

Part B State Annual Performance Report (APR) for FFY 2007**Overview of the Annual Performance Report Development:**

For the Puerto Rico Department of Education (PRDE) Office of the Special Education (SAEE), FFY 2007 has been a significant year in terms of correction of long-term non-compliance and the implementation of policies, procedures, and systems to help ensure compliance and progress with the State Performance Plan (SPP)/Annual Performance Report (APR) indicators.

The past two and a half years have been a journey of hard work and dedication to improving PRDE's performance with the indicators—improvement that is beginning to be reflected in the APR. Just four months before the submission of the FFY 2005 APR, a new SAEE leadership entered with very limited knowledge of the SPP/APR process and a lot of work to do. Despite having highly qualified directors of SAEE prior to that point, the turnover rate for the position made sustained progress difficult. In September 2006, Miriam Merced Cruz was appointed the Director of the PRDE Office of Special Education. Under her leadership, a team of dedicated SAEE began working together to help globally and comprehensively address the various reporting requirements PRDE faces, both federally and within Puerto Rico (such as requirements related to the Rosa Lydia Velez (RLV) court case and consent decree). This was new territory for many of the members of the committee. This team had to build the foundation, learn the SPP/APR process and immediately begin preparing the FFY 2005 APR, and begin developing relationships with OSEP. It was a learning and growing experience for team members and the SAEE as a whole.

While preparation for the FFY 2005 APR was a whirlwind learning experience for PRDE SAEE staff, preparation of the FFY 2006 APR submission was a strengthening and foundational year long learning experience. The new leadership, including the entire core SAEE team working on the SPP/APR, has been in place for over a year giving them a much better understanding of the requirements and expectations than the prior year.

During 2006-2007 PRDE SAEE began receiving direct technical assistance from OSEP staff as well as SERRC and DAC. These efforts contributed to the improved conceptualization and understanding of the indicators, how to collect and analyze data regarding the measurements, and how to effectively lead efforts for improved compliance. For FFY 2006 PRDE, particularly was able to show significant progress with the resolution of state complaints, move toward increasing performance with the timeliness of initial evaluations and work on the elimination of backlog, and the resolution process was developed and implemented for the first time at the end of FFY 2006. PRDE was also particularly pleased with its performance with its assessment program, which also showed significant progress for student participation rates and proficiency levels.

For FFY 2006, PRDE had two special conditions attached to its FFY 2006 IDEA grant award. The first regarded assessments and the second regarded State complaints. The special condition regarded to assessments was lifted due to PRDE's improved reporting on the participation and performance of children with disabilities on the regular and alternate assessments. Although PRDE demonstrated tremendous improvement with its management of State complaints (see discussion under Indicator 16), PRDE was not able to have the special condition for state complaints removed at that time. Nonetheless, PRDE's improvement in this area was remarkable.

While the FFY 2006 APR was a foundational year in many respects, PRDE's FFY 2007 APR reflects a year of growth and continued improvement beyond the foundation established during FFY 2006. PRDE entered FFY 2007 with two special conditions attached to its grant award. A condition

regarding State complaints remained, and a condition regarding controls on transportation contracts was added. PRDE's tremendous improvement with the management of State complaints continued (see discussion under Indicator 16) bringing PRDE in substantial compliance with the timeliness requirements by the end of FFY 2007 leading OSEP to eliminate any special condition regarding State complaints from the FFY 2008 grant award. In regards to the second condition, an internal audit was conducted and SAE developed a corrective action plan, based in large part on the recommendations coming out of that audit, regarding controls on transportation contracts, with a special focus on the Bayamón region. PRDE is continuing its work under that corrective action plan to date. Assurances were developed for the FFY 2008 grant that state, in part, that PRDE would use no federal funds in the Bayamón Region for transportation services until it was able to demonstrate to USDE that it is in full compliance for all transportation costs for students with disabilities in the Bayamón Region. PRDE's federal Grant was approved for FFY 2008 without any special conditions and was distributed on time right at the beginning of the fiscal year.

PRDE's progress during FFY 2007 extends well beyond its impressive work and progress with State complaints. One of PRDE's most important accomplishments during FFY 2007 has been its elimination of series of outstanding long term non-compliance, particularly in terms of pending initial evaluations and re-evaluations and the provision of assistive technology evaluations and equipment and services. The correction of these items is discussed in greater detail under Indicator 15.

Also within the dispute resolution realm, PRDE's island-wide implementation of the resolution meetings during FFY 2007 has been tremendously successful (see discussion under Indicator 18). This has improved its performance not only with Indicator 18, but when looking at the dispute resolution system as a whole, has had a significant impact on the overall resolution of due process complaints—leading to quicker and less adversarial resolutions of due process complaints filed overall (see discussion under Indicator 17).

Another key accomplishment during FFY 2007 has been SAE's establishment of Centros de Servicios de Educación Especial (CSEE, Special Education Service Centers) as a reliable and knowledgeable one-stop shop for parents and students with disabilities. As discussed through PRDE's APR's dating back to FFY 2005, the CSEEs have been a cornerstone of SAE's plans for improved compliance. Two CSEEs faced challenges through parts of FFY 2007 due to moving facilities, but all CSEEs are now up and operational.

Additionally, SAE's close collaboration with OSEP, including bi-weekly calls with PRDE's State Contact, as well as PRDE's work with SERRC and DAC for continued technical assistance have kept PRDE focused on the hard work required to demonstrate progress with the indicators and procedures. A lot of attention was placed on improving the general supervision indicator and the postsecondary transition process. PRDE's efforts in collecting data and high quality Ed Facts submissions led PRDE to be recognized as "EDEN-only" for Tables 1 (Child Count), 2 (Personnel), 5 (Discipline), and 6 (Assessment). SEASWeb is in place, and with strong capacities to provide reliable and valid data through the reports. The development of SEASWEB during FFY 2007 was a strong effort that has been contributing to improve PRDE's performance in indicator compliance, timely service provision, and the valid and reliable collection of data (see discussion under Indicator 20).

SERRC and DAC also worked in close collaboration with SAE to assist in re-envisioning and re-structure the general supervision system, and particularly the monitoring unit. A monitoring manual is being developed and a district self assessment is in place. NSTACC and NPSO worked with SAE for postsecondary transition process re-envisioning and providing technical assistance to train the personnel. A transition checklist was developed and the improvement of this indicator reflects the combination of good technical assistance and hard work. Another completed activity has been the revision of The Procedural Manual, which was revised and incorporates up-to-date federal and state regulations, reflecting PRDE polices for educational and related services provision.

PRDE SAE has come so far in just over two years. At the same time, we realize that even with all of these accomplishments, significant work remains. PRDE SAE is proud of the reported past year's

progress, not only for the improved data reported but also the reality that the data reflects of the improved quality in services. PRDE SAEE looks forward to continue working collaboratively with OSEP in order to move toward compliance for the benefit of our special education children.

Along with this APR, PRDE submits its APR Supplemental Report, which addresses items related to the 2007 Compliance Agreement and OSEP's Verification Visit Letter to PRDE.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

- All Youth: The total number of students graduating from the 12th grade (including IEP students) divided by the overall 12th grade enrollment for that year.
- Youth with IEP: The total number of students with an IEP graduating from the 12th grade divided by the overall 12th grade enrollment of students with an IEP for that year.

FFY	Measurable and Rigorous Target
2007	Maintain FFY 2006 data (65.18%)

Actual Target Data for FFY 2007 (2007-2008): 52%

Data for FFY 2007:

B. Graduated with regular high school diploma	C. Received a certificate	D. Reached Maximum Age	E. Died	G. Dropped out	(B + C + D + E + G)
897	119	46	0	670	1732

Actual Measurement for FFY 2007:

B. Graduated with regular high school diploma	Divided by (B + C + D + E + G)	FFY 2004 Baseline Data
897	0.517898	<u>52%</u>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

The requirement for this indicator changed last year and now allows the SEA the option to report only the percent of youth with IEPs graduating from high school with a regular diploma without making a comparison to the percent of all youth graduating from high school with a regular diploma. In the FFY 2006 APR, Puerto Rico established its baseline and its annual measurable and rigorous targets based on this approach to Indicator 1.

PRDE uses its Section 618 Data Report, Table 4 Report of Children with Disabilities Exiting Special Education as the data source for this indicator. Specifically, PRDE uses data from the 'All

Disabilities' page (Tab 13 of Table 4). Data from Row B ('graduated with regular high school diploma) is divided by all exits from school represented in the sum of Tab 13 Rows B, C ('received a certificate'), D ('reached a maximum age'), E ('died'), and G ('dropped out'). PRDE used this data to establish the baseline and set the actual target data for 2007-08 school year in its FY 2006 APR. The technical assistance and clarifications provided by OSEP, SERRC, and DAC last year allowed PRDE to have a better understanding of what is required in this indicator.

For FFY 2007, data reviews demonstrate that a total of 897 students graduated from high school with a regular diploma out of the 1732 students who exited the 2007-08 school year, resulting in 52% as the actual measurement for Indicator 1. As such, PRDE was not able to meet its target for FFY 2007, which was set at 65.18%. Concerned by this drop in graduation rate, PRDE has taken a look at what may have been the result. Please see the discussion under Indicator 2.

PRDE SAEI will continue its plans for improvement emphasizing in the development of activities regarding student's school retention.

Activities	Discussion on improvement activities completed
1. Maintaining special education support, placement options, streamlined procedures, transition planning available to IEP students in high school as a means of working to maintain a high graduation rate.	PRDE is continuing these efforts.
2. Maintaining special education support, professional development, technical assistance available to high school teachers and other personnel.	PRDE is continuing these efforts.
3. Continue to monitor graduation rates and foster retention in schools.	PRDE has continued tracking its graduation rates and fostering retention in schools. After the re-envisioning of the Monitoring Unit, as discussed in last year's and this APR under Ind. 15, more formal monitoring of graduation is an activity that remains under discussion to be incorporated as part of the monitoring manual and monitoring procedures. In terms of fostering retention in schools, please see the discussion under Indicator 2 regarding anti-drop out measures.
4. Evaluate Table 4 data collection methods and participate in activities to help ensure reliable data collection; continue data validation activities.	<p>This year PRDE has demonstrated a lot of progress loading and using the new data base SEASWeb. The phase of collecting student information was completed and incorporated into the system. Fields related with data requested by PRDE's RLV court case and OSEP's APR indicators were designed in order to be able to complete the reports through the system. Work remains in being able to fully incorporate the tables for 618 data into the SEASWeb. Technical Assistance received by DAC remains on going to assure successful completion of this task. Some trials of reporting for secondary transition and exiting have been done with partial results that are expected to improve during the 2008-2009 school year.</p> <p>PRDE also is working with SIS matching with SEASWeb system. From the total count of students for 2007-2008, 78,000 students were found and still working with the correction and demographic data update. Our major target is to complete this matching and provide a unique identification number for each special education student that will be used</p>

	<p>for future references in both systems. SEASWeb has a unique number for them and the SIS does as well. In SEASWeb, PRDE created a field so special education teachers will be including each student's SIS student identification number in their reports. PRDE SAAE preferred SIS number to emphasize the student belonging to that particular school community.</p>
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007 (2007-2008)

PRDE SAAE plans to continue with its currently stated improvement activities, and we will be engage in one additional activity listed below.

Activity	Timelines	Resources
<p>1. Explore and develop activities regarding alternatives for students' school retention and to promote improved graduation rates.</p>	<p>March to June 2009</p>	<p>SAAE Academic Affairs Program Stakeholder groups PR PTA</p>

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2007	<i>Maintain FFY 2006 data (23.54%)</i>

Actual Target Data for FFY 2007 (2007-2008): 38.6%

Data for FFY 2007:

B. Graduated with regular high school diploma	C. Received a certificate	D. Reached Maximum Age	E. Died	G. Dropped out	(B + C + D + E + G)
897	119	46	0	670	1732

Actual Measurement for FFY 2007:

G. Dropped Out	Divided by (B + C + D + E + G)	FFY 2005 Actual Target Data
670	0.386836	<u>38.6%</u>

Discussion of FFY 2007 Data:

The requirement for this indicator changed last year and now allows the SEA the option to report only the percent of youth with IEPs dropping out of high school without making a comparison to the percent of all youth dropping out of high school. In the FFY 2006 APR, Puerto Rico established its baseline and its annual measurable and rigorous targets based on this approach to Indicator 2.

PRDE collects drop out data for students with IEPs as per Section 618 data reporting requirements. The data is disaggregated by disability and age. PRDE defines “dropping out” for students with IEPs as students who leave school prior to completing the academic program, which is consistent with the definition used in Section 618 data report.

PRDE uses its Section 618 Data Report, Table 4 Report of Children with Disabilities Exiting Special Education as the data source for this indicator. Specifically, PRDE uses data from the 'All Disabilities' page (Tab 13 of Table 4). Data from Row G ('dropped out') is divided by the total sum of the data from Rows B ('graduated with regular high school diploma'), C ('received a certificate'), D ('reached a maximum age'), E ('died'), and G ('dropped out'). PRDE used this data to establish the baseline and set the actual target data for 2007-08 school year in its FY 2006 APR. The technical assistance and clarifications provided by OSEP, SERRC, and DAC last year allowed PRDE to have a better understanding of what is required in this indicator.

For FFY 2007, data reviews demonstrate that a total of 670 students dropped out from high school out of the 1732 students who exited the 2007-08 school year. After calculations our drop out rate for 2007-2008 is 38.6%, which is an increase from the FFY 2006 data for this indicator.

Concerned by this result, PRDE took a deep look at the reasons for this increase in the drop out rate under Indicator 2. In looking at where the students who qualified as 'dropping out' under this definition were going, PRDE determined that the majority of these students leaving the system or their placements were doing so in order to engage in other academic alternatives to complete high school graduation requirements—just not with a regular diploma or certificate. Reasons for students making the decision to exit the regular diploma program vary from the need to get out to work for independence or economic situation, school apathy, or a desire for less academic challenges.

PRDE was also able to determine that many PRDE special education students considered to have dropped out enrolled in the adult education program and CASA program which are alternatives provided by PRDE that allow students to obtain a diploma that is sufficient to allow them to enroll in universities and or find jobs. For 2007-2008, the adult education program enrolled 394 students with IEPs who dropped out of school. If this category of students did not count against PRDE as drop outs, this might significantly improve PRDE's Actual Measurement for this Indicator.

