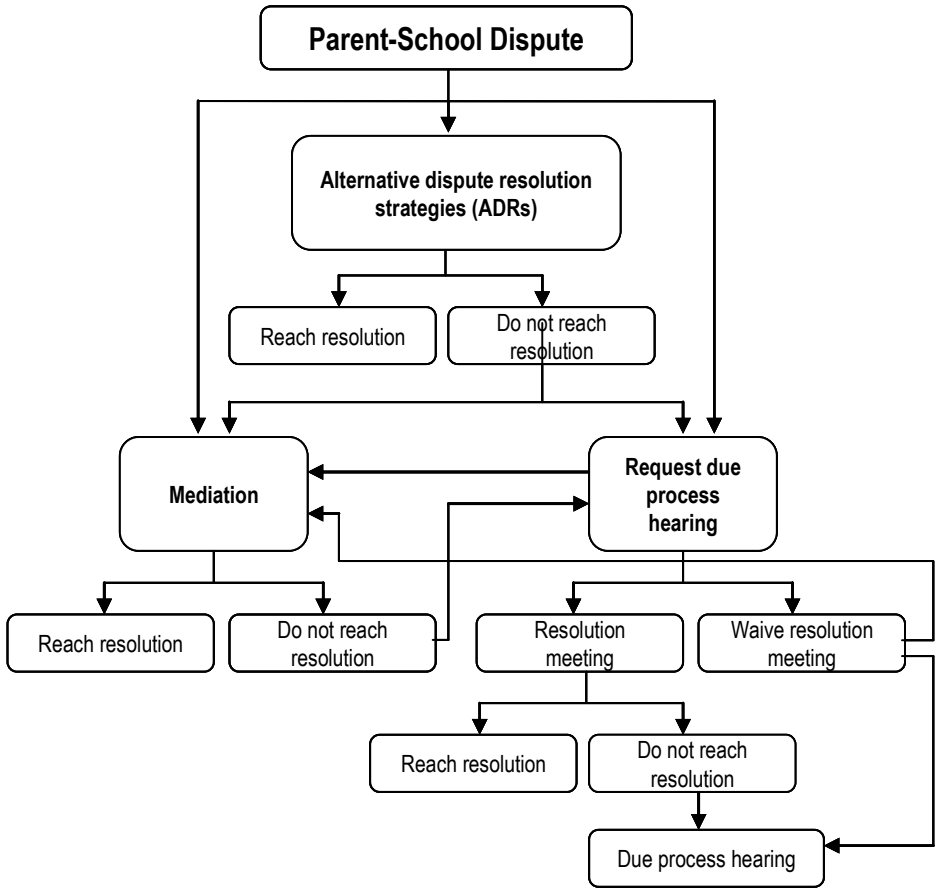
[a] Number of districts responding: 1140
Number of districts not responding: 8

[b] Number of districts responding: 1140
Number of districts not responding: 8

[c] Number of districts responding: 1140
Number of districts not responding: 8

SOURCE: District Part B Questionnaire – Item 21.

**Exhibit G.4: Illustration of How ADR, Mediation, and Due Process Hearings May Interact in Resolving Disputes**




Adapted from Mediation and Resolution Session Flow Chart, in *Preparing for Special Education Mediation and Resolution Sessions: A Guide for Families and Advocates.* The Advocacy Institute and The Children's Law Clinic at Duke University School of Law (November 2009).

**Exhibit G.5: Source of Regulations Used by Part C Early Intervention Programs to Resolve Disputes Related to Early Intervention (Fiscal Year 2008)**

| | Yes | |
|---|---|---|
| **Source of Regulations for Part C Programs** | **N** | **%** |
| Its own regulations | 34 | 66.67 |
| Regulations either adopted or modified from the Part B special education program | 17 | 33.33 |
| Total [a] | 51 | 100.00 |

EXHIBIT READS: Sixty-seven percent of Part C programs (34) use their own regulations to resolve disputes related to early intervention for infants and toddlers with disabilities.

N = 51.

[a] Total refers to the number of Part C programs that answered the question.

SOURCE: State Part C Questionnaire – Item 53.

**Exhibit G.6: Source of Regulations Used by Part C Early Intervention Programs to Resolve Disputes Related to Early Intervention by Lead Agency Type (Fiscal Year 2008)**

| Source of Regulations for Part C Program | Department of Health/Human Services (n = 37) | | Department of Education (n = 11) | | Co-Led Agencies (n = 2) | |
|---|---|---|---|---|---|---|
| | N | % | N | % | N | % |
| Its own regulations | 29 | 78.38 | 4 | 36.36 | 0 | 0.00 |
| Regulations adopted from Part B special education program | 4 | 10.81 | 6 | 54.55 | 2 | 100.00 |
| Regulations modified from Part B special education program | 4 | 10.81 | 1 | 9.09 | 0 | 0.00 |

EXHIBIT READS: Seventy-eight percent of Part C early intervention programs led by a state health or human service agency use their own regulations to resolve disputes related to early intervention services. Thirty-six percent of Part C programs led by an SEA use their own regulations to resolve disputes related to early intervention services. Two Part C programs co-led by a health/human services and an education agency use regulations adopted from the state Part B special education program to resolve disputes related to early intervention services.