PRDE has developed several alternatives to work as prevention measures. These include:

- *Referrals to private sector organizations* when a student is identified as at risk to drop out of school to assist with preventing the student from dropping out by providing counseling services and other positive intervention initiatives that help with retention. Many of these private sector organizations also have programs to work with students in the event they do drop out to ensure students continue their educations through another avenue or find work, etc. (e.g., Sor Isolina Centers, Aspira).
- *Peaceful co existence program* (Convivencia Pacifica). This program serves students identified as high risk because of drug abuse, guns or home violence. Workshops lead the students to confront their realities and look for new ways or alternatives of living and learning to achieve their goals in a peaceful manner.
- *Learn and Serve of America* is an alternative to provide students at risk an opportunity to help others such as children in hospitals, homeless individuals, and the elderly during their free time after school hours and/or over the weekend.
- *Grade placement tests* are given to students that have been failing for three years in the same grade and students whose ages do not correspond to the appropriate age for their grade. If a student passes this test, the student will be placed in the appropriate grade—which can help with esteem and motivation
- *Open school program* for school retention is an after school program that includes cultural, recreational and academic activities.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

Activities	Discussion of improvement activities completed
<p>Increase special education support available for high school students.</p>	<p>See discussion above. PRDE is continuing these efforts.</p>
<p>Increase special education support for teachers and other high school personnel.</p>	<p>See discussion above. PRDE is continuing these efforts.</p>
<p>Target in and provide support to districts that are reporting higher numbers of students dropping out of high school.</p>	<p>PRDE SAE priority this year was to complete data for the system. It is considered as a great effort having the districts and the CSEEs providing data and validating the reports that prevent us to complete this activity in the timeline established. PRDE will continue this activity. PRDE has undertaken efforts regarding preventative activities, as discussed above.</p>
<p>Continue to collect and validate drop out data for IEP students.</p>	<p>PRDE collects this data based on child count for exiting table. This table includes all the possible reasons for exiting. The SIS collects information regarding the student status at the end of the year. After matching the SEASWeb and SIS data, PRDE is able to validate and share dropout data.</p> <p>PRDE SAE will continue the efforts to complete the alignment between SEASWeb and SIS. As discussed in prior communications between PRDE and USDE, SEASWeb now includes a field for each student's SIS student identification number so teachers can begin incorporating this number into the SEASWeb files. This increased collaboration between the SEASWeb and SIS systems is allowing PRDE another level of validating its data. A first matching for students taking Alternate Assessment was successfully done in SIS and SEASWeb. The demographic information provided in both systems is further validated.</p> <p>DAC is assisting the SEASWeb data manager in order to make sure it is well suited to assist with the forms and tables required by OSEP for reporting. Some trials have been done but partial results were obtained. PRDE will continue this activity.</p> <p>This is an on going activity.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007 (2007-2008)

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

- A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup. **Puerto Rico is a unitary system, thus part A is not applicable to PRDE.**
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

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

Measurement:

- A. Percent = $[(\# \text{ of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}) \text{ divided by the (total \# of districts that have a disability subgroup that meets the State's minimum "n" size in the State)}] \text{ times } 100$. **Puerto Rico is a unitary system, thus part A is not applicable to PRDE.**
- B. Participation rate =
 - a. # of children with IEPs in assessed grades;
 - b. # of children with IEPs in regular assessment with no accommodations (percent = $[(b) \text{ divided by } (a)] \text{ times } 100$);
 - c. # of children with IEPs in regular assessment with accommodations (percent = $[(c) \text{ divided by } (a)] \text{ times } 100$);
 - d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = $[(d) \text{ divided by } (a)] \text{ times } 100$); and
 - e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = $[(e) \text{ divided by } (a)] \text{ times } 100$).

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

Overall Percent = $[(b + c + d + e) \text{ divided by } (a)]$.

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

against alternate achievement standards (percent = [(e) divided by (a)] times 100).
 Account for any children included in a but not included in b, c, d, or e above.
 Overall Percent = [(b + c + d + e) divided by (a)].

FFY	Measurable and Rigorous Target
2007	<p><u>INDICATOR 3B</u>: Return to Baseline (98.73% for Spanish, 98.44% for Math)</p> <p><u>INDICATOR 3C</u>: Increase to 32% for Spanish and 39% for Math</p>

Actual Target Data for FFY 2007 (2007-2008):

	Spanish	Math
3B, Participation	<u>98.59%</u>	<u>98.43%</u>
3C, Proficiency	<u>39.29%</u>	<u>46.69%</u>

Actual Target Data and Measurement for Part B, Participation, for FFY 2007:

Data Year and Examination	a. # of children with IEPs in grades assessed	b. # of children with IEPs in RA with no accomm.	c. # of children with IEPs in RA with accomm.	d. # of children with IEPs in AA against GLS	e. # of children with IEPs in AA against AAS	Measurement [[(b + c + d + e) / a] x 100]
2007-2008, Spanish Participation	60,170	13,695	43,642	0	1,989	<u>98.59%</u>
2007-2008, Math Participation	60,170	13,675	43,573	0	1,980	<u>98.43%</u>

Actual Target Data and Measurement for Part C, Proficiency, for FFY 2007:

Data Year and Examination	a. # of children with IEPs in grades assessed	b. # of children with IEPs in grades assessed who are proficient or above as measured by the RA with no accomm.	c. # of children with IEPs in grades assessed who are proficient or above as measured by the RA with accomm.	d. # of children with IEPs in grades assessed who are proficient or above as measured by the AA against GLS	e. # of children with IEPs in grades assessed who are proficient or above as measured by the AA against AAS	Measurement [[(b + c + d + e) / a] x 100]
2007-2008, Spanish Proficiency	60,170	5,373	17,570	0	700	<u>39.29%</u>

2007-2008, Math Proficiency	60,170	6,238	20,884	0	973	<u>46.69%</u>
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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007 (2007-2008):

PRDE administered its island wide criterion referenced assessment for the 2007-08 school year. The tests are known as the Pruebas Puertorriqueñas de Aprovechamiento Academico (PPAA) and the Pruebas Puertorriqueñas de Evaluación Alterna (PPEA). The PPEA is the AA-AAS administered to students with significant cognitive disabilities.

The state assessment system ensures the participation of students, grades 3-8 and 11 in Spanish, Math, English as a Second Language and Science in grades 4,8 and 11. Students with IEPs may participate in the PPAA with or without accommodations or in the PPEA based on what is appropriate pursuant to the child's IEP.

As reflected in the following tables, the data for 2007-2008 assessments demonstrate an increase in participation and proficiency for both Spanish and Math as compared to the FYY 2006 assessment results. Percentages and progress are shown in the following table: A total of 60,170 students with IEPs in the grades assessed (3-8 and 11) participated in both the Spanish and Math island wide PPAA and PPEA 2007-2008 assessments.

Comparison FFY 2007 Actual Data to Prior Years' Actual Data					
Subject/Participation/Proficiency	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2007 Commentary
PARTICIPATION: Spanish	97.76%	98.73%	95.52%	98.59%	Participation increased by 3.07% from prior year
PROFICIENCY: Spanish	39.92%	26.80%	29.86%	39.29%	Proficiency increased by nearly 9.43% from prior year
PARTICIPATION: Math	97.69%	98.44%	96.99%	98.43%	Participation increased by 1.44% from prior year
PROFICIENCY: Math	46.32%	35.05%	37.82%	46.69%	Proficiency increased by 8.87% from prior year

Moreover, PRDE substantially met its FFY 2007 targets set for participation and proficiency for both Spanish and Math. The following table compares PRDE's FFY 2007 Actual Data to its targets for FFY 2007:

Comparison of FFY 2007 Actual Data to FFY 2007 Targets			
Subject/Participation/Proficiency	FFY 2007 Targets	FFY 2007 Actual Data	Comments
Spanish- participation	98.73%	98.59%	Although PRDE's FFY 2007 Actual Data for assessment Participation in Spanish was shy of its target by 0.14%, PRDE has substantially met its target for assessment Participation in Spanish.
Spanish – proficiency	32%	39.29%	Proficiency on the Spanish assessment increased and PRDE surpassed its FFY 2007 target by 7.29%.
Math- participation	98.44%	98.43%	Falling shy of the target by only .01%, PRDE has substantially met its target for assessment Participation in Math.
Math – proficiency	39%	46.69%	Proficiency on the math assessment increased and PRDE surpassed its FFY 2007 target by 7.69%.

PRDE's performance under Indicators 3B and 3C for both Spanish and Math has improved significantly from last year and PRDE has substantially met all four of its targets. During the 2007-2008 school year PRDE put in place rigorous controls on enrollment counts and participation data. Training and dissemination activities were provided in school communities to foster greater awareness of the students' participation in the island wide assessments. PRDE scheduled and conducted monitoring onsite visits throughout the schools island wide before, during and after the test administration period. PRDE notes that the in regards to students who did not participate in the exams, this was not due to the opportunity not being made or lack of efforts made by PRDE to have all students participate.

PRDE continues to develop its Student Information System (SIS) and data validation process for tracking student participation. Data entry and data review processes take place continually. Schools have successfully enrolled their students in the SIS and continue to update changes in their enrollments. PRDE is moving towards the first time reporting of participation rates for the 2008-2009 administration based on the SIS enrollment counts. We anticipate having the system in place operationally for the 2009-2010 administration.

PRDE provided personnel development for teaching to the grade level standards and best practices island wide. Trainings were held at the regional/district levels with teachers and Spanish, Math, ESL and Science content area experts. Professional development and technical assistance opportunities were provided to support general and special education teachers. A resource guide for teaching to grade level expectations for special education teachers was developed and posted on the department's web site. Training on the use of accommodations for students with disabilities was also provided.

PRDE notes that while states are generally required to submit a copy of Table 6 with their APR, Puerto Rico is among a group of sixteen states that are not required to do so because they are 'EDEN-only' in regards to Table 6. As per email instructions from Ruth Ryder, this group was directed to not submit Table 6 with its APR.

Activities	Discussion
Support personnel development for the teaching methodologies, teaching to grade level standards, and teaching best practices	As mentioned above, PRDE provided professional development on teaching to grade level standards and reaching best practices.
Increase technical assistance and support to regular and special education teachers and service providers on teaching strategies and methodologies	Throughout FFY 2007, PRDE continued to provide technical assistance and support to general and special education teachers and service providers on teaching strategies and methodologies.
Continue TA for regular and special education teachers on the use of accommodations for students with disabilities	The technical assistance and professional development for teachers included the use of accommodations for students with disabilities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007 *(2007-2008)*

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity. **INDICATOR 4B DOES NOT APPLY TO PUERTO RICO.**

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

Measurement:

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

Include State’s definition of “significant discrepancy.”

FFY	Measurable and Rigorous Target
2007	<i>Maintain the baseline percentage (.003%)</i>

Indicator 4(a)

Actual Target Data for FFY 2007: 0.0011%

For FFY 2007, the Report of Children with Disabilities Subject to Disciplinary Removal (618 data, Table 5) shows that 1 student was removed or suspended/expelled for more than 10 days (Section A, Column 3B). This represents **.0011%** (1/90,036) of the total student based on child count report. As a point of clarification, the number of students with disabilities who were suspended or expelled for more than 10 days during FFY 2006 was 23 (.002% of students with disabilities). With actual data of .0011% for FFY 2007, PRDE met its target for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

Activity	Discussion
1. Personnel training for the use of the manual for positive behavior supports and functional behavior analysis	Continuous and on-going.
2. Continue to support regular and education teachers in the use of best practices for discipline procedures.	Continuous and on-going.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007 (2007-2008)

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

- A. Removed from regular class less than 21% of the day;¹
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Measurement:

- A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs removed from regular class greater than 60% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2007	A. Special education students who spent less than 21% of the day outside regular class = 73.5% B. Special education students who spent greater than 60% of the day outside regular class= 14.6% C. Special education students placed in private/public separate schools; residential institutions; placed in hospitals and homebound = 1.32%

Actual Target Data for FFY 2007: A) 81.7%; B) 11.46%~~16.1%~~; C)1.08%

Every year PRDE collects data on students' placement for 618 data. Looking over the students' IEP the data help to identify the least restrictive placement as stated by the IEP team. The data for this indicator was collected directly from 618 Data, Table 3, IDEA Implementation of FAPE requirements. The data collected for this table was collected from the student profile records filled out by teachers in May 2008 and validated in a paper count manner for the reporting.

Table 3 shows that 73,539 students ~~are placed inside the regular class spent~~ 80% or more of the day ~~inside the regular class~~, which represents 81.68% (73,539/90,036) of ~~the all~~ students ~~aged 6 through 21 with IEPs based in child count~~. ~~Regarding Indicator 5B, A-16-1411.46% (14,539/10,319/90,036) were~~

removed from regular class greater than 60% of the day, referring to self-contained classroom or partial integration. A total of 968 students ~~awere~~ served in private separate schools, residential placements or homebound or hospital, representing ~~a~~ 1.08% of the total students aged 6 through 21 with IEPs (968/90,036).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007

~~PRDE met its all of its FFY 2007 targets for this indicator student placement for measurements A and C. Efforts will continue to maintain those percentages. PRDE just missed its target for measurement B referring (students removed from regular class greater than 60% of the day) by about 1.5%. PRDE plans to meet its target next year showing significant progress on the FFY APR 2008.~~

During FFY 2007, PRDE gave particular attention to training special and regular education teachers regarding student support, accommodations, modifications, materials adaptations and related services including use of assistive technology. Since 2006-2007, with the awareness of students with disabilities fully participating in assessment programs, a general awareness was overcome in school communities that has helped to increase the understanding of students' participation rights, and the importance of providing accommodations and additional support to help students access the regular curriculum, to keep them involved and to demonstrate performance. Meetings and trainings were held to provide and improve the understanding and importance of accommodations in the regular classroom.

Improvement Activity	Discussion of Progress of activities completed
<p>1. Include training to regular teachers and personnel as part of the Statewide Personnel Development System</p>	<p>Regular teacher have been and are continuing to be invited to special education meetings to receive additional support and alternatives to provide better access to curriculum to special education students placed in regular classrooms. Additional island wide trainings were provided to meet IDEA requirements for regular teachers' participation in IEP meetings and the importance of their involvement and recommendations to work with students also served by special education program.</p> <p>General and district supervisors are available to provide technical assistance to schools which request particular information and on site visits. Conference calls are scheduled with school directors for consultation and additional information in order to satisfy particular needs of particular students.</p> <p>Through the implementation of the Alternate Assessment, special and regular education teachers are having meetings to share their knowledge and expertise to design activities where special education students can demonstrate performance and curriculum participation. A resource guide was developed to help special education teachers in the understanding of the general standard and curriculum expectations and to provide examples of ways to modify or provide the proper instruction to special education students. These efforts were the result of having a three day meeting for the Alternate Assessment Program where regular teachers explained the content grade expectations and</p>

	<p>activities as they developed them for the regular students and having the special education experts to discuss the corresponding adaptations, modification and recommendations for the activities proposed. This Resource Guide was intended to work with students with cognitive significant impediments but information and availability of the document placed on the PRDE web page has allowed it to be shared with regular teachers as an additional tool.</p>
<p>2. Include training to special education teachers and staff as part of the Statewide Personnel Development System</p>	<p>Several island wide trainings were conducted for special education personnel regarding topics related to: accommodations and curriculum modifications, student participation in general assessment and also in the provision of assistive technology devices for curriculum access.</p>
<p>3. Continue monitor the provision of appropriate special education services in school</p>	<p>With the opening of the Service Centers the monitor and quality provision of special education services have been showing significant progress. School referrals are attended to directly through the call center where a teacher can request student appointments for related services such as therapies as recommended in the IEP or others related to the tri-annual re evaluations. The CSEE's call station centers maintain appointment logs and are available to schedule appointments.</p> <p>Service Centers maintain records in the data system of services provisions. Using SEASWeb and continuously uploading data to ensure it is updated, along with the incorporation of the alerts system, is another effort to keep on improving with this requirement.</p> <p>Service centers maintain an office to attend to and inform the parents regarding student rights, procedural safeguards, and special education services. Parents can be and are referred by school personnel. This effort also contributes in the monitoring of delivering appropriate service provisions.</p>
<p>4. Increase special education support to students accommodations, modifications, materials and equipment, assistive technology, and related services.</p>	<p>Process and policies are in place to ensure proper student accommodations and assistive technology provisions. Having fiscal units in the service center will improve the results of purchasing necessary equipment and assisting the students' needs as required and established in their IEPs. PRDE expects there to be significant improvement for next APR (2008-2009).</p>
<p>5. Increase special education support to personnel; technical assistance, consultation, and best practices</p>	<p>See activity # 1 and 2.</p>

information dissemination.	
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008

PRDE has no revisions for to make on Indicator 5 at this time. However PRDE plans to continue the provision of appropriate special education services; continue follow up trainings on accommodations, curriculum adaptation and modification; and maintain special education support to regular and special education teachers. PRDE looks forward to showing continued progress for the next APR (FFY 2008) for this indicator.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
<i>FFY 2007 (2007-2008)</i>	N/A

Actual Target Data for FFY 2007: N/A

As directed by OSEP, the States, including Puerto Rico, are not to report on Indicator 6 in the FFY 2007 APR. See, e.g., *Part B State Performance Plan (SPP) and Annual Performance Report (APR) Indicator Support Grid* (“States are not required to report on Indicator 6 in the FFY 2007 APR due Feb 2, 2009.” P. 3) and OSEP Memorandum entitled *Part B State Performance Plan (Part B – SPP) and Part B Annual Performance Report (Part B – APR)* dated August 20, 2008 (“States need not report on Indicator 6 for FFY 2007.” P. 2).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

N/A (see above).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

N/A (see above).

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

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

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

Measurement:

- A. Positive social-emotional skills (including social relationships):
 - a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

If a + b + c + d + e does not sum to 100%, explain the difference.

- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):
 - a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.

b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

FFY	Measurable and Rigorous Target
2007	<p style="text-align: center;"><i>Not Applicable</i></p> <p style="text-align: center;"><i>Baseline, Rigorous Targets, Improvement Activities required for FFY 2009 APR due on February 1, 2010</i></p>

Overview of Issue/ Description of System or Process:

Background

In order to comply with the requirements for this indicator, PRDE received intense technical assistance from the Early Childhood Outcomes Center (ECO) and the South East Regional Resource Center (SERRC) during August, September, and October 2006, and has continued a series of technical assistance activities since that time. A two day technical assistance activity was held at the end of August 2006, and several teleconferences took place during the following months. ECO provided

documentation, scales for evaluating progress, and training on best practices to evaluate preschool outcomes in the three areas included in this indicator (positive emotional skills, acquisition and use of knowledge and skills, and the use of appropriate behaviors to meet needs). PRDE personnel translated the documents, including ECO Child Outcomes Summary Form (COSF), which was selected for the gathering of data. PRDE is using the ECO criteria for defining “comparable to same aged peers” (special education students who receive a 6 or a 7 on the COSF scale).

On October 5 and 6, 2006, PRDE conducted a training with ECO and SERRC resources for supervisors, teachers, and Head Start representatives identified to lead the implementation of the indicator. Following that first training, PRDE’s leadership personnel have provided continuous training activities and technical assistance to all regions and school districts. These activities included administrative, related services and teaching personnel, in an effort to provide the basic understanding of the requirement, the outcomes areas, and the process to gather the data.

Initially, OSEP’s reporting requirements for this indicator as laid out for the FFY 2004 SPP submission, required baseline and rigorous target data be established and included with the February 1, 2008 FFY 2006 APR submission. At that time and with that understanding, PRDE proposed to choose a sample of children entering preschool services from August 1, 2006 to October 31, 2006 in the Bayamón and Morovis regions as its first cohort. The criteria used for this selection was based on representativeness of these regions in terms of geographical location, size, and special education enrollment. ECO provided technical assistance in the selection of the sample. PRDE’s proposed second cohort was to include all children entering preschool programs from November 1, 2006 until June 30, 2007 island-wide.

As PRDE moved forward in implementing this initial plan, PRDE became aware of the need to develop a different approach to ensure the inclusion of sound and meaningful data for all children entering and exiting preschool services. This need was due to the fact that using the initial sampling approach, only a limited number of children from that sample that received services for more than 6 months, exited the program during 2006-2007, leading to very scarce progress data to report for the February 1, 2008 submission.

PRDE’s Revised Approach to Gathering and Reporting Data for Indicator 7

In response to these concerns, PRDE determined it was necessary to revise its approach for data collection under Indicator 7. The new approach was developed using a phase-in schedule as follows:

PHASE I. Pilot, First Cohort, and Establishment of Baseline Data

- Pilot: All children entering preschool services in the (former) Morovis Region from August 1, 2006 to October 31, 2006. This group served as a pilot both for the process and the documents.
- First Cohort: All children entering preschool services in the Arecibo, Caguas, Humacao, and Mayagüez regions from November 1, 2006 to June 30, 2007, in addition to those students who entered through the pilot group. Because of the regional restructuring, the Morovis Region no longer exists as its own region, but rather, is now a part of the Arecibo Region.

This first cohort of children whose improvement in the three areas are being measured consist of all eligible preschool children who began receiving special education services in the former Morovis Region August 1-October 31 2006 as well as all eligible preschool children who began receiving special education services in the Arecibo, Caguas, Humacao, and Mayagüez Regions November 1, 2006 through June 30, 2007. This group includes children in all preschool placement alternatives for each of the included regions. One of the factors involved in selecting regions for this cohort was whether the presence of a Special Education Service Center open and functioning efficiently within the region. As the activities and process related to this indicator are new, intensive training efforts, technical assistance and validation process are extremely necessary to ensure personnel understanding of both the process and

the reporting. As such, PRDE decided it made sense to take advantage of the support for these activities that can be provided at the service centers.

Information gathered from the pilot group implementation guided changes to the process and the technical assistance needed. The total first cohort group, composed of all eligible preschool children from the Arecibo, Caguas, Humacao, and Mayaguez Regions who entered special education services from November 1, 2006 to June 30, 2007, represents the population of children served throughout the Island, and includes data from all preschool placement settings.

Of this first cohort, those who exit preschool services during at least six months after entering during FFY 2006, FFY 2007 and 2008, will constitute the group of students whose evaluation data will be used to establish PRDE's baseline data. This baseline data will be reported in the FFY 2008 APR, due February 1, 2010. In the FFY 2007 APR, due February 1, 2009, updated progress data for the first cohort will be reported.

PHASE II. Second Cohort, and Establishment Actual Data for Comparison to First Target

- Second Cohort: All children entering preschool services island-wide during FFY 2007 (July 1, 2007 through June 30, 2008). This adds the Bayamon, Ponce, and San Juan Regions to the regions already included in the First Cohort, thus constituting all regions, and thus all entering preschool children, island wide. At the end of this phase, PRDE will have all school districts island-wide reporting entry and exit data for all preschool children.

This progress report includes both the first and second cohort. Herein, the number of children in this cohort, as well as progress data with this cohort is reported in addition to the updated progress data for the first cohort as mentioned above. In the FFY 2008 APR due February 1, 2010, wherein the baseline and measureable targets will be established based on data from the first cohort, updated progress data on the second cohort will be reported. Then, in the FFY 2009 APR, due February 1, 2011, actual data from the second cohort will be reported and compared to the target data set for FFY 2009.

With the establishment of the second cohort, the entire island is now included. As such, for every proceeding year, the next group of students entering preschool services island-wide will be identified, tracked, and reported on in accordance with the appropriate schedule. I.e., Each school year, a new cohort of children will be identified and followed through its preschool years, along with those included in previous cohorts.

Policies and procedures for the outcomes assessment

All children 3 to 5, who receive special education services for the first time will have entry data collected, using the "Resumen de Resultados de la Intervención con el Niño(a) Preescolar" , a translation of ECO's COSF. This form will be completed using existing information gathered from different sources, including formal and informal evaluations of the child, teachers' and other providers' input, and parental input. Various methods for collecting and sharing information can be used, including meetings, visits, and teleconferences.

When the child exits preschool services (reaches 6 years of age, needs no more services, or is no longer eligible), after receiving services for more than six months, exit data will be gathered, using the same procedure to gather entry data, in order to determine if the child maintained a functioning comparable to same aged children, improved functioning comparable to same aged children, improved functioning near same aged children, improved functioning, but not sufficient to be near same aged children or did not improved functioning. PRDE is using the ECO criteria for defining "comparable to same age peers" (special education students who receive a 6 or a 7 on the COSF scale).

Measurement strategies to collect data

As part of PRDE's preparation for the implementation of this new indicator, it received technical assistance from ECO and SERRC. A broad analysis of the requirement and the actual status of the assessment of preschool children on the Island reflected the following:

- existing assessment processes focus on individual children, not always allowing for program’s assessment and identification of strengths and weaknesses
- the existence of a variety of assessment procedures and techniques across the Island
- lack of assessment tools to measure OSEP’s preschool outcomes: positive-emotional skills, acquisition and use of knowledge and skills, and use of appropriate behaviors to meet needs

PRDE selected the ECO COSF, translated the documents, designed the process for the data collection, and provided training to school personnel and administrators.

In using the COSF form, the group will gather available information and will determine the child’s performance level, compared with same aged children, using the 7 points score provided in the form. When the child exits from preschool services, the form will be completed again, addressing the question if there was an improvement when compared with the entry level functioning.

Although this process does not require a specific tool for the assessment and functioning determination, PRDE is encouraging school districts to use the Creative Curriculum Assessment Tool. This tool is based on developmental stages for preschool aged children and offers a qualitative measure of functioning in the four major areas of development: social-emotional, physical, cognitive, language. A brief description of the steps taken for the use of this tool will be included further in this report.

On an ongoing basis, school districts and schools will complete forms of children entering and exiting preschool services, and will report the data to the Central Level Special Education Program for its analysis and further reporting.

Baseline Data (For FFY 2007: Entry Data and Progress Data)

Baseline data will not be established until the FFY 2008 APR due February 1, 2010. For this FFY 2007 APR, only entry and progress data will be reported. The following charts show progress reports for those children who entered and exited special education services from the first and second cohorts (2006-2007 and 2007-2008), after at least six months of services. The first chart provides a summary of PRDE’s reported progress data for this indicator, while the next three tables provide the actual data used to calculate the measurements.

2007-2008 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior
a. Percent of preschool children who did not improve functioning	1.1%	2.6%	1.8%
b. Percent of preschool children who improved functioning, but not sufficient to move nearer to function comparable to same aged peers	20.7%	11.4%	9.2%
c. Percent of preschool children who improved functioning to a level nearer to same aged peers, but did not reach it	37.6%	41.0%	34.3%
d. Percent of preschool children who improved functioning to reach a level comparable to same aged children	25.8%	35.4%	36.2%
e. Percent of preschool children who maintained functioning at a level comparable to same aged peers	14.8%	9.6%	18.5%

FFY 2007 Actual Measurement Data:

A. Positive social-emotional skills (including social relationship):	Number of children	% of children
a. Percent of preschool children who did not improve functioning	3	1.1 %
b. Percent of preschool children who improved functioning, but not sufficient to move nearer to function comparable to same aged peers	56	20.7%
c. Percent of preschool children who improved functioning to a level nearer to same aged peers, but did not reach	102	37.6%
d. Percent of preschool children who improved functioning to reach a level comparable to same aged children	70	25.8%
e. Percent of preschool children who maintained functioning at a level comparable to same aged peers	40	14.8%
Total	N= 271	100%

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of preschool children who did not improved functioning	7	2.6%
b. Percent of preschool children who improved functioning, but not sufficient	31	11.4%

to move nearer to function comparable to same aged peers		
c. Percent of preschool children who improved functioning to a level nearer to same aged peers, but did not reach	111	41.0%
d. Percent of preschool children who improved functioning to reach a level comparable to same aged children	96	35.4%
e. Percent of preschool children who maintained functioning at a level comparable to same aged peers	26	9.6%
Total	N= 271	100%

C. Use of appropriate behavior to meet their needs	Number of children	% of children
a. Percent of preschool children who did not improved functioning	5	1.8%
b. Percent of preschool children who improved functioning, but not sufficient to move nearer to function comparable to same aged peers	25	9.2%
c. Percent of preschool children who improved functioning to a level nearer to same aged peers, but did not reach	93	34.3%
d. Percent of preschool children who improved functioning to reach a level comparable to same aged children	98	36.2%
e. Percent of preschool children who maintained	50	18.5%

functioning at a level comparable to same aged peers		
Total	N= 271	100%

Discussion of Baseline Data (For FFY 2007: Entry Data and Progress Data)

The entry/progress data presented above shall continue to be used as a tool to look at how schools and school districts assess progress and preschool functioning. Through its analysis, the needs assessment was updated, and several steps and activities have been identified and will be carried out, in order to ensure both data accuracy for the establishment of the baseline and use of strong and sound assessments process.

The knowledge and experience gained in the collection and analysis of this progress report will be of strong significance for this process.

Measureable and Rigorous Targets

Measureable and Rigorous Targets will be established based on exiting data from the first cohort in FFY 2008 APR due February 1, 2010.

Discussion of Improvement Activities/Timelines Resources

Below PRDE reports the activities it has carried out as well as upcoming activities anticipated for the coming year.

Activities Carried-Out

The following activities have been carried out to ensure compliance with this indicator:

- Training to leadership personnel (October 2006, and continuous)
- Training to preschool teachers, special education supervisors (October, November, December 2006, 2007, 2008)
- Development of forms to collect the entry data (October 2006, October 2008)
- Translation of COSF and other materials (October-November 2006)
- Collection of initial data (November 2006)
- Analysis of initial data (Jan to March 2007)
- Adjustments, modifications to documents and process (May 2007)
- Training, technical assistance and verification visits (starting January 2007, still ongoing)
- Collection of data and follow up for children entering services in the first and second cohort from Nov. 1, 2006 to June 30, 2008 (August to October 2007, 2008)
- Analysis, validation and report design (November 2007 to January 2008, November 2008to January 2009)
- PRDE received technical assistance from SERRC in strategies to analyze and present data. (August 2007 to January 2009)
- Acquisition and initial training of the Creative Curriculum Assessment Tool, to be used for the ongoing assessment of children progress throughout the preschool stage. This tool is widely used in Puerto Rico by Head Start Programs and can constitute a shift in the manner in which schools collect and maintain progress data for preschool children. An initial training was provided, in collaboration

with a Head Start expert to leadership PRDE's personnel during March 2007. The materials were distributed to the school districts and schools after the initial training.

-Acquisition and initial training of the Creative Curriculum to be used to guide classroom activities.

-Training in typical child development, in coordination with SERRC, August 2008 and ongoing.

In order to establish a solid basis for the implementation of this Indicator, PRDE carried out intensive coordination and analysis of programs and teachers' needs in order to ensure improved services for very young children. In collaboration with SERRC, PRDE determined the need for improved teacher skills in early childhood typical development, assessment of preschool aged children. Trainings and follow up activities begun during August 2008, and are still on going.

Revisions, with Justification, to Improvement Activities/Timelines/Resources:

Upcoming Activities

The following activities are scheduled over the coming months:

-Individual technical assistance to school districts included in the second cohort (began in September 2007 and continuous throughout January 2008-May 2009)

-Follow up to teachers and other personnel training on the use of Creative Curriculum Assessment Tool and Creative Curriculum (Dec. 2008 to May 2009)

(March 2008)

-Identification and request of teaching materials and guides to improve preschool children learning (continuous)

-Verification of data gathered (February to March 2009)

-Continue to collect exit data for children in the first cohort, second , and third cohort (February 2009 to June 2009)

-Collect data for exiting children and compare to entry level data (ongoing, until June 2009)

-Analyze and compare data for exiting children to establish progress data for the indicator (September 2009-October 2009)

-Start collecting entry level data for the third cohort (July 2008-June 2009)

-Analyze alternatives to create an online reporting program to improve data transmittal from local schools to Central Level and management (April 2009)

- In order to ensure implementation of the Indicator, data collection and accuracy, PRDE plans to implement the following activities are on an ongoing basis:

- Include the preschool outcomes requirements as part of the state monitoring system
- Conduct periodic revisions of completed forms to ensure quality and completeness and identify and correct technical assistance needs
- Analyze data by school districts and regions to identify gaps, errors, and possible non compliance with the Indicator.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2007 (2007-2008)	89.6%

Actual Target Data for FFY 2007: 83%

For FFY 2007, PRDE continued with the same process for collection of data for Indicator 8 as described in its SPP submitted February 1, 2007. Therein, PRDE explained that it was using the *Inventario para Padres de Estudiantes que Reciben Servicios de Educación Especial*, a Spanish translation based on the National Center for Special Education Accountability and Monitoring’s Parent Survey- Special Education (version 2). This survey was translated, adapted and used to measure parent involvement in their children’s special education services for use in 2005-2006. For 2006-2007, some grammatical changes were made to the version used in 2005-2006 but no substantive changes were included. Now, for 2007-2008, no changes were made to the survey used for FFY 2006. All questions, substantive areas and information requested remain the same without changes as approved by OSEP in 2006-2007.

The parent inventory addresses three means for facilitating parental involvement: (i) schools as facilitator of the process, (ii) the teachers as facilitators, and (iii) a third scale related to the general view of the special education program. Parents who answered “bastante” or “mucho” (numbers 4 and number 5 on a 1 to 5 scale) on questions regarding parental involvement, were counted as reporting that schools facilitated parent involvement as a means of improving services and results of children with disabilities.

FFY 2007 Sample

A random selection of parents was used for survey administration. As PRDE’s special education population for FFY 2007 was 99,731 the sample size would need to be at least 383 parents of students receiving special education services for 2007-2008.