N = 51.

NOTE: The Part C program coordinator did not provide the name of the Part C program lead agency in one state which was reported to use its own regulations to resolve disputes related to early intervention services.

States may administer health-related programs, policies and services (including early intervention services) either as separate state-level agencies or within an umbrella human services agency.

Co-lead agencies lead Part C programs jointly; the department of education leads with the human services agency in one state and with the health and human services agency in the second.

Number of Part C program coordinators who indicated the type of regulations used by Part C programs to resolve disputes: 51.

SOURCE: State Part C Questionnaire – Item 53.

**Exhibit G.7: Number of State Programs Reporting No Dispute Events for Part C Early Intervention and Part B Special Education Programs During Fiscal Year 2008 or the 2007–2008 School Year**

| | Part C Programs | Part B Programs |
|---|---|---|
| States | 29 | 2 |

EXHIBIT READS: Twenty-nine Part C programs reported no dispute resolution events for fiscal year 2008. Two Part B programs reported no dispute events for the 2007–2008 school year.

For Part C, N = 45; for Part B, N = 46.

[a] Events conducted in fiscal year 2008.

[b] Events conducted in 2007–2008 school year.

NOTE: Forty-five Part C programs reported on all the items that contributed to this count; 6 had one or more of the items missing. Forty-six Part B programs reported on all the items that contributed to this count; 5 had one or more of the items missing.

SOURCE: State Part C Questionnaire – Items 54, 57, 58; 60; 61, 63; State Section 619 Questionnaire – Items 35, 39, 40, 43; 44, 46; State Part B Questionnaire – Items 31, 35, 36, 39; 40, 42.

## Exhibit G.8: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Infants and Toddlers with Disabilities Receiving Services under Part C Early Intervention Programs in the 50 States by Dispute Resolution Method (2003–2004 through 2007–2008 School Years)

| | 2003–2004 | | | 2004–2005 | | | 2005–2006 | | | 2006–2007 | | | 2007–2008 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] |
| Signed written complaints | 50 | 173 | 6.37 | 50 | 171 | 6.09 | 50 | 172 | 5.84 | 49 | 162 | 6.07 | 49 | 185 | 6.95 |
| Due process hearings requested | 50 | 186 | 6.85 | 50 | 200 | 7.13 | 48 | 135 | 5.07 | 49 | 110 | 4.12 | 50 | 111 | 3.51 |
| Due process hearings completed | 50 | 13 | 0.48 | 50 | 24 | 0.85 | 47 | 17 | 0.64 | 49 | 14 | 0.52 | 50 | 18 | 0.57 |
| Resolution meetings held | [c] | [c] | [c] | 50 | 1 | 0.21 | 45 | 0 | 0.00 | 12 | 2 | 0.58 | 13 | 1 | 0.28 |
| Mediations held | 50 | 48 | 1.77 | 50 | 57 | 2.03 | 50 | 70 | 2.38 | 49 | 75 | 2.81 | 50 | 83 | 2.62 |

EXHIBIT READS: In the 2003–2004 school year, the Part C early intervention programs of the 50 states had 173 signed written complaints filed, or 6.37 signed written complaints per 10,000 infants and toddlers receiving early intervention services.

For 2003–2004, N = 50.

For 2004–2005, N = 50.

For 2005–2006, for signed written complaints and mediations held, N = 50; for due process hearings requested, N = 48; for due process hearings completed, N = 47; for resolution meetings, N = 45.

For 2006–2007, for signed written complaints, due process hearings requested, due process hearings completed and mediations held, N = 49; for resolution meetings, N = 12.

For 2007–2008, for due process hearings requested, due process hearings completed and mediations, N = 49; for signed written complaints, N = 49; for resolution meetings, N = 13.

State Performance Plan/Annual Performance Report (SPP/APR) data for the 2006–2007 and 2007–2008 school years was taken from the Data Accountability Center (DAC) website. The IDEA-NAIS surveys asked similar questions regarding the number of dispute resolution events held. Please see Exhibits G.13 and G.14.

[a] The number of states reporting a non-missing response for the particular dispute resolution event in the particular year. Only states with non-missing responses were included in the denominator for the calculation of the events per 10,000 served.

[b] The number of dispute resolution events per 10,000 infants and toddlers with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over all 50 states with non-missing values divided by the total number of infants and toddlers age birth through 2 served by Part C programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

[c] The number of resolution meetings was not collected prior to the 2004–2005 school year.

NOTE: Data are from the 50 states, excluding Washington D.C. due to outlying values. For results including Washington D.C., please see Exhibit G.12.