Determination of the required sample was defined by the following formula:

$$s = \frac{X^2NP(1-P)}{d^2(N-1) + X^2P(1-P)}$$

Where:

s = required sample size

X² = the table value of chi-square for 1 degree of freedom at the desired confidence level (3.841)

N = population size

P = the population proportion (assumed to be .50 since this would provide the maximum sample size)

d = the degree of accuracy expressed as a proportion (.05)

Accordingly, with a universe/population size (N) of 99,731:

$$\begin{aligned}
 s &= \frac{(3.841)(99,731)(.50)(1-.50)}{(.05)^2(99,731-1) + (3.841)(.50)(1-.50)} \\
 &= \frac{95,766.693}{.0025(99,730) + .96025} \\
 &= \frac{95,766.693}{250.285} \\
 &= 382.630 \\
 \underline{s} &= \underline{383 \text{ parents}}
 \end{aligned}$$

As such, in order to have sufficient sample size, PRDE must have issued surveys to at least 383 parents.

The parents of a total of 383 students with disabilities were selected by the sampling method to receive the inventory. A total of 248 of the 383 parents selected for the sample completed and returned inventories. This constitutes a participation rate of 65% of the identified sample group. This survey depends absolutely on parent responses. Under statistics approaches, having that % of participation, it is appropriate to consider such results as a representation of the parents.

Also, it is important to note that PRDE’s sampling method allows us to collect feedback from a wide variety of parents including variation and representation by school level, student placement and almost all types of disabilities.

Survey Results for FFY 2007

A total of 206 of the 248 completed surveys reported that schools facilitated parental involvement as a means to improving services and outcomes for their children with disabilities. This represents 83% of the respondent parents (206/248 x 100).

Data Year	(1) # respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	(2) # of respondent parents of children with disabilities	[(1)/(2)] X 100 = Percent
2007-2008	206	248	83%

PRDE did not meet the target of 89.6% that was set for FFY 2007, but this is significant improvement from last year’s results (FFY 2006 Actual Measurement was 76%). Moreover, participation in the survey from the sample selected improved from FFY 2006 as well.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

Activity	Discussion of improvement activities completed
1. Revise and modify the survey	As discussed above, PRDE employed the same survey document approved by OSEP last year.
2. Increase parental responses to the survey	<p>PRDE implemented many activities and efforts in attempt to increase the parental responses to / participation in the survey. PRDE central level staff worked directly with general supervisors who share the responsibility of informing selected parents of the survey and following up to ensure the surveys were received and returned. Parents have the option to return the completed surveys by mail or through the schools.</p> <p>The percentage of parents who responded to and completed the survey increased significantly this year. Participation for FFY 2006 was 49% (188/384), and the participation rate for FFY 2007 was 65% for FFY 2007 (248/383).</p>
3. Disseminate the results of the parent survey to regions and central level and other interested parties.	<p>The results of the survey are annually disseminated by the month of March through the general education supervisors who have the responsibility to keep the district supervisors, the school directors, teachers and parents informed. Several meetings are conducted through the regions with PRDE staff to inform of the overall APR results. These meetings include time for discussion of survey results, recommendations for improvement with this indicator, and some recommended activities to foster parent involvement.</p> <p>August is PRDE’s back-to-school month and many meetings and trainings take place during the first days of school. This is a good opportunity for disseminating the information to schools and to reinforce through recommended activities the importance of parent and teacher collaboration. A memorandum is sent every year by that time to school directors addressing the importance and need of</p>

	parental involvement in the school community and with the students.
4. Training and technical assistance to school and district personnel on facilitating parental involvement	PRDE included training and technical assistance along with its report of the survey results to school and district personnel.
5. Foster joint parent/teacher trainings	<p>PRDE has worked to ensure there are plenty of opportunities for parents to be involved not only in mandatory activities such as IEP revisions and other procedures but also to learn more from SAEE, learn new information, and collaborate and truly feel as fully participating and collaborating partners. In addition to OSEP requirements for parental participation, the State Legal Case of Rosa Lydia Vélez requests evidence of these efforts as well. Parents are invited to participate and to collaborate. Their perspectives and feedback are very much appreciated by PRDE as PRDE recognizes the value of parents' perspectives and the importance of their participation. The following are examples of joint parent/teacher trainings during FFY 2007.</p> <ul style="list-style-type: none"> • The <i>Día Familiar y de Logros de Educación Especial</i> is a wonderful example of joint parent/teacher trainings and activities island wide. The Congress was held and sponsored by the PRDE SAEE, at Guillermo Ángulo Coliseum in Carolina, P.R. • In collaboration with APNI (Asociación de Padres de Niños con Impedimentos) (APNI, PR PTA) PRDE sponsored two annual island wide activities that are joint parent/teacher trainings. Each year a different topic is covered in those meetings and over 600 participants between parents and teachers participate and benefit from this activity. The meetings were held at Embassy Suites, Dorado, P.R. Caribe Hilton Hotel, San Juan. • PRDE celebrates the <i>Autisim Family Day</i> in collaboration with Alianza de Autismo and Annual Congress of The Deaf and Blind parents lead by Deaf and Blind parents association in Pabellón de la Paz, Parque Luis Muñoz Rivera, San Juan, P.R. <p>Evaluations conducted and commentaries from the parents reflected parent satisfaction and willingness to support these kinds of efforts. As such, PRDE plans to continue with such activities and joint trainings.</p>
6. Monitor the implementation of the established procedures for fostering parent involvement.	PRDE developed a district self assessment instrument for monitoring the implementation of the established PRDE procedures and policies. The theme of parent involvement is included in the monitoring. This instrument will be fully implemented this 2008-2009 school year.
7. Administer the survey, collect data and measure progress on parent involvement	<p>This year, PRDE has made the determination to adjust its child count period from December 1 to October 1. This gives PRDE a better timeline to revise and analyze data provide by the system and for validation activities.</p> <p>Indicator 8 depends on child count data to calculate the parents' representativeness, as soon as the official child count is submitted the process of defining and selecting the sample begins (February). PRDE expects to begin distribution of the next survey by April 2009.</p>

	<p>PRDE will analyze the results May 2009-July 2009 and disseminate the results in August for the prior school year. For example, FFY 2007 results were disseminated in August 2008. For FFY 2008-2009 child count will be reported in February 2009 so PRDE anticipates that by August 2009 results for parental involvement will be disseminated.</p>
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

PRDE plans to continue with this current state Improvement Activities. No revisions are being sought at this time for proposed targets or timelines either.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State’s definition of “disproportionate representation.”

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

FFY	Measurable and Rigorous Target
<i>FFY 2007 (2007-2008)</i>	N/A

Actual Target Data for FFY 2007: N/A

As discussed in the SPP and reinforced by OSEP’s *Puerto Rico Part B SPP/APR Response Table* sent to PRDE along with its APR Determination Letter dated June 6, 2008, this indicator does not apply to Puerto Rico.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

N/A (see above).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

N/A (see above).

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State’s definition of “disproportionate representation.”

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

FFY	Measurable and Rigorous Target
<i>FFY 2007 (2007-2008)</i>	N/A

Actual Target Data for FFY 2007: *N/A*

As discussed in the SPP and reinforced by OSEP’s *Puerto Rico Part B SPP/APR Response Table* sent to PRDE along with its APR Determination Letter dated June 6, 2008, this indicator does not apply to Puerto Rico.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

N/A (see above).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

N/A (see above).

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

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

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

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

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100%

Actual Target Data for FFY 2006: ~~83.010-6%~~ for timely evaluation (30 days).
35.3% for timely evaluation AND determination (60 days).

Evaluations ~~conducted~~ within 30 days

Date Year	a. # of children with parental consent to evaluate	d. # of evaluations held within 30 days	% evaluations held within PR timeline (a/d)
2007-08	18,049+02*	14,983587	83.010-6%

*A total of 18,237 children with parental consent to evaluate were initially received, however ~~435188~~ parents missed their evaluation appointments and failed to re-schedule despite efforts from PRDE to do so, or left Puerto Rico or otherwise exited the registration process, and were adjusted during the process.

Eligibility Determination made within 60 days

Data Year	a. # of children with parental consent to evaluate	Adjusted a.	b. # determined not eligible within 60 days	c. # determined eligible within 60 days
2007-2008	18,049+02*	17,961*	834	5,7445,514

*A total of 18,237 children with parental consent to evaluate were initially received, however ~~135188~~ parents missed their evaluation appointments and failed to re-schedule despite efforts from PRDE to do so, or left Puerto Rico or otherwise left the registration process, and were adjusted during the process. Of the 18,049+02 another 141, after receiving their initial evaluation missed appointments and failed to re-schedule despite efforts from PRDE to do so, or left Puerto Rico or otherwise exited the registration process, and the number was adjusted to 17,961 accordingly.

Data Year	b + c	Divided by 'adjusted a'	Times 100	%
2007-2008	6,348	0.3534	35.34	<u>35.3%</u>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

As noted in ~~the~~ Puerto Rico's SPP, PRDE faces state timelines shorter than the federal requirements due to the RLV court case sentence which mandates compliance of 30 days for initial evaluations and 60 days for eligibility determination. Consequently, Puerto Rico faces shorter timelines than the federal requirements. Because of these state established timelines, Puerto Rico reports its actual target data for this indicator in regards to both required timelines.

PRDE was not able to meet the 100% mandatory target for this compliance indicator. During FFY 2007, a total of~~By the end of the period 14,587 students from~~ 18,049+02 were referred for and had parental consent to evaluate. ~~Of that number, 14,983 total referred received their initial evaluations,~~ which represents ~~83.019-6%~~ of all students referred for initial evaluation with parental consent, that received a timely initial evaluation (i.e., within 30 days). A ~~total sum~~ of 6,348 students received their eligibility determination timely (i.e., within 60 days) for a 35.3%. While Puerto Rico recognizes there is still work to do to ~~reacheome into its~~ 100% target with each of these timelines, Puerto Rico looks forward to continue with the efforts it has initiated in improving performance with this indicator.

The following table compares Puerto Rico's improvement in complying with these two timelines over the past three APR submissions:

Data Year	30 Day Eligibility Determination	60 Day Eligibility Determination
FFY 2005 (2005-2006)	70.2%	21.7%
FFY 2006	82.9%	37.9%

(2006-2007)		
FFY 2007 (2007-2008)	83.00-6%	35.3%

After showing significant progress from FFY 2005 to 2006, for FFY 2007 there was not much change from FFY 2006.

Late in the 2005-2006 school year, PRDE SAE E established the Special Education Service Centers (CSEEs) across the island to offer special education services to the students and parents as a one stop shop where they can receive all information and most services needed in one location. As discussed in the SPP, parents' ability to register their children and make appointments for evaluations at the service centers had a positive impact on performance in these regions under this indicator. During 2007-2008, PRDE was able to open five more service centers. PRDE had restructured its educational regions and now operates within the structure of seven regions. As such, two regions benefit from the presence of two service centers within their region while the other four regions have one service center located within their region

In school year 2006-2007 PRDE SAE E conceived the idea of establishing a pilot program involving a special team at the service centers devoted to work on completing student's eligibility determinations following initial evaluation with parental consent. The pilot helped with both meeting timelines for new students requesting special education services and lowering the existing backlogs. The pilot project went into effect in February 2007 for Bayamón, Caguas and Mayaguez. Due to the benefits of the pilot, PRDE worked on the establishment of the eligibility determination unit for every service center. These service centers were expected to recruit the necessary staff during PRDE's agency-wide recruitment period in May 2007 and have them in their positions by August 2007 in order to fully implement the unit at that time which certainly was possible. By December 2007, three of the remaining Special Education Service Centers (Arecibo, Bayamón and Ponce) began managing eligibility determinations at the Center. The final CSEE, San Juan, began in January 2008.

Difficulties and delays with personnel recruitment had a negative impact in the establishment of the unit therefore the beginning of providing this service at the centers. Some of the challenges confronted included Parents missing their appointments and others just not showing to complete their process ~~were part of the challenges confronted.~~ Bayamón and San Juan service centers ~~face~~ severe problems that significantly impacted their general progress with this indicator regarding personnel recruitment.

PRDE SAE E strongly believes that finally having the eligibility determination component at all of the service centers ~~finally all~~ fully operational for 2008-2009 will help ~~ensure to cover those~~ children will ~~be~~ evaluated and ~~or~~ receiving their eligibility determinations within the mandatory timelines.

The following chart reports the range of % per Service Centers when having the eligibility program in place.

FFY 2007 Data for Regions Participating in the Pilot Program		
Region	Evaluation within 30 days	Eligibility Determination within 60 days
Caguas	95%	31.0%
Humacao	84.0%	43.0%

Mayagüez	94.0%	62.0%
Ponce	77.0%	17.0%
Arecibo	83%	11%
Bayamón	65.64%	14%
San Juan	65.79%	5.16%

Data Re: Those Children Not Evaluated and Receiving Eligibility Determinations within Timeline

The following charts report the range of days beyond the timeline when eligibility was determined as requested by OSEP.

Evaluated Students for FFY 2007 (2007-2008)						
Total # of children with parental consent to evaluate	Eval. within 30 days or less	Eval. within 60 days	Eval. within 90 days	Eval. within 120 days	Eval. in more than 120 days	Not Evaluated Not Yet Able to Determine
18,049,102	14,983,587	1,006,968	337,317	164,158	559,508	1,004,564
	80.683.0 %	5.63%	1.98%	0.9%	3.12.8%	5.58.6%

Total of Students with Initial Evaluations and Eligibility Determinations for FFY 2007 (2007-2008)					
Total # of students who requested services (adjusted)	Students evaluated with eligibility determinations in 60 days	Students evaluated with eligibility determinations within 90 days	Students evaluated with eligibility determinations within 120 days	Students evaluated with eligibility determinations in more than 120 days	Eligibility not yet determined Not Yet Able to Determine
17,961	6,578,348	3,416,207	1,620,568	3,171,924	4,914
	35.3%	17.9%	8.7%	10.7%	27.4%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred during FFY 2007:

A total of 9 Service Centers are currently operating for the seven educational regions. The eligibility determination pilot project is conducted in all Service Centers.

Trainings were held for special education general and district supervisors that include the importance and impact of ensuring timely managing of the evaluation and determination process.

For 2007-2008 new corporations and individual proposals for initial results delivery were requested to present a report which included: referrals attended, students dismissals, parental requests to transfer their services from one Corporation to another, referrals not attended and returned to the Service Centers. Also, sanctions had to be paid by Corporations if there was a delay of more than 10 days between the evaluation and sending the report of the evaluation to the Service Center. These two requirements were included in the contracts and contributed to timely service provision for PRDE.

The new data base system SEASWEB was fully loaded. The fields for creating the report for this indicator are being developed in order to obtain information directly from the service centers. Once the service centers receive the parental consent, the information of the children is loaded into the system and the follow up is given electronically. PRDE and SAEE central level will monitor and track the timelines for those specific children. PRDE still works in an alert system that will notify the respective districts and service centers about the children approaching their due date for initial evaluation and other related timelines. Under the technical assistance received from DAC this year, we have been retrieving information from the system for validation purposes, reporting analysis and to get a better alignment between the data system and the information requested for reporting.

For 2007-2008 data was obtained from the system and sent to the ~~Service Centers~~ ~~Centros de Servicio~~ for an update to the information and fields for the report that also served as a validation process. Districts and ~~Service Centers~~ ~~Centros de Servicio~~ were requested to complete the information not available, and to update and correct the data retrieved from the system directly into the system for a faster way to update the information. During the ~~last~~ DAC TA visit, in December 2008, a run was conducted to get data for B11 indicator as requested by OSEP for proper calculations. The overall perception is that SAEE PRDE is getting closer to the report needed in a valid form directly from the system without extensive manual validation efforts, but still some fine tuning is ~~required at this point~~ ~~yet to be done~~. The system is not fully operational but significant progress has been made regarding: data loading, reporting templates and fields, alerts system and validations.

Other activities held during the year for non compliance correction included extensions to the extended working hours that included the specific task to cover initial evaluations results analysis and eligibility determinations. This effort continued up to May 2008. As discussed within Indicator 15, all initial evaluation backlogs (FFY 2005 and FFY 2006) have been eliminated. There are no initial evaluations pending for those years. This required significant effort and resources from PRDE and may have impacted its ability to keep up with incoming initial evaluations. With the backlogs gone, PRDE looks forward to continuing with its progress.