SOURCE: The number of dispute resolution events (column 1) is from the SPP/APR data from either CADRE (2003–2004 through 2005–2006 school years; http:/www.directionservice.org/cadre/aprsppc.cfm; Retrieved December 15, 2009, February 18, 2010, and April 15, 2010) or the Data Accountability Center (2006–2007 and 2007–2008 school years; www.ideadata.org/PartCDispResp.asp; Retrieved December 15, 2009). The number of infants and toddlers ages 3 through 21 served by Part C is from Table C1 *Number and Percent of Population Served (Ages Birth through 2) Part C, by State: 1998 through 2007*, from the Data Accountability Center (DAC; www.ideadata.org/docs/PartCTrendData/C1.xls; Retrieved December 15, 2009).

## Exhibit G.9: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Children and Youth with Disabilities Receiving Services under Part B in the 50 States by Dispute Resolution Event (2003–2004 through 2007–2008 School Years)

| | 2003–2004 | | | 2004–2005 | | | 2005–2006 | | | 2006–2007 | | | 2007–2008 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] |
| Signed written complaints | 50 | 5916 | 8.94 | 50 | 6094 | 9.09 | 50 | 5798 | 8.65 | 49 | 5220 c | 8.11 | 50 | 5497 | 8.32 |
| Due process hearings requested | 50 | 14392 | 21.74 | 50 | 15496 | 23.12 | 50 | 14583 | 21.77 | 50 | 13828 | 20.71 | 50 | 13894 | 21.02 |
| Due process hearings completed | 50 | 2223 | 3.36 | 50 | 2215 | 3.30 | 50 | 1718 | 2.56 | 50 | 1370 | 2.05 | 50 | 1064 | 1.61 |
| Resolution meetings held | c | c | c | c | c | c | 50 | 3678 | 5.49 | 49 | 9073 | 13.65 | 50 | 8090 | 12.24 |
| Mediations held | 50 | 5924 | 8.95 | 50 | 6382 | 9.52 | 49 | 3651 | 6.06 | 50 | 5377 | 8.05 | 50 | 4989 | 7.55 |

EXHIBIT READS: In the 2003–2004 school year 5,916 signed written complaints were filed for preschool- and school-age children and youth with disabilities ages 3 through 21. Nine signed written complaints were filed per 10,000 preschool- and school-age children and youth served under preschool-age and school-age Part B programs in the school year 2003–2004.

For 2003–2004, N = 50.

For 2004–2005, N = 50.

For 2005–2006, N = 50 except for mediations held, N = 49.

For 2006–2007, for due process hearings, due process hearings completed and mediations, N = 50; for signed written complaints and resolution meetings, N = 49.

For 2007–2008, N = 50.

State Performance Plan/Annual Performance Report (SPP/APR) data for the 2003–2004, 2004–2005 and 2005–2006 school years from the CADRE website. SPP/APR data for the 2006–2007 and 2007–2008 school years was taken from the Data Accountability Center (DAC) website. The IDEA-NAIS surveys asked similar questions regarding the number of dispute resolution events held. Please see Exhibits G.16 and G.17.

[a] The number of states reporting a non-missing response for the particular dispute resolution event in the particular year. Only states with non-missing responses were included in the denominator for the calculation of the events per 10,000 served.

[b] The number of dispute resolution events per 10,000 preschool- and school-age children and youth with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over all 50 states with non-missing values divided by the total number of children and youth ages 3 through 21 served by Part B programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

[c] The number of resolution meetings was not collected prior to the 2006–2007 school year.

NOTE: Data are from 50 states, excluding Washington D.C. Due to outlying values for Washington D.C., those results are reported separately, see Exhibit G.10. For Vermont 2007–2008 school year, Exhibit B.1 (see SOURCE) has a missing count of the number of children served in Fall 2007; therefore, the Fall 2006 number of children served in Vermont was used. The number of children served in Vermont varies slightly from year to year (i.e., 14,010 in 2006, 13,917 in 2005 and 13,894 in 2004).

SOURCE: The number of dispute resolution events (column 1) is from the SPP/APR data from either CADRE (2003–2004, 2004–2005 and 2005–2006 school years; www.directionservice.org/cadre/statecomprpts.cfm; Retrieved December 9, 2009) or the Data Accountability Center (2006–2007 and 2007–2008 school years; www.ideadata.org/PartBdispres.asp; Retrieved December 15, 2009). The number of children served by Part B is from Table B-1 *Number and Percent of Population Served (Ages 3 – 21), by State: 1998 through 2007,* from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B1.xls; Retrieved December 15, 2009).

**Exhibit G.10: Topics of Dispute Resolution Procedures for Infants and Toddlers Receiving Services under the Part C Early Intervention Program by Dispute Resolution Procedure (Fiscal Year 2008)**

| | Due Process Hearings Requested | | Due Process Hearings Completed | | Mediations Held | |
|---|---|---|---|---|---|---|
| | % | Total[a] | % | Total[b] | % | Total[c] |
| Early intervention services, as set forth in the IFSP | 51.72 | 8 | 100.00 | 1 | 70.83 | 10 |
| Environment/setting | 0.00 | 8 | 0.00 | 1 | 8.33 | 10 |
| Family cost, including the use of private insurance | 3.45 | 8 | 0.00 | 1 | 8.33 | 10 |
| Evaluation for early intervention services | 0.00 | 8 | 0.00 | 1 | 4.17 | 10 |
| Transition | 0.00 | 8 | 0.00 | 1 | 4.17 | 10 |
| Eligibility for early intervention services | 3.45 | 8 | 0.00 | 1 | 0.00 | 10 |
| Procedural safeguards | 3.45 | 8 | 0.00 | 1 | 0.00 | 10 |

EXHIBIT READS: Survey results from eight Part C early intervention programs that reported on the topics of due process hearings requested indicated that 52 percent of due process hearings requested concerned the issue of early intervention services as set forth in the IFSP. For the ten Part C programs that reported on the topics of mediations held, the results indicate that 71 percent of mediations held concerned the issue of early intervention services, as set forth in the IFSP.

For due process hearings requested, N = 8.

For mediations held, N = 10.

The percentage of Part C program dispute resolutions events that concerned each topic is from the IDEA-NAIS Infant and Toddler questionnaire. The percentage was calculated as the number of dispute resolution events (e.g., mediations held) due to at topic (e.g., early intervention services as set forth in the IFSP) summed over all responding Part C programs divided by the total number of dispute resolution events (e.g., mediations held) reported in responding Part C programs times 100. Percentages do not sum to 100 because topics are not mutually exclusive.

Data are from 50 states, excluding Washington D.C. due to outlying values. For results including Washington D.C., please see Exhibit G.18.

Part C coordinators indicated 38 percent of due process hearings were requested for "other" topics but did not provide the particular topic. Part C coordinators reported 4 percent of mediations were related to "other" topics but did not provide the particular topic.

[a] Total refers to the number of Part C programs that received one or more due process hearing requests and reported on the topics of at least one due process hearing requested.

[b] Total refers to the number of Part C programs that completed one or more due process hearings and reported on the topics of at least one due process hearing completed.

[c] Total refers to the number of Part C programs that held one or more mediations and reported on the topics of at least one mediation.

SOURCE*:* State Part C Questionnaire – Items 54, 55, 58, 59; State Part C Supplemental Questionnaire – Items 1 and 2.

**Exhibit G.11: Topics of Disputes at the State Level for Children and Youth Receiving Services under Part B Programs by Dispute Resolution Method (2003–2004 and 2007–2008 School Years)**

| | Due Process Hearings Completed | | | | Mediations Held | | | |
|---|---|---|---|---|---|---|---|---|
| | 2003–2004 | | 2007–2008 | | 2003–2004 | | 2007–2008 | |
| | % [a] | Total [b] | % [a] | Total [b] | % [a] | Total [b] | % [a] | Total [b] |
| Educational placement | 30.83 | 42 | 49.32 | 34 | 35.34 | 37 | 38.72 | 36 |
| Student's educational program, as set forth in the IEP | 27.85 | 42 | 49.32 | 34 | 30.37 | 37 | 36.66 | 36 |
| Related services | 7.77 | 42 | 27.56 | 34 | 15.68 | 37 | 17.47 | 36 |
| Eligibility of students for special education services | 5.24 | 42 | 16.55 | 34 | 12.05 | 37 | 6.36 | 36 |
| Evaluation of students for special education services | 11.62 | 42 | 31.91 | 34 | 12.26 | 37 | 20.24 | 36 |
| Tuition reimbursement | 13.36 | 42 | 23.89 | 34 | 5.17 | 37 | 9.80 | 36 |
| Discipline | 2.56 | 42 | 12.12 | 34 | 5.46 | 37 | 8.16 | 36 |
| Procedural safeguards | 3.58 | 42 | 11.95 | 34 | 4.19 | 37 | 2.99 [c] | 36 |

EXHIBIT READS: Survey results from 42 SEAs that reported on topics of due process hearings completed indicated that in the 2003–2004 school year, 31 percent of due process hearings completed concerned the issue of educational placement. SEAs that reported on the topic of due process hearings completed in the 2007–2008 school year indicated 49 percent concerned educational placement. Survey results from 37 SEAs that reported on the topics of mediations held indicated that in the 2003–2004 school year, 35 percent of mediations held concerned the issue of educational placement. Survey results from 36 SEAs that reported on the topics of mediations held indicated that in the 2007–2008 school year, 39 percent of mediations held concerned the issue of educational placement.

For due process hearings completed in 2003–2004, N = 42; in 2007–2008, N = 34.

For mediations held in 2003–2004, N = 37; in 2007–2008, N = 36.

Data are from 50 states, excluding Washington D.C. due to outlying values for Washington D.C. For results including Washington D.C., see Exhibit G.19.

[a] The percentage of Part B preschool-age special education and Part B school-age special education program dispute resolution events that concerned each topic is from the IDEA-NAIS State Part B and State Part B 619 questionnaires. The percentage was calculated as the number of dispute resolution events (e.g., mediations held) due to the topic summed over all responding states divided by the total number of dispute resolution events (e.g., mediations held) reported in the responding states times 100. Percentages do not sum to 100 because topics are not mutually exclusive.