During the month of August, instructions were given to the ~~Centros de Servicio~~ ~~Service Center~~ Directors, general and district supervisors, to update the information system based in five priority areas: children registration, initial evaluations, eligibility determination, IEP meetings and Placement of school year 06-07. This effort was to concentrate personnel in loading the system for incomplete or missing children's information giving them the opportunity to not only update but also look over those timelines as well.

By October 2007 a ~~C~~corrective action plan was delivered to the service centers through the service centers' Directors to general and district supervisors to update the information system in the five priority areas including the 2005-2006, and the 2006-2007 school years. The Plan was due by December 2007, followed by a meeting in January 2008 with personnel who were to inform the results of the effort of the Corrective Action Plan and the status for each ~~Service Center~~ ~~Centro de Servicio~~.

In May 2008, school superintendents with children in noncompliance for initial evaluations were appointed to discuss the enforcement action for compliance that lead PRDE to a second corrective action plan due in June 2008 followed with the information of results and final status of pending children for

2005-2006 and 2006-2007. A list was provided to the ~~Service Centers~~~~Centros de Servicio~~ with specific names of students that needed to be tracked ~~to~~~~for~~ complete their data in the system.

By September 2008 the ~~Service Center~~~~Centros de Servicio~~ Directors received another memorandum requesting a final update of the student list provided and a certification of the efforts to complete the data needed. All ~~thi~~~~ese~~ communications from the Central level to the ~~Service Centers~~~~Centros de Servicios~~, the memorandums sent ~~it~~~~it~~, and the direct meetings with the personnel helped PRDE to eliminate~~ee~~~~over~~ all backlogs for the years 2005-2006 and 2006-2007. Memorandum, agendas and attendance list are PRDE supporting documents for these efforts.

ACTIVITY	Discussion of Progress of activities completed....
<p>1. Implement the eligibility determination pilot in the remaining Service Centers.</p>	<p>By November 2008, 9 Centros de Servicios have the teams devoted to work on eligibility determinations. The teams have the responsibility for initial evaluation analysis, the eligibility determination up to the final IEP meeting coordination with school as needed by the children.</p> <p>Difficulties and delays with personnel recruitment affected the services between Centros de Servicio but the overall results reflect significant progress delivering the services and working with backlogs as well. Two Centrs are still having difficulties with system networking but the services are being provided. Data is collected manually and efforts are made to load it into the system in alternative ways. Both of these Centers have the eligibility team in place which the total impact of this project will be reported in next APR FFY 2008.</p>
<p>2. Evaluated options and develop guidelines for dealing with parents who miss their appointments</p>	<p>One of PRDE major concerns for this indicator is reporting on those children that continuously miss their appointments for initial evaluation. Once the parents consent, PRDE has a 30 day timeline to conclude with the initial evaluation and 30 more days for the eligibility determination. The parents get their appointment at the Centros de Servicio mostly the same day they request for the special education services. The Centers maintain an appointment log from the Corporations and can book appointments for parents right away.</p> <p>Once they get the appointment, it is the parent's responsibility to make possible the completion of that evaluation. Parents miss or delay the appointments made, which negatively impacts the timelines required by PR state law and OSEP. Some parents may notify of any inconvenience for not attending their appointments and personnel from the service centers at the call center address a new date for the evaluation but timelines continue running. Most of the parents simply do not notify, so PRDE has to wait for Corporations to notify PRDE of the parent's absence in order to proceed for another appointment. Directors at the Service Centers agreed on sending letters to the parents, calls and even social worker visits to the address provided with their documentation. PRDE has determined that parents that missed their appointment for three consecutive times may be excluded in accordance 34 CFR 300.301d.</p> <p>Because of RLV court case, it is very difficult to convey in a memorandum for this procedure but the concern has been shared with the plaintiff class in order to provide the service as requested and to get some responsibility from the parents to comply with the timelines. PRDE hopes to work with PR PTA to train and inform the parents of this requirement, which would be helpful to this procedure.</p>

Revisions with Justification to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

The additional following improvements activities will be engaged in by PRDE in order to continue its efforts for compliance.

ACTIVITY	TIMELINES	RESOURCES
1.Keep up working to implement the alert system in SEASWEB	Spring 2009	PRDE SAEЕ data management unit
2.Use the information system to generate monthly report or the cases registered for better monitoring compliance	January- May 2009	PRDE SAEЕ data management unit
3. Implement a new protocol for Eligibility Determination as proposed.	Summer 2009	PRDE SAEЕ
4.Coordinate with P.R. P.T.A. (APNI) for parents orientation on procedures and timelines for services provision (B11,B12) (Keep Evaluating and negotiating options and develop guidelines for dealing with parents who miss their appointments)	Summer 2009	PRDE SAEЕ

Part B State Annual Performance Report (APR) for FFY 2007

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

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

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

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

FFY	Measurable and Rigorous Target
2007	100%

Actual Target Data for FFY 2007: 42.435.5%

PRDE conducted an islandwide data collection and several validation activities in order to obtain the number of children who exited Part C services whose eligibility was determined prior to their third birthday, the number of children who were found eligible and were provided special education services by their third birthday, and the number of eligible children who, at the end of the period, had not been provided with special education services. The data collected shows the following:

Table A - Data

a- # of children served in Part C referred to Part B for eligibility determination	b. # of children determined not eligible whose evaluations were conducted prior to their third birthday	c. # of children found eligible with IEP's developed and implemented by their third birthday	d. # of children for whom parental refusal to consent to evaluation caused delay in evaluation or initial services
2384	<u>6555</u>	<u>720613</u>	0

As directed by the measurement instructions for this indicator, children included in a (from Table A above) but not included in b, c or d must be accounted for. In applying the measurement formula to the data for FFY 2007, there is a subgroup of children included in a (children served in Part C referred to Part B for eligibility determination) that are not included in b, c, or d. A significant number of those children [a-(b+c+d)] at the end of the 2007-2008 reporting period had not yet reached age three. Also, there is a very small subgroup of students referred from Part C to Part B who exited PRDE and thus are not included in a. The remaining children are children who were referred to Part B but not received their eligibility determination by age three.

Table B – Additional Data: Accounting for children included in (a) from Table A but not included in b, c, or d.

e. # of children who had been referred to Part B and that at the end of the 2007-2008 reporting period had not yet reached age three and were still receiving services by Part C	f. <u># of children who had been referred to Part B from Part C but subsequently exited PRDE</u>	g. # of children who had been referred to Part B from Part C that did not receive their eligibility determination by the date the turned aged three.
605	<u>16</u>	<u>978+1111</u>

Category e from Table B represents the subgroup of children within “a” that have been referred to Part B, but that by the end of FFY 2007 had not yet reached the age of three in order to be eligible to begin receiving Part B services. For example, if child X was referred to Part B for eligibility determination on November 3, 2007 at 2.1 years of age (i.e., child X was born in October 2004), child X will not turn three until October 2008. Because the reporting period covers FFY 2007(July 1, 2007-June 30, 2008), at the end of the period covered by this report, child X had not yet turned three, and as such was not yet eligible for Part B services.

PRDE presents the measurements in two manners, first by a strict interpretation of the formula disregarding the comments following the algebraic formula, and second in order to reflect the impact of this subgroup on the indicator as indicated by the comments within the measurement definition directing states to account for all students included in a but not included in b, c, or d.

Without considering the students accounted for in Table B:

Data Year	(a – b – d)	C Divided by (a-b-d)	Times 100	= Percent
2007-2008	<u>23192329</u>	<u>.31052632</u>	<u>31.052632</u>	<u>31.1263</u>

Accounting for the students in subgroups e and f of Table B, as directed by the measurement formula definitions:

Data Year	(a – (students accounted for in Table B, columns <u>e and f</u>))	Minus (b + d)	Into C	Times 100	= Percent
2007-2008	<u>17631779</u>	<u>16981724</u>	<u>.42403555</u>	<u>42.403555</u>	<u>42.4%35.55%</u>

The second measurement more accurately reports Puerto Rico’s performance with the indicator and complies with the Secretary’s directions to account for the subgroup of students included in a but not included in b, c, or d, making Puerto Rico’s actual Indicator 12 target data for FFY 2007 35.55%. Both measurements are included nonetheless.

The Secretary’s measurement instruction further direct the states to indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed. The following table (Table C) provides the range of days elapsed beyond the third birthday of children whose eligibility and services were not in place by the third birthday. Reasons for the delays are discussed thereafter.

Table C. Range of days elapsed beyond the third birthday of children whose eligibility and services were not in place by the third birthday.

# of children receiving services from Part C and referred for eligibility determination during FFY 2007 and were not determined eligible or provided with services on their third birthday (Table B, column f)	In place within 60 days of third birthday	In place within between 61 and 90 days or third birthday	In place within 91 and 120 days of third birthday	In place within more than 120 days of third birthday	Unable to determine with data provided
9781111	273153	14782	8645	25489	218742

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007

In comparing the percentage of compliance for the FFY 2005 reporting period (13%), the percentage for the FFY 2006 reporting period (30.27%), and the current (FFY 2007) reporting period (~~42.435.5%~~), the improvement in the provision of services to eligible children at their third birthday is evident.

Demonstrated Progress with Indicator 12 Over Time		
FFY 2005	FFY 2006	FFY 2007
13%	30.27%	42.4% 35.5%

The steps that PRDE is taking for the improvement of the services through the Special Education Service Centers, as well as the intensive training, guidance, and follow up provided to personnel in charge of the transition process is resulting in increasing the compliance with this requirement. Although the percentage increase during this reporting year fell below PRDE’s goals and OSEP’s target, there has been an overall increase in demonstrated compliance with this indicator.

One major reason for delay in the provision of services to these children continues to be that a significant number of children in Part C were not referred to Part B until extremely close to their third birthday. During the reporting period, 746 (20%) of the children who received services from Part C and were referred to Part B for eligibility determination were referred within 60 days or less of their third birthday, increasing the challenge of PRDE to provide timely determination, IEP development, and delivery of services.

As stated before, Part C is administered by the Puerto Rico Department of Health while Part B is administered by PRDE. Collaboration between the two departments is managed by an Interagency

Agreement. At the end of the academic year, Part C sends an annual list of if its record all children referred from Part C to Part B. This gives PRDE an additional opportunity to conduct follow-up to ensure it has record of all students on this list and to determine their status. Identifying additional areas of the Interagency Agreement that may need to be changed or modified as well as continuously working to improve communication among Part C and Part B personnel may aid in improving performance under this indicator. A comprehensive analysis of each district’s data must be made in order to identify needs for targeted technical assistance, training and retraining, and the application of sanctions when appropriate.

As of July 12, 2008, CSEE directors were provided with a printed version of the data contained in the information system regarding all children who had not yet turned age 3 when referred to Part B from 7/1/07-6/30/08. They were also provided with a CD containing the information. CSEE directors were to update/validate the information and return it by the end of August to PRDE SAE. There were significant delays in return of the CDs from the CSEE Directors, and the majority of CDs were received during September, October, and November 2008. A major reason for this delay was that districts and CSEEs consumed responding to and providing data related to RLV and other indicators, as well.

A special education supervisor at each one of the island’s Special Education Service Centers is assigned the responsibility of ensuring an agile process for transitioning children. These supervisors, along with the preschool coordinators, are in charge of the follow up and coordination needed to evaluate, determine eligibility, develop the IEPs, and the coordinate services. The Service Centers have generally aided in increasing Puerto Rico’s performance with several indicators over the past few years including with this indicator. This initiative was implemented in February 2007, and has aided in the increased performance under this indicator. PRDE expects this effort in combination with the full implementation of information system and the system alerts and the consistent monitoring will have an even greater impact for next year’s (2008-2009) reporting period.

OSEP’s Response Table B to PRDE’s FFY 2006 APR asks PRDE to address the previously identified noncompliance under this indicator. ~~Due to the manual nature of the Part C to Part B transition files, it is very difficult for PRDE to address the specific previously identified noncompliance under this indicator.~~ PRDE monitored ~~the~~ outstanding evaluations from past years as they were pending, but to ensure all children transitioning from Part C to Part B were evaluated, received eligibility determinations, and—where determined eligible—had an IEP developed and implemented. This past year, FFY 2007, has been the first year PRDE has been able to use its new information system, SEASWeb, to assist with gathering and reporting of data under Indicator 12. ~~Due to the manual nature of the Part C to Part B transition files prior to FFY 2007, it would be unduly burdensome for PRDE to address the specific information regarding the correction of all previously identified noncompliance under this indicator, such as to provide more detailed information on when the specific evaluations were held or~~ within how much time after the child’s third birthday the evaluation and/or implementation of IEP occurred. To do so would require an exorbitant amount of resources, including a complete review of the files of all students transitioning from Part C to Part B during those years. PRDE has made ensuring a successful implementation of SEASWeb its top priority, and this has required significant, continuous, and ongoing resources, and special emphasis has been placed on Indicator 12 within SEASWeb. Accordingly, it is ~~no longer~~ feasible for Puerto Rico to gather this specific information regarding the outstanding data from the FFY 2005 and FFY 2006 APRs considering the manual nature of those files.

PRDE is working closely with ECHO center and SERRC for technical assistance. Also PR PTA is working collaborative with SAE in order to complete Part C to Part B transition by the time required. The preschool coordinators (an agreement between the Puerto Rico Parents Training and Information Center APNI were involved in the process of collecting and validating the data. They were assigned the responsibility to follow up on transitioning children’s movement through their transition from the service request to the IEP development, and will continue to support PRDE’s efforts in this area. Continuous monitoring by phone calls and on site visits as requested by the services centers happened during this year

Activity	Discussion
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<p>1. Create an alert in the information system (SEASWEB) for when child is about to turn 3 years old. Work to ensure such an alert functions in an efficient and effective manner.</p>	<p>PRDE has discussed its intentions to have this alert created in the system with the SEASWEB contractors. This alert is expected to be in place and operating by the spring of 2009.</p>
<p>2. Use the information system to generate a monthly report of the cases registered in order to better monitor compliance.</p>	<p>The APNI coordinators have continued issuing monthly reports of the cases, but for this year, it has still been done manually.</p>
<p>3. Provide additional continuous training and technical assistance to personnel at locations with greater challenges in compliance with this indicator in order to address issues specific to such locations.</p>	<p>Continuous training and technical support were provided during the reporting period.</p> <p>Over the coming year, PRDE intends to determine with the Compliance Unit, the level of compliance of each district in regards to this indicator, and provide more focused training and technical assistance to these areas and, as needed, apply determinations.</p>
<p>4. Evaluate and identify best practices for monitoring transition in coordination with both the monitoring and technical assistance units. Continue and intensify the monitoring of transition requirements compliance</p>	<p>PRDE continued to monitor entities regarding this indicator and provide on-sight technical assistance and verification visits. Compliance with the transition requirement was discussed and included as part of the revamping of the Monitoring System. PRDE will continue its efforts to incorporate best practices.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008, and subsequent:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

FFY	Measurable and Rigorous Target
2007	100%

Actual Target Data for FFY 2007: 92%

IEPs Reviewed for Transition Goals and Services	2007-2008
a. Number of students ages 16+ (Child Count)	13,776
b. Number of IEPs reviewed	12,213
c. Percentage of student files reviewed (b ÷ a)	88%
d. Number of compliance	11,259
e. Percentage of files in compliance (d ÷ b)	92%

The measurable and rigorous target data to be achieved is 100%. This IDEA requirement is a compliance indicator and the Department expects no less than 100 percent. PRDE has made a significant progress for this indicator.

For PRDE data collection teachers and school directors were asked to look over the IEP transition area of their respective students for 2007- 2008 school year. A Spanish checklist version was developed based on B13 Checklist created by the National Secondary Transition and Technical Assistance Center (NSTTAC). The information collected thorough this checklist included specific information to address the data to answer the indicator and was required to be signed by school directors to assure the reliability of the information.

Technical assistance was received during the school year from NSTTAC and the National Post Secondary Outcomes Center (NPSO) coordinated by the South East Regional Resource Center (SERCC). Transition concepts and IDEA requirements were clarified to get a better understanding of the indicator. Helpful strategies were discussed and shared in order to collect data and for data analysis. The direct participation of PRDE SAE in the Transition Institute held by NPSO, NSTTAC, and the National Drop Out Prevention Center at the Cross-Indicator Meeting (March 2008 in Baltimore) and at the Secondary Transition Institute (May 2008 in Charlotte, North Carolina) was a great opportunity. The experience working with transition team experts like Jane Falls among others and being able to receive their feedback and recommendations was a great asset. The Institute provided the opportunity to identify the priority areas that needed to be considered by PRDE. In collaboration with SERRC and TA providers an action plan was developed for the SAE that includes three major areas: professional development, data collection system, and transition services provision. Training was held for district and general supervisors that included transition process, IDEA requirements, and the use of the checklist. The information data base system was arranged and fields were created in a manner that information regarding this indicator could be retrieved directly from the system. To work on post-secondary transition services PRDE worked in the creation of the transition coordinator position which was finalized by the end of the FFY 07-08 period.

A student list was pulled from the system to identify those students 16 years and above who are required to have transition services in their IEP's. The list was sent to the Centros de Servicio for validation, data update, and to serve as a guideline to review the files. The Centros de Servicios Director met with district supervisors and gave them the corresponding student lists that had to be revised in their respective districts. In collaboration with district supervisors and teachers, a task force was put in place to review the students' files. The task had to be completed by September 2008. A total of 13,773 students were identified as 16 years and above who were required to have transition services in their IEPs. As the result of this effort, PRDE SAE reviewed 12,148 files (88% of the student population at issue). Receiving the technical assistance, developing the checklist for the teachers, placing a general supervisor as Transition coordinator at the Centros the Servicio, and providing on site and general trainings for the teachers were PRDE's major steps to get the 92% of compliance for this indicator.

Information required by OSEP Response Letter:

In prior years, the determination for compliance under this indicator **was** based on the use of certifications signed by the school director. In the past, if a certification was received, **wePRDE** translated that into a "yes"—that the student did have transition services in their IEP. PRDE recognized that the certification was not as specific as asked by the Indicator measurement definition but what worried us most was not having a strong commitment from school directors to send back the certifications even if the students had transition services in the IEPs. This may explain the low numbers reported in previous years for this indicator, in addition to the transition services concepts misunderstanding, the assessment implementation, and the need for guidelines like the transition checklist to help the teacher know what was needed in the IEPs.

It was requested by OSEP to include in this FFY 2007 the tabulation form used to collect data for this indicator. The state's FFY 2005 reported data for this indicator was 52.7% based on the counting of individual certifications received in the Secretariat. The certification included a statement from the Director who certified that the student had in their IEP appropriate transition goals and services. The certification, checked and signed, by the school director was counted and totaled in a table format as follows:

For FFY 2005:

# of students 16 or above	# of certifications received	# of certifications that state the inclusion of transition services	% of compliance	# of certifications not submitted
14,318	7,544	7,544	52.7%	6,755

Due to having a new checklist developed that includes the secondary transition requirements, a special education facilitator devoted to the coordination of secondary transition at each CSEE, training teachers regarding the use and need of transition assessment and measurable goals writing workshop, among others, and technical assistance from NSTTAC, NPSO and SERRC, PRDE feels more comfortable not only with the method of data collection but also with the data provided for the indicator this school year.

As OSEP has noted, the certification approach PRDE employed in FFY 2005 and FFY 2006 did not accurately measure compliance under the specific requirements of Indicator 13. OSEP therefore considered the data previously submitted under this indicator as invalid. In order, then, to report on noncompliance with this requirement in prior years, PRDE would have to conduct a complete review anew of the files of all students 16 or above in years past, as they existed at the time, to determine where any actual noncompliance existed. This is not a feasible undertaking and would demand a degree of resources that PRDE cannot take away from current efforts to ensure compliance.

Transition IEP Checklist Results for FFY 07:

Teachers received the worksheet checklist that needed to be completed for all the students listed by the system and may include other students that also were attended in the school with transition services in their IEPs. The format includes some demographic information like student name, school name and location, identification number, age and date of birth. The checklist includes a statement to be signed by School Director who certifies that the information provided was valid and reliable. Detailed instructions were attached to the checklist.

For the measurement of this indicator, questions 2, 3 and 4 were the only ones considered for data analysis. The reason for this decision was based on the emphasis and initial trainings received by the teacher. For 2008-2009, revisions to the checklist will be made to include data regarding student participation in IEP meetings, and teachers are being trained for the remaining requirements so PRDE can use the rest of the information in the future.

Transition IEP Checklist Results For 2007-2008	Yes	No	NA
1. Is there evidence that the measurable postsecondary goals were based on age-appropriate transition assessments?	11,143 91%	1,170 9%	
2. Are there measurable postsecondary goals that address education or training, employment, and (as needed) independent living?	11,447 93%	866 7%	

3. Is/are there annual IEP goals that will reasonably enable the student to meet the post secondary goals?	11,260 92%	965 7%	
4. Are there transition services in the IEP that focus on improving the academic and functional achievement of the student to facilitate movement from school to post-school?	11,259 92%	954 7%	
5. Do the transition services include a course of study with focus on improving the academic and functional achievement of the student to facilitate movement from school to post-school?	10,942 89%	1,270 10%	
6. For transition services that are likely to be provided or paid for by other agencies with parent or adult student consent, is there evidence that representatives of the agency(ies) were invited to the IEP meeting?	2,889 23%	6,620 54%	2704 22%
7. For transition services that are likely to be provided or paid for by other agencies with parent or adult student consent, is there evidence that representatives of the agency(ies) participated in the IEP meeting?	3,292 26%	6,294 51%	2627 21.5%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

Success and progress for this indicator is attributed to the following improvement activities:

- Technical assistance provided by SERCC, NPSO, NSTTAC.
- Transition Institute (Charlotte, May 2008) participation.
- Frequent conference calls with consultant and transition experts.
- Implementation of new transition checklist based on NSTTAC checklist.
- Teacher training.
- A transition task force with the establishment of a Transition Coordinator

The use of the new data information system, SEASWeb, and the development of “set-up alerts” for secondary transition will help us to better gather the information and keep teachers aware of the need to include coordinated, measurable, annual IEP goals and transition services in the IEPs that will reasonably enable the student to meet the post-secondary goals.

After the re-envisioning of the monitoring unit a post-secondary transition section was included as part of the district self-assessment. This effort includes another alternative to ensure compliance and will support data provided.

Activity	Discussion of improvement activities completed
1. Continue and intensify monitoring to guarantee the services in the IEP	<p>The use of the new data information system SEASWeb and the development of set up alerts for secondary transition will help us to better gather the information and keep teachers aware of the need to include transition services in the IEPs.</p> <p>As part of the re-envisioning of the monitoring unit (see Indicator 15 discussion), a post-secondary transition section was included as part of the district self-assessment. This effort includes another</p>

	alternative to ensure compliance and will support data provided.
2. Coordination with governmental agencies to revise the interagency agreement in order to actualize transition needs for the students.	In October 2007, PRDE entered into a new Interagency Agreement with the Department of Labor's Vocational Rehabilitation Unit. This agreement establishes the transition processes between the two agencies.
3. Revise the Transition Manual.	As reported in the FFY 2006 APR, Puerto Rico had completed the review of the Transition Manual and was in the process of making the corresponding revisions to the Transition Manual. Those revisions have been made, and as such this task has been completed.
4. Teacher and administrative personnel training	<p>In collaboration with NSTTAC and NPSO a pilot was conducted in a selected vocational school to work directly with the teachers in developing transition goals based on an age appropriate transition assessment. Teachers were instructed in various assessment alternatives (both formal and informal) to collect information on students' needs and interests. Based on assessment results, the transition goals were developed in the IEP meeting. District supervisors and transition coordinators at the Centros the Servicio will give follow up and collaborate with the specific activities needed in order to facilitate the transition services established. Results will be discussed by the end of this school year.</p> <p>Eight schools were selected by rehabilitation program for follow-up in transition goals as required by the student with the major goal of preparing selected students for employment at the end of the school year.</p> <p>A three day residential meeting with high school transition teachers is being planned for 08-09 school year. Also over the coming year, as part of its training efforts, PRDE intends to disseminate graduation and drop-out rates and state prevention strategies to provide reference guides to teachers and supervisors.</p>
5. Strengthen and intensify relations between rehabilitation and vocational programs in order to improve our services	<p>The agencies have been working collaboratively through the year, and have held joint meetings periodically.</p> <p>The Department of Labor in collaboration with the Rehabilitation program and PRDE assigned 1,500 summer employment opportunities in governmental agencies for special education students. This provided working experiences to students 16 and above whose transition services included this as an alternative. The selection of the student mainly relied in their abilities and preferences in different employments modalities like competitive and supportive jobs. The students received payment under minimal federal rates.</p>
6. Evaluate and revise accordingly PRDE's data collection method for this indicator. Transition from current data collection method (use of certification form, etc.) to	As discussed above, PRDE changed its data collection method for Indicator 13 this year from the certification forms to a checklist (in Spanish) which was developed based on the B13 Checklist created by the National Secondary Transition and Technical Assistance Center (NSTTAC).

questionnaire/checklist methods more commonly used by other states.	
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

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

Measurement: Percent = [(#of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

FFY	Measurable and Rigorous Target
2007	91.33%

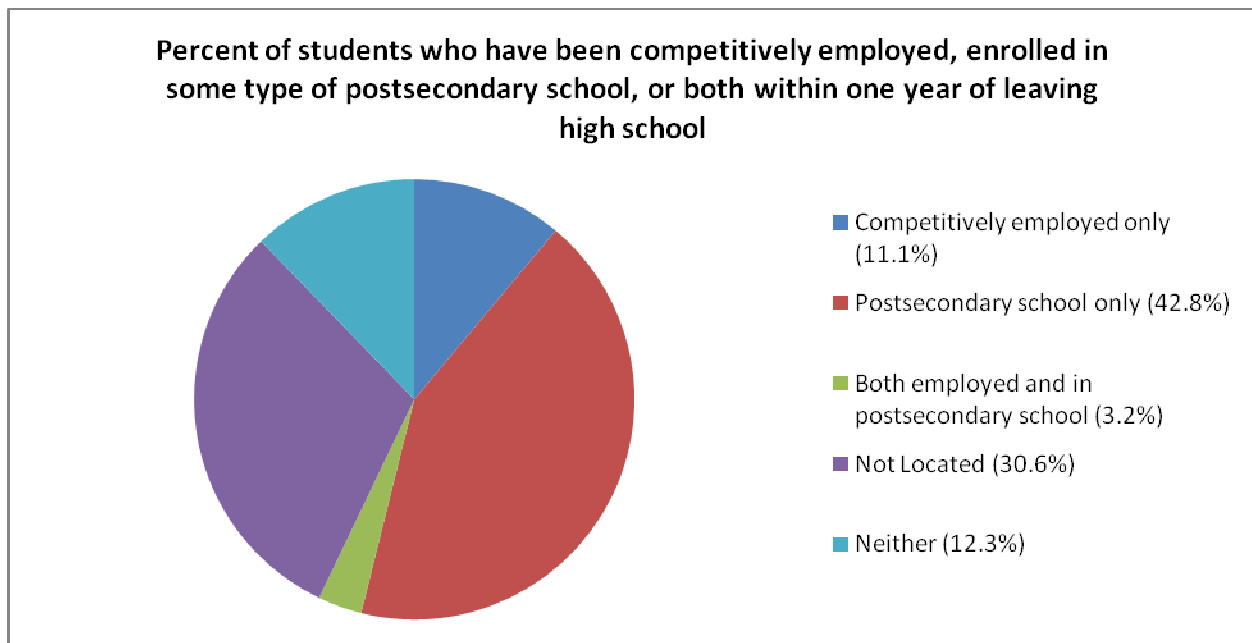
Actual Target Data for FFY 2007: 82.34%

Actual Data and Measurement for FFY 2007:

# of Youth Assessed (Total = 1,331)			Neither competitively employed nor studying	Not Located	Number of students attempted to be assessed
Studying	Working	Both			
821	213	62	235	588	1,919

<p># of youth who has IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school (studying + working + both)</p>	<p>(DIVIDED BY) Number of youth assessed who had IEPs and are no longer in secondary school (# of respondents)</p>	<p>(EQUALS) % of students who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school</p>
<p>1,096</p>	<p>1,331</p>	<p>82.34%</p>

The following chart displays this data:



Based on the data collection efforts from April 2008 to October 2008, a total of 1,933 students were reported as having exited for the 2006-2007 school year as reported in Table 4. Of these, 14 students died; therefore, PRDE counted 1,919 as exiting that school year for purposes of Indicator 14. Of the 1,919, 1,331 completed the survey for a response rate of 69% (1,331/1,919). PRDE considers the response group, 69% of the entire census of students who exited for purposes of Indicator 14, to be representative of the population. A sum of 1,096 youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school for a 82.34% result for this indicator. Last year 91% was reported for this indicator and targets were established based on that result; however, PRDE erred by inadvertently working with only one of the table 4 bases of exit subgroups instead of the four it should have included. As explained in the FFY 2006 APR, PRDE included only students with IEPs who exited postsecondary school due to graduating with a high school diploma and failed to include students who exited due to receiving a certificate, reaching maximum age, or dropping out. As such, PRDE may consider revising the baseline and targets in the future but is not ready to do so at this time. PRDE is currently comfortable with working towards the targets previously set for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

By October 2007 PRDE held a meeting with CSEE and district social workers to discuss transition services and instructions for the task. The correspondent student lists and surveys were distributed among them. The social workers who attended the meeting were responsible for contacting the students. The efforts included finding the students and the administration of the survey by phone calls, home visits and other collaboration as needed such as visits to work and study sites. The information was gathered from either parents or students. The list of those who need to be tracked and assessed was collected through FFY 2006-2007 exiting data (Table 4) as described in the table below.

Graduated with Regular High School Diploma	Received a Certificate	Reached a Maximum Age	Died	Dropped Out	Total of exited students for 2006-07 by exit basis
1,260	157	47	14	455	1,933

From the total number of the students to be assessed, 588 were not located. Efforts to contact them included home visits at the addresses available. Many of our social workers reported that the contact information was invalid leading to no other means to track the student. PRDE will improve the process of tracking the students having in place a pre-exit form that must be filled during the last IEP revision before leaving school. The pre-exit form will include updated demographic information and reference of immediate plans before exiting the system. It will also include additional contact telephone number of close family to be in touch with. The form will be saved in each student file and attached electronically in SEASWeb, our new data base system.