[b] Total is the number of states reporting topics for the dispute resolution event. The number of states which did not report topics for the dispute resolution event is 50—the total.

[c] One of the reporting SEAs did not provide data on this topic.

SOURCES: State Part B Questionnaire – Items 31, 33, 36, 38; State Part B Supplemental Questionnaire – Items 1 and 2; State Section 619 Questionnaire – Items 35, 37, 40, 42; State Section 619 Supplemental Questionnaire – Items 1 and 2; SLIIDEA Wave 4 State Questionnaire – Items 19, 23, 26, 28.

**Exhibit G.12: Number of Dispute Resolution Events and Number of Dispute Resolution Events per 10,000 Infants and Toddlers with Disabilities Age Birth through Two Receiving Services in Part C Early Intervention Programs in the 50 States and Washington D.C. by Dispute Resolution Procedure (2003–2004 through 2007–2008 School Years)**

| | 2003–2004 | | | 2004–2005 | | | 2005–2006 | | | 2006–2007 | | | 2007–2008 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] |
| Signed written complaints | 51 | 173 | 6.36 | 51 | 171 | 6.09 | 51 | 172 | 5.84 | 50 | 162 | 5.39 | 50 | 185 | 5.84 |
| Due process hearings requested | 51 | 186 | 6.84 | 51 | 200 | 7.12 | 49 | 135 | 4.58 | 50 | 111 | 3.69 | 51 | 111 | 3.50 |
| Due process hearings completed | 51 | 13 | 0.48 | 51 | 24 | 0.85 | 48 | 17 | 0.58 | 50 | 15 | 0.50 | 51 | 18 | 0.57 |
| Resolution meetings held | [c] | [c] | [c] | 13 | 1 | 0.04 | 46 | 0 | 0.00 | 13 | 2 | 0.07 | 13 | 1 | 0.03 |
| Mediations held | 51 | 49 | 1.80 | 51 | 57 | 2.03 | 51 | 70 | 2.38 | 50 | 75 | 2.49 | 51 | 83 | 2.62 |

EXHIBIT READS: 173 signed written complaints were filed in the school year 2003–2004, or 6.36 signed written complaints per 10,000 infants and toddlers served by the Part C programs in the 50 states and Washington D.C..

Data are from the 50 states and Washington D.C.

State Performance Plan/Annual Performance Report (SPP/APR) data for the 2003–2004 through 2005–2006 school years was obtained from CADRE. SPP data for the 2006–2007 and 2007–2008 school years was taken from the Data Accountability Center (DAC) website. The IDEA-NAIS surveys asked similar questions regarding the number of dispute resolution events held. Please see Exhibits G.13 and G.14.

[a] The number of states reporting a non-missing response for the particular dispute resolution event in the particular year. Only states with non-missing responses were included in the denominator for the calculation of the events per 10,000 served.

[b] The number of dispute resolution events per 10,000 infant and toddlers with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over states and D.C. with non-missing values divided by the total number of infants and toddlers birth through age 2 served by Part C programs in the states and D.C. with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

[c] Data on resolution meetings held was not collected in 2003–2004.

SOURCE: The number of dispute resolution events (column 1) is from the SPP/APR data from either CADRE (2003–2004 through 2005–2006 school years; http:/www.directionservice.org/cadre/aprsppc.cfm; Retrieved December 15, 2009, February 18, 2010 and April 15, 2010) or the Data Accountability Center (2006–2007 and 2007–2008 school years; www.ideadata.org/PartCDispResp.asp; Retrieved December 15, 2009). The number of children ages 3 through 21 served by Part C is from Table C1 *Number and Percent of Population Served (Ages Birth through 2) Part C, by State: 1998 through 2007*, from the Data Accountability Center (DAC; www.ideadata.org/docs/PartCTrendData/C1.xls; Retrieved December 15, 2009).

**Exhibit G.13: Number of Dispute Resolution Procedures and Number of Dispute Resolution Procedures per 10,000 Infants and Toddlers with Disabilities for Infants and Toddlers Age Birth through 2 Receiving Services in Part C Early Intervention Programs in the 50 States (Fiscal Year 2008)**

| | 2008 | |
|---|---|---|
| | Total events [a] | Events per 10,000 served [b] |
| Due process hearings requested | 29 | 1.08 |
| Due process hearings completed | 1 | 0.04 |
| Mediations held | 74 | 2.34 |

EXHIBIT READS: Part C early intervention programs in the 50 states received requests for 29 due process hearings (or 1.08 requests per 10,000 infants and toddlers served).

[a] Number of states reporting mediations held in 2008: 50.
Number of states reporting due process hearing requests in 2008: 49.
Number of states reporting due process hearings completed in 2008: 46.

[b] The number of dispute resolution events per 10,000 infant and toddlers with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over states and D.C. with non-missing values divided by the total number of infants and toddlers birth through age 2 served by Part C programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

NOTE: Data are from the 50 states, excluding Washington D.C. due to outlying values.

SOURCE: The number of specific dispute resolution events (column 1) is from the State Part C Questionnaire – Items 54, 58; and State Part C Supplemental Questionnaire – Item 1. The number of children ages 3 through 21 served by Part C programs is from Table C1 *Number and Percent of Population Served (Ages Birth through 2) Part C, by State: 1998 through 2007*, from the Data Accountability Center (DAC; www.ideadata.org/docs/PartCTrendData/C1.xls; retrieved December 15, 2009).

**Exhibit G.14: Number of Dispute Resolution Procedures and Number of Dispute Resolution Procedures per 10,000 Infants and Toddlers with Disabilities Age Birth through 2 Receiving Services in Part C Early Intervention Programs in the 50 States and Washington, D.C. (Fiscal Year 2008)**

| | 2008 | |
|---|---|---|
| | Total event [a] | Events per 10,000 served [b] |
| Due process hearings requested | 29 | 1.04 |
| Due process hearings completed | 1 | 0.04 |
| Mediations held | 74 | 2.34 |

EXHIBIT READS: Twenty-nine due process hearings were requested in fiscal year 2008. The rate of due process hearings requested per 10,000 infants and toddlers was 1.04 in fiscal year 2008.

[a] Number of states reporting mediations held in 2008: 51.
Number of states reporting due process hearing requests in 2008: 50.
Number of states reporting due process hearings completed in 2008: 46.

[b] The number of dispute resolution events per 10,000 infant and toddlers with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over states and D.C. with non-missing values divided by the total number of infants and toddlers birth through age 2 served by Part C early intervention programs in the states and D.C. with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

NOTE: Data are from the 50 states and Washington D.C.

SOURCE*:* The number of specific dispute resolution events (column 1) is from the State Infant and Toddler Questionnaire – Items 54, 58; and the State Infant and Toddler Supplemental Questionnaire – Item 1. The number of infants and toddlers served by Part C programs is from Table C1 *Number and Percent of Population Served (Ages Birth through 2) Part C, by State: 1998 through 2007*, from the Data Accountability Center (DAC; www.ideadata.org/docs/PartCTrendData/C1.xls; retrieved December 15, 2009).

**Exhibit G.15: Number of Dispute Resolution Procedures and Number of Dispute Resolution Procedures per 10,000 Preschool- and School-Age Children with Disabilities Ages 3 through 21 Receiving Services in the Part B Special Education Programs in the 50 States and D.C. (2003–2004 through 2007–2008 School Years)**

| | 2003–2004 | | | 2004–2005 | | | 2005–2006 | | | 2006–2007 | | | 2007–2008 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] | n [a] | Total events | Events per 10,000 served [b] |
| Signed written complaints | 50 | 5916 | 8.93 | 51 | 6117 | 9.11 | 51 | 5835 | 8.69 | 50 | 5240 | 8.13 | 51 | 5504 | 8.31 |
| Due process hearings requested | 51 | 17662 | 26.62 | 51 | 19735 | 29.38 | 51 | 17522 | 26.11 | 51 | 16652 | 24.90 | 51 | 17155 | 25.92 |
| Due process hearings completed | 51 | 4794 | 7.23 | 51 | 6052 | 9.01 | 51 | 4163 | 6.20 | 51 | 3263 | 4.88 | 51 | 2383 | 3.60 |
| Resolution meetings held | [c] | [c] | [c] | [c] | [c] | [c] | 51 | 4715 | 7.03 | 50 | 10187 | 15.30 | 51 | 8243 | 12.45 |
| Mediations held | 51 | 6040 | 9.10 | 51 | 6440 | 9.59 | 50 | 3664 | 5.46 | 51 | 5383 | 8.05 | 51 | 5000 | 7.55 |

EXHIBIT READS: In the 2003–2004 school year, 5,916 signed written complaints were filed in the 50 states and D.C. for preschool- and school-age children ages 3 through 21. The 2003–2004 school year had 8.93 signed written complaints filed per 10,000 preschool- and school-age children ages 3 through 21 served in the Part B programs in the 50 states and D.C.

State Performance Plan/Annual Performance Report (SPP/APR) data for the 2003–2004, 2004–2005 and 2005–2006 school years are from the CADRE website. SPP/APR data for the 2006–2007 and 2007–2008 school years was taken from the Data Accountability Center (DAC) website. The IDEA-NAIS surveys asked similar questions regarding the number of dispute resolution events held. Please see Exhibits G.16 and G.17.

[a] The number of states reporting a non-missing response for the particular dispute resolution event in the particular year. Only states with non-missing responses were included in the denominator for the calculation of the events per 10,000 served.

[b] The number of dispute resolution events per 10,000 preschool- and school-age children and youth with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over all 50 states with non-missing values divided by the total number of children and youth ages 3 through 21 served by Part B programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

[c] The number of resolution meetings and expedited hearing requests was not collected prior to the 2006–2007 school year.

NOTE: Data are from 50 states and Washington D.C. For Vermont 2007–2008 school year, Table B1 (see SOURCE) has a missing count of the number of children served in Fall 2007; therefore, the Fall 2006 number of children served in Vermont was used. The number of children served in Vermont varies slightly from year to year (i.e., 14,010 in 2006, 13,917 in 2005 and 13,894 in 2004).