Activity	Discussion of improvement activities completed
1. Revise survey document to include all exiting students based on 618 data.	<p>The survey document was revised and included specific demographic information from the students and also a list of various phones numbers to contact them during the year. The survey include a statement that enables us to compare data collected with the one provided for section 618 Table 4.</p> <p>A pre-exiting form was developed in order to collect important information and even immediate future plans of the student for easiest the tracking of that particular student.</p> <p>All exiting students, not just those who graduate from high school, were included in the survey.</p>
2. Increase professional development on selected topics in secondary transition.	<p>Technical Assistance from NSTTAC and NPSO has contributed to the understanding not only of this indicator but also the link between indicators B1, B2, B13 and B14. The professional training to teachers and general and district supervisors must lead the effort to the understanding of the connections between indicator and the coordination of activities.</p>

	<p>Trainings are still scheduled for teachers and supervisors to cover topics related to transition process and the measurable goals based on an age appropriate transition assessment and coordinated activities for IEPs.</p>
<p>3. Update or develop plans to improve secondary transition education and services and capacity implement.</p>	<p>See discussion under activity number 2 above.</p>
<p>4. Identify additional technical assistance for student outcomes improvement and activities for student retention.</p>	<p>During 2007-08 school year SERRC helped us to identify contacts to work with for concept clarifications and to get a better understanding not only for APR reporting but also to improve the provision of secondary transition services to get better secondary outcomes. PRDE participated in the Transition Institute in North Carolina hosted by NSTTAC in collaboration with NPSO and the National Dropout Prevention Center. The participation in the round table with individual technical assistance gave PRDE the opportunity to make contacts, ask questions and to discuss other concerns. A secondary transition action plan was developed to focus on those particular areas of priority that include: building teachers, and personal capacity, monitoring and data system and IEP requirements.</p> <p>Onsite visits from our technical advisors were scheduled to impact a group of special education teachers who work with transition services. The first meeting occurred in August. A pilot is conducted in a specific school to review the files of students in transition process to update their transition postsecondary goals based on the age appropriate assessment as given after the workshop. At the end of the year, teachers of that school will show the impact of the assessment in the measurable goal stated in the IEP and the results of what the student is up to during the exiting year.</p> <p>Initial contacts are been made with the National Drop Out Prevention Center for near assistance in alternative and further recommendations for student retention.</p> <p>Seven supervisors were appointed as secondary transition services coordinators at the CSEEs.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:
 Percent of noncompliance corrected within one year of identification:

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

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

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

FFY	Measurable and Rigorous Target
<i>FFY 2007 (2007-2008)</i>	100%

Actual Target Data for FFY 2007: 50.7%

Actual Data:

The Data for this measurement appears in Puerto Rico’s complete Worksheet B-15, which is included in the APR submission at Attachment A.

Actual Measurement:

A. # of finding of non compliance (priority areas)	B. # of corrections within one year	%
75	38	50.7%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

As explained in its APR narrative for Indicator 15 last year, during 2006-2007 PRDE began taking a new critical look at its monitoring and general supervision system and as a result began taking steps toward re-envisioning and revamping its monitoring unit. At the same time, Puerto Rico came to realize it had not been reporting data under this indicator in the manner preferred by OSEP or in the direction OSEP was moving with its creation of the suggested B-15 worksheet. As a result, PRDE's data for Indicator 15 through the 2006-2007 fiscal year does not easily translate onto worksheet B-15. However, as can be noted on the B-15 Worksheet (attached), PRDE has worked to increase the use of the worksheet and alignment of monitoring activities with the SPP indicators.

Although PRDE's actual target data for FFY 2007 is 50.7%, PRDE believes this percentage is not reflective of its work and efforts. As explained herein, PRDE has eliminated a substantial amount of formerly identified non-compliance for which it is not able to receive credit for under the measurement of this indicator. At the same time, PRDE has been able to continue its work in ensuring progress moving forward. As mentioned in this report, PRDE has closed not only all FFY 2007 findings but also all FFY 2008 findings and will be able to report an actual measurement under Indicator 15 for the FFY 2008 APR due February 1, 2010 of 100% compliance. PRDE's efforts and accomplishments are discussed in greater detail below.

First, however, background information is important to explain the context of PRDE's reporting under Indicator 15 and worksheet B-15.

PRDE's Structure as a Unitary System and Related Impact on Monitoring**Prior to the OSEP Verification Visit**

As a unitary system, PRDE serves as both the SEA and the LEA. PRDE divides the island in to seven educational regional units: Arecibo, Bayamón, Caguas, Humacao, Mayaguez, Ponce, and San Juan. In total, these seven regions encompass more than 80 school districts and 1500 schools. PRDE's monitoring unit has for at least the past several years always monitored a variety of both schools and school districts across various regions. In addition to conducting annual monitoring visits, PRDE would continue follow up visits to all sites (schools and school districts) with any findings of non compliance for purposes of verifying correction. In the APR, Puerto Rico reported the total number of findings for the given fiscal year by totaling each finding from initial visits at all schools as well as all school districts each year. That is, PRDE treated every single school unit and school district unit as a separate entity for purposes of Indicator 15.

November 2007 Verification Visit, Reporting for FFY 2006 APR

During OSEP's verification visit to Puerto Rico in November 2007, OSEP representatives explained to Puerto Rico that individual schools should not be considered the entity monitored for purposes of Indicator 15. PRDE had to define an "entity" for purposes of monitoring. Once the entity (or unit of monitoring) was defined, findings for the same item of non compliance within that entity should count as only one finding. While the majority of States monitor simply at the LEA level, OSEP encouraged PRDE as a unitary system to define an entity for its monitoring other than the LEA; that is regions or districts.

In working to comply with this request from OSEP last year, PRDE decided to use the regions as the monitoring unit. For the FFY 2006 APR, PRDE reported non-compliance identified during 2006-2007 and corrected during 2007-2008 at the regional level.

Due to the manual nature of PRDE's monitoring unit files and the reorganization of PRDE's regional system during the winter of 2006, while PRDE was able to report findings and correction in the FFY 2006 APR by regions, to report using the B-15 worksheet was not feasible. PRDE did report finding or topical area.

FFY 2007 through Present

PRDE accessed technical assistance during 2007-2008 from SERRC and from DAC in order to report in a manner more closely aligned with OSEP’s expectations. As can be noted in the B-15 worksheet included under the Actual Target Data heading, PRDE was able to report findings from 2006-2007 and corrections as soon as possible but in no case later than one year using the B-15 worksheet for several indicators/indicator clusters and categorized findings of noncompliance in several other areas of noncompliance. In reporting the number of “LEAs” PRDE has determined the appropriate unit for monitoring is the district for the majority of indicators. Because PRDE has organized its monitoring data by site, district and region, PRDE was able to report this year by district. For clarification, PRDE remains a unitary system and as such consists of only one LEA. The treatment of districts as ‘LEAs’ is done here solely in an effort to comply with OSEP’s reporting requests and does not affect PRDE’s status as a unitary system.

Update on the Correction of Non-Compliance Identified in Prior Years

PRDE spent much of the last six months of FFY 2007 in follow up monitoring activities and technical assistance activities to ensure all previously identified noncompliance was corrected. PRDE is pleased to provide its update on previously identified non-compliance from prior years. The updates on the previously identified non-compliance are arranged below as follows:

- Monitoring Unit Findings,
- Assistive Technology Evaluations, including provision of Assistive Technology Services and Equipment,
- Initial Evaluations,
- Re-evaluations,
- State Complaints,

Monitoring Unit Findings

As requested by OSEP in its *Puerto Rico Part B FFY 2006 SPP/APR Response Table*, PRDE provides an update on the outstanding non-compliance of eight agencies reported on in Puerto Rico’s *Report on Correction of Noncompliance*, which was submitted on February 1, 2008 as a part of its FFY 2006 APR submission. Those eight agencies consisted of four entities whose findings in 2002-2003 and four entities whose findings in 2003-2004 remained open as of February 1, 2008. As reflected in the table below, PRDE has determined that the eight agencies have since corrected all outstanding findings of noncompliance.

Year	Number of entities monitored	Number of monitored entities that corrected all findings as of Feb. 1, 2008	Number of entities that corrected all findings as of Feb. 1, 2009	Percent of entities determined to have corrected identified non-compliance
2002-03	24	20	24	100%
2003-04	39	35	39	100%
2004-05	4	4	4	100%
2005-06	57	35	57	100%

As discussed above, until 2006-2007, PRDE’s SAEE Monitoring Unit tracked findings of non-compliance by every single entity that received monitoring visits, which included both schools and school districts. An entity’s identified non-compliance was not considered closed until all identified findings of non-compliance at that entity had been determined to be corrected.

As noted in OSEP’s *Puerto Rico Part B FFY 2006 SPP/APR Response Table*, in last year’s APR submission, PRDE did not report therein on the correction of findings of noncompliance identified in FFY 2005. OSEP thus required that PRDE “demonstrate, in the FFY 2007 APR...that the noncompliance

identified in Indicator from FFY 2005 was corrected in a timely manner, or if not corrected in a timely manner, when the noncompliance was corrected.” As reflected in the table above, the SAEЕ Monitoring Unit monitored 57 schools and school districts during FFY 2005. At the time of the FFY 2006 APR submission (2/1/08), a total of 35 of those findings had been closed, with only 4 closed within one year of identification. It is important to note that in reporting based on entities monitored, a given entity was not considered to have had its findings closed until ALL findings at the entity were corrected. Also as reflected by the above table, no open findings remain for FFY 2005. PRDE determined the last open finding from FFY 2005 was corrected on December 2, 2008. PRDE attributes its success in achieving correction of long standing compliance to the follow up monitoring activities and the technical assistance as noted above. The MCU focused attention on ensuring that all noncompliance was corrected. One important activity undertaken in the first part of 2008 as a learning activity was to critically review all monitoring reports to differentiate findings of IDEA noncompliance from “findings” against best practice. Simultaneous with this critical review was the MCU development of a district self-assessment. The district self-assessment was designed around the SPP/APR indicators and related requirements. These two activities increased the knowledge and recognition of IDEA statutory and regulatory requirements.

During FFY 2007 and on through December 2008, significant efforts were taken to ensure all outstanding findings of noncompliance had been corrected. During the 2007-2008 the MCU conducted 63 on site visits and 3 trainings to Special Education Teachers and School Directors. These activities were conducted as part of the correction of findings in schools and school districts that were identified in non compliance. At that time there were 42 schools and 13 school districts with identified findings pending. Then, from July 1, 2008 to December 2008, the MCU conducted an additional 16 on-site visits and 16 trainings to Special Education Teachers and School Directors. These activities were conducted as part of the correction of findings in schools and school districts that were identified in non compliance. At that time, 9 schools and 7 school districts remained with identified findings and all of them have corrected the non compliance.

In summary, PRDE is happy to report that all findings of non-compliance identified by its SAEЕ Monitoring and Compliance Unit have been corrected. Not only has Puerto Rico determined that 100% of the entities monitored through FFY 2005 have corrected all non-compliance identified by the SAEЕ MCU but also that all FFY 2006 findings have been corrected as discussed above. Finally, looking prospectively, PRDE can already report that 100% of findings identified by the MCU during FFY 2007 have been corrected and that all of them were corrected timely, within one year of identification.

Assistive Technology

As requested by OSEP in its *Puerto Rico Part B FFY 2006 SPP/APR Response Table*, PRDE herein submits an update on the outstanding non-compliance related to students awaiting assistive technology evaluations and assistive technology equipment and services as reported in Puerto Rico’s *Report on Correction of Noncompliance*, which was submitted on February 1, 2008 as a part of its FFY 2006 APR submission.

<i>Correction of Assistive Technology Non-Compliance</i>		Number of Students to be Served	Served as of 2/1/08 (FY 2006 Submission)	Served as of 2/1/09 (FY 2007 Submission)	Percent of non-compliance corrected
FFY 2005	Evaluation	77	38	77	100%
	Equipment/Services	231	211	231	100%
FFY 2006	Evaluation	365	365	365	100%
	Equipment/Services	307	260	307	100%

As reflected above, PRDE has eliminated the entire backlog for FFY 2005 and FFY 2006 related to both evaluations and equipment/services.

One major initiative that has been undertaken to help eliminate delays related to assistive technology evaluations and services has been moving the responsibility of assistive technology evaluations and purchase of equipment to special divisions within the CSEEs.

Timeliness of Initial Evaluations

In addressing the correction of non-compliance related to timeliness of Initial Evaluations (APR Indicator 11), PRDE provides a table of APR data for Indicator 11 from the FFY 2005 and FFY 2006 APR submissions as a point of reference. The data from these APR submissions was extrapolated to reflect how many initial evaluations were not completed within 30 days and which of PRDE needed to verify had been completed.

<u>APR Indicator 11 Data</u>	a. Total # of children with parental consent to evaluate	b. Timely evaluated (within 30 days)	Percent of timely (within 30 days) evaluation (b/a)
FFY 2005 (2005-2006)	18,291	12,839	70.19%
FFY 2006 (2006-2007)	18,565	15,381	82.85%

PRDE has assured the correction of non-compliance, i.e., has assured the outstanding evaluations have been completed, as reflected by the below table.

<u>Correction of Non-compliance Data</u>	c. Total # of children with parental consent to evaluate that did not receive timely (within 30 days) evaluations (a-b)	Total # of children with parental consent to evaluate that received evaluations after 30 days but before the submission of the respective APR submission	d. Total # of children with parental consent to evaluate that did not receive timely evaluations but have been evaluated to date	e. Total # of children with parental consent to evaluate that either repeatedly missed evaluation appointments or moved and cannot be located	Percent of children with parental consent to evaluate that did not receive timely (within 30 days) evaluations that have since received initial evaluations ((d-e)/c)
FFY 2005 (2005-2006)	5,452	3,096 (2,356 were remaining to be evaluated at time of FFY 2005 APR submission)	5,336	116	100%
FFY 2006 (2006-2007)	3,184	2,701 (483 were remaining to be evaluated at time of FFY 2006 APR submission)	2,982	202	100%

Timeliness of Re-evaluations

Similarly, PRDE has also assured that 100% of re-evaluations due during FFY 2005 and FFY 2006 have been held.

	Re-evaluations due for the given year that were not timely held	Over-due re-evaluations completed	Percent of overdue re-evaluations that have been completed
FFY 2005 (2005-2006)	3,632	3,632	100%
FFY 2006 (2006-2007)	6,620	6,620	100%

Timeliness of State Complaints

Similar to the update on initial evaluations above (Indicator 11), PRDE provides its FFY 2005 and FFY 2006 APR data for Indicator 16 below as a point of reference. The next table extrapolates data from this information to establish how many written complaints PRDE received that it did not respond to within the appropriate timelines, and as such, had to follow up on to ensure were responded to.

<u>APR Indicator 16 Data</u>	a. Total number of written complaints received less any withdrawn or dismissed	b. Number of reports issued within timelines (60 days or with appropriately extended timeline)	Percent of timely reports issued (b/a)
FFY 2005 (2005-2006)	36	1	2.78%
FFY 2006 (2006-2007)	91	51	56.04%

From the APR data for FFY 2005 and FFY 2006, we are able to determine that there were 35 and 40 complaints, respectively, that did not receive timely written reports and as such were in non-compliance. The next chart identifies what percentage of non-compliance has been corrected.

<u>Correction of Non-compliance Data</u>	c. Total # of written complaints received (less any withdrawn or dismissed) that were not resolved timely (within 60 days or appropriately extended timeline) (a-b)	d. Total # of written complaints received (less any withdrawn or dismissed) that were resolved after 60 days or the appropriately extended timeline but before the submission of the respective APR submission	Percent of complaints that were not resolved within 60 days or the appropriately extended timeline but that have been resolved
FFY 2005 (2005-2006)	35	35	100%
FFY 2006 (2006-2007)	40	40	100%

Additionally, as explained in great detail under Indicator 16 in this APR submission, PRDE has made tremendous progress with its performance in resolving State complaints in a timely manner—so much so, in fact, that PRDE can already report that it has no outstanding complaints from FFY 2007, and no non-compliance under this Indicator to date for FFY 2008.

Review of Improvement Activities Undertaken in 2007-2008 and Forward

As previously mentioned and as discussed with OSEP in depth throughout the past year, PRDE has been working very diligently on the restructuring of its general supervision system. PRDE appreciates the efforts OSEP has taken over the past year to clarify their expectations related to this indicator. PRDE has taken the technical assistance and guidance provided by OSEP into serious account in its work related to its monitoring system. In many respects, this is a transition year for PRDE in its Indicator 15 reporting.

As PRDE has moved forward with the reworking of its monitoring system, PRDE has seriously considered the SPP/APR indicators in developing the structure within which its SAAE Monitoring and Compliance Unit will be collecting and organizing its monitoring data.

The Monitoring and Compliance Unit (MCU) has received technical assistance in order to identify and correct noncompliance in schools and schools districts. Since March 11, 2008 the South East Regional Resource Center (SERRC) and the Data Accountability Center (DAC) have provided continuous and ongoing technical assistance to PRDE both on-site and through email and phone conference calls. Areas of discussion and assistance have included: Decision Making, Developing and Implementing an Effective System of General Supervision and other concepts useful for the development of a monitoring system in Puerto Rico.