SOURCE*:* The number of dispute resolution events (column 1) is from the SPP/APR data from either CADRE (2003–2004, 2004–2005 and 2005–2006 school years; www.directionservice.org/cadre/statecomprpts.cfm; Retrieved December 9, 2009) or the Data Accountability Center (2006–2007 and 2007–2008 school years; www.ideadata.org/PartBdispres.asp; Retrieved December 15, 2009). The number of children ages 3 through 21 served by Part B programs is from Table B-1 *Number and Percent of Population Served (Ages 3 – 21), by State: 1998 through 2007,* from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B1.xls; Retrieved December 15, 2009).

**Exhibit G.16: Number of Dispute Resolution Events and Number of Dispute Resolution Procedures per 10,000 Preschool- and School-Age Children with Disabilities for Preschool- and School-Age Children Ages 3 through 21 Receiving Services in the Part B Special Education Programs in the 50 States (2007–2008 School Year)**

| | 2007–2008 | |
|---|---|---|
| | Total events | Events per 10,000 served [a] |
| Due process hearings requested | 14213 | 21.51 |
| Due process hearings completed | 714 | 1.08 |
| Mediations held | 5407 | 8.18 |

EXHIBIT READS: States had 14,213 due process hearings requested in the 2007–2008 school year, or 22 per 10,000 preschool- and school-age children ages 3 through 21 served in the Part B programs in the 2007–2008 school year.

Data are from 50 states excluding Washington D.C. due to outlying values for Washington D.C.; those results are reported separately. See Appendix A4500_AP2B. For Vermont 2007–2008 school year, Table B1 (see SOURCE) has a missing count of the number of children served in Fall 2007; therefore, the Fall 2006 number of children served in Vermont was used. The number of children served in Vermont varies slightly from year to year (i.e., 14,010 in 2006, 13,917 in 2005 and 13,894 in 2004).

[a] The number of dispute resolution events per 10,000 preschool- and school-age children and youth with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over all 50 states with non-missing values divided by the total number of children and youth ages 3 through 21 served by Part B programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

NOTE: Number of states reporting mediations held: 50. Number of states not reporting mediations held: 0. Number of states reporting due process hearings requested: 49. Number of states not reporting due process hearings requested: 1. Number of states reporting due process hearings completed: 45. Number of states not reporting due process hearings completed: 5.

SOURCE*:* The number of dispute resolution events (column 1) is from the IDEA-NAIS State Part B Questionnaire – Items 31, 36; State Part B Supplemental Questionnaire – Item 1; IDEA-NAIS State Section 619 Questionnaire – Items 35, 40; and State Section 619 Questionnaire – Item 1 . The number of children ages 3 through 21 served by Part B programs is from Table B-1 *Number and Percent of Population Served (Ages 3 – 21), by State: 1998 through 2007,* from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B1.xls; retrieved December 15, 2009).

**Exhibit G.17: Number of Dispute Resolution Events and Number of Dispute Resolution Procedures per 10,000 Preschool- and School-Age Children with Disabilities for Preschool- and School-Age Children Ages 3 through 21 Receiving Services in Part B Special Education Programs in the 50 States and D.C. (2007–2008 School Year)**

| | 2007–2008 | |
|---|---|---|
| | Total events | Events per 10,000 served [a] |
| Due process hearings requested | 14213 | 21.47 |
| Due process hearings completed | 714 | 1.08 |
| Mediations held | 5407 | 8.17 |

EXHIBIT READS: States received 14,213 due process hearing requests in the 2007–2008 school year. States received 21.47 due process hearing requests per 10,000 preschool- and school-age children ages 3 through 21 served in Part B programs in the 2007–2008 school year.

Data are from 50 states and Washington D.C. For Vermont 2007–2008 school year, Table B1 (see SOURCE) has a missing count of the number of children served in Fall 2007; therefore, the Fall 2006 number of children served in Vermont was used. The number of children served in Vermont varies slightly from year to year (i.e., 14,010 in 2006, 13,917 in 2005 and 13,894 in 2004).

[a] The number of dispute resolution events per 10,000 preschool- and school-age children and youth with disabilities was calculated as the number of dispute resolution events (e.g., signed written complaints) summed over all 50 states with non-missing values divided by the total number of children and youth ages 3 through 21 served by Part B programs in the states with non-missing values of the particular dispute resolution event. This number was then multiplied by 10,000.

NOTE: Number of states reporting due process hearings requested: 50. Number of states not reporting due process hearings completed: 1. Number of states reporting mediations held: 51. Number of states not reporting mediations held: 0. Number of states reporting due process hearings completed: 46. Number of states not reporting due process hearings completed: 5.

SOURCE: The number of dispute resolution events (column 1) is from the IDEA-NAIS State Part B Questionnaire – Items 31, 36; State Part B Supplemental Questionnaire – Item 1; IDEA-NAIS State Section 619 Questionnaire – Items 35,40; and State Section 619 Questionnaire – Item 1 . The number of children ages 3 through 21 served by Part B programs is from Table B-1 *Number and Percent of Population Served (Ages 3 – 21), by State: 1998 through 2007,* from the Data Accountability Center (DAC; https:/www.ideadata.org/docs/PartBTrendData/B1.xls; retrieved December 15, 2009).

**Exhibit G.18: Topics of Dispute Resolutions at the State Level for Infants and Toddlers Receiving Services in Part C Early Intervention Programs by Dispute Resolution Procedure (Fiscal Year 2008)**

| | Mediations Held | | Due Process Hearings Requested | |
|---|---|---|---|---|
| | %[a] | Total[b] | %[a] | Total[b] |
| Early intervention services, as set forth in the IFSP | 70.83 | 10 | 51.72 | 8 |
| Environment/setting | 8.33 | 10 | 0.00 | 8 |
| Family cost, including the use of private insurance | 8.33 | 10 | 3.45 | 8 |
| Evaluation for early intervention services | 4.17 | 10 | 0.00 | 8 |
| Transition | 4.17 | 10 | 0.00 | 8 |
| Eligibility for early intervention services | 0.00 | 10 | 3.45 | 8 |
| Procedural safeguards | 0.00 | 10 | 3.45 | 8 |

EXHIBIT READS: Survey results from ten states that reported on the topics of mediations held indicated that 71 percent of mediations held concerned the issue of early intervention services as set forth in the IFSP. Eight Part C programs that reported on the topics of due process hearing requests indicated that 52 percent of due process hearing requests concerned the issue of early intervention services as set forth in the IFSP.

[a] The percentage of Part C program dispute resolutions that concerned each topic is from the IDEA-NAIS Infant and Toddler questionnaire. The percentage was calculated as the number of dispute resolution events (e.g., mediations held) that concerned each topic (e.g., evaluation for early intervention services) summed over all responding Part C programs divided by the total number of dispute resolution events (e.g., mediations held) reported in all responding states times 100. Percentages do not sum to 100 because topics are not mutually exclusive.

[b] Total refers to the number of Part C programs reporting data.

SOURCE: State Part C Questionnaire – Items 54, 55, 58, 59.

**Exhibit G.19: Topics of Disputes at the State Level for Preschool- and School-Age Children Receiving Services in Part B Special Education Programs by Dispute Resolution Procedure in the 50 States and D.C. (2003–2004 and 2007–2008 School Years)**

| | Mediations Held | | | | Due Process Hearings Completed | | | |
|---|---|---|---|---|---|---|---|---|
| | 2003–2004 | | 2007–2008 | | 2003–2004 | | 2007–2008 | |
| | % [a] | Total [b] | % [a] | Total [b] | %[a] | Total [b] | % [a] | Total [b] |
| Educational placement | 35.34 | 37 | 38.72 | 36 | 30.83 | 42 | 49.32 | 34 |
| Student's educational program, as set forth in the IEP | 30.37 | 37 | 36.66 | 36 | 27.85 | 42 | 49.32 | 34 |
| Related services | 15.68 | 37 | 17.47 | 36 | 7.77 | 42 | 27.65 | 34 |
| Evaluation of students for special education services | 12.26 | 37 | 20.24 | 36 | 11.62 | 42 | 31.91 | 34 |
| Eligibility of students for special education services | 12.05 | 37 | 6.36 | 36 | 5.24 | 42 | 16.55 | 34 |
| Discipline | 5.46 | 37 | 8.16 | 36 | 2.56 | 42 | 12.12 | 34 |
| Tuition reimbursement | 5.17 | 37 | 9.80 | 36 | 13.36 | 42 | 23.89 | 34 |
| Procedural safeguards | 4.19 | 37 | 2.99 | 36 | 3.58 | 42 | 11.95 | 34 |

EXHIBIT READS: Survey results from 37 U. S. states that reported on the topics of mediations held indicated that in the 2003–2004 school year, 35 percent of mediations held concerned the issue of educational placement. Survey results from 36 U.S. states that reported on the topics of mediations held indicated that in the 2003–2004 school year 39 percent of mediations held concerned the issue of educational placement.

[a] The percentage of dispute resolution events that concerned each topic is from the IDEA-NAIS State Part B questionnaires. The percentage was calculated as the number of dispute resolution events (e.g., mediations held) due to the topic summed over all responding states divided by the total number of dispute resolution events (e.g., mediations held) reported in the responding states times 100. Percentages do not sum to 100 because topics are not mutually exclusive.

[b] Total is the number of states reporting topics for the specific dispute resolution procedure and year. The number of states not reporting topics for the specific dispute resolution procedure equals 51 – the total.

Data are from 50 states and Washington D.C..

SOURCE*:* State Part B Questionnaire – Items 31, 33, 36, 38; State Part B Supplemental Questionnaire – Items 1, 2; State Section 619 Questionnaire – Items 35, 37, 40, 42; State Section 619 Supplemental Questionnaire – Items 1, 2; SLIIDEA Wave 4 State Questionnaire – Items 19, 23, 26, 28.