One result of PRDE's work with and technical assistance from SERRC and DAC, as has been noted, was PRDE's development of its *School District Self Assessment (2007-2008)*. This tool gathered data on the indicators to assess district performance and report in the State Performance Plan (SPP) and the Annual Performance Report (APR). The self-assessment was developed using the Related Requirements and in the revisions for 2008-2009 includes these related requirements and regulatory citations in the self-assessment document.

The School District Self-Assessment was developed in March and April 2008. Central level staff provided training to local district supervisors in May 2008 on the purpose of the document, instructions for completion, and due date. Districts were required to submit the self-assessment by mid-June. Central staff developed criteria for scoring using a group scoring approach for three district reports – one they thought would show good results, one they thought would be fair, and one they thought would not have completed the self-assessment accurately. Written criteria for each item on the self-assessment were developed. A second round of reliability development occurred when the MCU broke into teams of two to score three more self-assessment documents. They exchanged the scored documents, compared results and refined the written scoring criteria. All remaining self-assessment documents were scored against these criteria. Report letters to the districts were issued from June through August.

There are specific requirements regarding the mandatory minimum sample size each district must review. These sample sizes were determined with the technical assistance provided by SERRC and DAC. The minimum sample size depends on the amount of special education students within the given district, and each district is made aware of their necessary sample size for conducting the self-assessment.:

PRDE sends one of three different report letters to each school district monitored based on its performance on the self-assessment. The three different results announcement letters are as follows:

- Letter #1 – Congratulates the school district for not having any compliance concerns at the present time.
- Letter #2 – Tells the school district that the SEA has concerns about how they are working with the indicators and states that the school district will need to work with the central level and offers technical assistance to address the areas of concern.
- Letter #3 – Indicates to the school district that potentially serious compliance issues have been identified and that the district will receive an on-site monitoring visit on a specified date.

PRDE was encouraged by the participation and responsiveness of its districts in this first roll-out of the self-assessment process. The MCU received 97% of the self-assessments properly completed by the due date, which represents all but three of PRDE's school districts. Two school districts failed to submit a self-assessment by the due date, and PRDE returned one school district's self-assessment because it was incomplete and that district failed to return it completed anew as instructed. As a result of failing to complete the self-assessment, MCU scheduled on-site visits for each of these districts, and the school district personnel were required to complete the self-assessment with MCU staff.

The results of the FFY 2007 self-assessment placed 58% of the districts in the category of Substantial/Exemplary Compliance, 28% in partial compliance, and 14% of the districts fell in to the bottom category, minimal compliance. All findings from FFY 2007 have been closed within a year of identification, and as such, PRDE's performance under Indicator 15 for correction of noncompliance identified through Monitoring Visits for the FFY 2008 APR will be 100%.

Since July 1, 2008, the MCU has worked diligently to draft a comprehensive monitoring manual that describes the off-site and on-site activities of monitoring. The drafts have been reviewed by and feedback has been provided by SERRC and DAC. The MCU will use the draft procedures and forms to conduct the on-site visits between late January and April 2009 to the districts identified through the self-assessment process.

Enforcement, Including Proposed Sanctions and Incentives

OSEP has noted particular concern about the enforcement actions PRDE has in place for districts failing to correct noncompliance within one year. PRDE developed a document to guide their enforcement actions. The first set of actions ('Enforcement') is to be implemented prior to the district reaching the one year timeline. These include: Review the Corrective Action Plan, Work with Peers, Mandatory Training with Legal Aspects, Technical Assistance of Special Education Supervisors.

The subsequent section ('Sanctions') includes increasingly severe actions to be taken against districts failing to correct within one year. The Correction of findings begins from the date of the monitoring report (written notice of non compliance findings). The School District has one year for correction. After a year and one day of written findings, the MCU will begin to implement the sanctions. The Sanctions Policies is in final draft form and being reviewed by the PRDE legal division for complete implementation, as they relate to personnel matters. In sum, the Sanctions policy includes the following actions:

Sanctions

Level 1:

1. Letter from the Associate Secretary of Special Education to School District Superintendent and Zone Supervisor at the District urging to comply with the IDEA requirements
2. Monthly progress reports
3. Increase visits

Level 2:

1. Assign a monitor
2. Letter from the Associate Secretary to School District Superintendent, copies to Zone Supervisor and Director of the Special Education Service Center and Regional Director explaining the next steps if they don't comply promptly.

Level 3

1. Letter from the Secretary of Education to District Superintendent, copies to Associate Secretary, Zone Supervisor, Director of the Special Education Service Center and Regional Director where informs that the information has been published.
2. Public Information (DOE Web page)
3. Public Hearing
4. Referral to Legal Division

In addition to establishing a series of sanctions, PRDE has also developed a series of incentives to implement based on demonstrated compliance. Again, as stated above, this policy is in the process of being reviewed by the PRDE Legal Division as they relate to personnel actions. In their final draft form, Incentives include:

Incentives

Recognition

1. Certificate of Excellence in the area of Special Education awarded to the School District signed by the Governor and the Secretary of Education. These certificates can be presented at specific training events or annual conferences
2. Publish School District performance by groups in the newspaper
3. Publish School District findings on the Department of Education website
4. Congratulations letter to the School Districts from the Secretary of Education and Associate Secretary of Special Education

Monetary

1. A monetary award to the Zone Supervisor that maintains a level of excellence for 3 or more consecutive years.

The MCU has developed these sanctions and incentives with technical assistance received from SERRC and DAC. They are in the proposed stages and expected to be finalized, approved, and implemented shortly.

PRDE during the onsite technical assistance work with SERRC and DAC in December 2008 developed a plan and schedule for distributing the revised comprehensive self-assessment for 2008-09, conducting on-site visits to 12 districts identified from the 2007-08 self-assessment, as well as for conducting follow up with the districts that through the 2007-08 self-assessment had some areas of compliance concern (those districts that received Letter #2). PRDE is continuing to revise and refine the monitoring manual and will have a complete draft by late January 2008.

Activity	DISCUSSION
1. Review and revise the monitoring system to include aspects identified as per the SPP	See discussion above.
1. Send close out letters to entities which evidenced correction of 100% of noncompliance findings	MCU has sent out close out letters to all entities which evidenced correction of 100% of noncompliance findings. As described above, PRDE has closed out all findings of noncompliance identified during FFY 2006 (2006-2007) as well as all findings identified in prior years. Moreover, PRDE has already closed out all FFY 2007 (2007-2008) findings. The MCU has sent out close out letters for all of these closed findings.
2. Send notification letters to entities with repeated non-compliance findings with one year of identification. These letters will identify the level of	See discussion above.

<p>sanctions and the enforcement activities that will be carried out.</p>	
<p>3. Continue to implement the monitoring cycles to entities providing special education services.</p>	<p>As discussed above, PRDE has begun holding monitoring cycles, but is now focusing them on sites based on the results of the self-assessment.</p>
<p>4. Incorporate compliance component as part of the Statewide Personnel Development System.</p>	<p>This activity remains ongoing and has faced a delay due to the decertification of the Federación de Maestros, the official union that represented the teachers. Once a new union is selected as the official representative of the teachers, PRDE expects to hold negotiations regarding this item. Moreover, with a change in administration, the approach to this activity will be reviewed and may change.</p>
<p>5. Incorporate the use of the data from the special education information system, as part of the monitoring efforts.</p>	<p>See discussion above.</p>
<p>6. Train and provide technical assistance regarding compliance to the educational system.</p>	<p>See discussion above.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

PRDE proposes making no changes to its proposed targets / improvement activities / timelines at this time.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

FFY	Measurable and Rigorous Target
FFY 2007 (2007-2008)	100%

Actual Target Data for FFY 2007: 92.65%

Data from Table 7 (FFY 2007):

- (1) # of written, signed complaints received (total): 81
 - (1.1) # of complaints with reports issued: 68
 - (a) # of reports with findings: 31
 - (b) # of reports within timeline: 63
 - (c) # of reports within extended timeline: 0
 - (1.2) Complaints withdrawn or dismissed: 13
 - (1.3) Complaints pending: 0
 - (a) # of complaints pending a due process hearing: 0

FFY 2007 Measurement:

Data Year	1.1(b)	1.1(c)	1.1
2007-2008	63	0	68

Data Year	1.1(b) + 1.1(c)	Divided by 1.1	Times 100	= Percent
2007-2008	63	0.92647	92.65	92.65%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

PRDE has made tremendous progress over the past two and a half years regarding the 60-day timeline for the state complaint process. Finally, PRDE's Actual Target Data for FFY 2007 for Indicator 16 provides a fair reflection of PRDE's efforts and compliance with this indicator. This steady and impressive trend of progress is evident through a review of PRDE's APR submissions and its special condition reports relating to State complaints over the past two years.

From FFY 2004 to FFY 2007, PRDE’s compliance under Indicator 16 has increased steadily and quite rapidly considering the full circumstances, in an impressive fashion. For each of those years, PRDE reported the following levels of compliance with Indicator 16:

FFY 2004 (Baseline/SPP)	FFY 2005 APR	FFY 2006 APR	FFY 2007 APR
0%	2.78%	56.04%	92.65%

At the time of the SPP submission, based on FFY 2004 data, PRDE had a virtually non-functional State complaint process. PRDE struggled with not only the timeliness requirements but also with responding to State complaints whatsoever. A substantial backlog of State complaints accumulated while new complaints continued to be filed into a troubled system.

Due to this situation, a Special Condition was attached to Puerto Rico’s FFY 2006 IDEA grant award relating to its State complaint process. The FFY 2006 Special Condition regarding the State complaint process established a series of timelines by which the PRDE Office of Special Education was required to reduce the then existing backlog of complaints and efficiently manage new complaints. In establishing timelines, the Special Condition classified all complaints into three categories: (i) backlogged unresolved complaints filed prior to 2/28/06 (Backlogged Complaints), (ii) complaints filed between 2/28/06 and 11/30/06 (“New 2006 Complaints”), and (iii) complaints filed between 12/1/06 and 4/30/07 (“Newest Complaints”). The number of Backlogged Complaints that PRDE was facing at the time was 117.

By the close of FFY 2006, PRDE successfully reported upon and thus eliminated the entire category of Backlogged Complaints, closed all of the New 2006 Complaints and met the timeliness requirements for that category as established in the Special Conditions, and successfully closed 66.7% of the Newest Complaints category. Although PRDE was not able to come into full compliance with State complaint procedure timelines for the Newest Complaints category, the progress from the prior year was unquestionable. The main obstacle to PRDE meeting full compliance with the timeliness requirements was that its resources were still consumed in large part in eliminating the Backlogged Complaints and the Newest 2006 Complaints. PRDE reported on its efforts in meeting the FFY 2006 Special Conditions in its Special Conditions Report dated February 1, 2007 and its Final Special Conditions Report dated May 30, 2007.

Despite all of the hard work and solidly demonstrated progress, a Special Condition related to the state complaint process was attached to Puerto Rico’s FFY 2007 IDEA grant award as well. Similar to the FFY 2006 Special Condition, the FFY 2007 Special Condition established a series of timelines by which PRDE was required to reduce the existing backlog of complaints and come into full compliance with the timeliness requirements. The FFY 2007 Special Condition classified complaints into the following three categories: (i) complaints filed before May 1, 2007, (ii) complaints filed between May 1, 2007 and November 30, 2007, and (iii) complaints filed between December 1, 2007 and April 30, 2008. PRDE successfully complied with its Special Conditions eliminating all backlogged complaints, demonstrating increased compliance with the timeliness requirements over the progression of complaint groupings, and reported that 96.3% of complaints in the final category had timely decisions issued. PRDE reported on its efforts in meeting the FFY 2007 Special Conditions in its Special Conditions Report dated February 1, 2008, its Final Special Conditions Report dated May 30, 2008, and its Final Special Conditions Report Updated filed June 30, 2008. PRDE’s substantial compliance with the timeliness requirements were sufficient to have the special conditions lifted. As a result of PRDE’s hard work and demonstrated improvement, there is no Special Condition related to State complaints attached to Puerto Rico’s FFY 2008 IDEA grant.

Analyzing PRDE’s FFY 2007 APR data over time, it is clear that PRDE’s compliance with Indicator 16 continued to improve as the year progressed. For complaints filed between December 1, 2007 and April 31, 2008, PRDE issued timely decisions 96.3% of the time. Upon submitting its Final Special Condition Report (revised version filed June 30, 2008), PRDE only was able to report that reports for 95% of complaints for that period had been issued timely; however, therein PRDE went on to explain that it expected to issue timely reports in the seven pending complaints that were still within federal

timelines, which would lead to 96.3% compliance with this requirement. As anticipated, PRDE did successfully issue timely reports each of those seven complaints. In fact, PRDE issued timely reports for all FFY 2007 complaints filed on or after May 1, 2008 (the period not covered under PRDE’s Special Condition Report). In sum:

FFY 2007 Year-long Average 7/1/07-6/30/08	Complaints Filed 12/1/07-4/30/08	Complaints Filed 5/1/08-6/30/08
92.65%	96.3%	100%

So although PRDE’s data for FFY 2007 demonstrates 92.65% compliance under Indicator 16, a closer analysis of the data reflects that PRDE’s trend over FFY 2007 was continued improvement with the timeliness requirements.

In Puerto Rico’s FFY 2008 IDEA Part B grant award, OSEP notified PRDE that Puerto Rico’s FFY 2008 IDEA Part B grant award would not include any special conditions regarding State complaints due to Puerto Rico’s demonstrated progress and substantial compliance with the timeliness requirements for State complaint resolution. Specifically, OSEP noted:

...on the issue of State complaints, Puerto Rico submitted a revised progress report on June 30, 2008, indicating that there is no longer a backlog of overdue State complaints and that for the 20 State complaints filed between December 1, 2007 and April 30, 2008 and for which a written decision was due, 95% of the decisions were timely. OSEP looks forward to Puerto Rico’s demonstration of continued substantial compliance related to State complaints.

OSEP FFY 2008 IDEA Part B Grant Award Letter to PRDE dated July 3, 2008, p. 2. PRDE’s efforts over the past several years to reach this point have been substantial, consistent, and impressive. Although the special conditions have been removed, PRDE will continue to report its compliance with issuing timely reports resolving state complaints under Puerto Rico’s 2007 Compliance Agreement with the United States Department of Education. In fact, PRDE is proud to report that it is in 100% compliance under this indicator for FFY 2008 to date. A log of State complaints filed July 1, 2008 through November 30, 2008 is included at Attachment B and the aggregate data is included in PRDE’s APR Supplemental Report.

In addition to its compliance with timeliness requirements of 34 CFR § 300.152, PRDE has continued to make significant administrative efforts to improve its overall work with State complaints and to ensure the sustainability of its compliance with the timeliness requirements. First, PRDE has committed additional resources to the State complaint process over the past year. In particular:

- On November 20, 2007, an employee was designated to be responsible for overseeing the track of the state complaints and to help collect the data for the Annual and Special Conditions Report. As part of this process, a continuous exhaustive analysis of the factors that affect the compliance with the timelines is made and this person is responsible for identifying and implementing processes and activities to correct or address any factors that may affect the compliance.
- On April 15, 2008 an additional lawyer was recruited to assist with preparing the final written reports.
- Also, on May 1, 2008 an additional Administrative Complaint Investigator began to work with the investigation process of the State complaints.

Several administrative activities have also been implemented throughout the past year to help improve compliance with this indicator. PRDE continues to improve on a series of administrative procedures to ensure an adequate tracking of the State complaints. PRDE has continued to train its employees to ensure that all the personnel involved in the State complaint process understand the importance of complying with IDEA’s requirements, including the timelines.

A weekly monitoring process is being performed to monitor the status of pending complaints. A weekly alert regarding the time left to resolve each complaint within 60- day timeline is sent to the

Complaint Investigators, the Lawyers, the Special Education Legal Division Director and the employee designated to track the progress (this employee was reclassified with the title of Administrative Assistant of the Special Education Legal Division). An analysis of the State Complaints files is made monthly to ensure all complaints are registered.

PRDE has amended its State complaint filing process in order to make it easier to file a complaint island wide. Now, a State complaint can be filed in every Educational Region or even submitted by mail, and an Administrative Complaint Investigator is assigned to each region. These investigators attended the Training on State Complaint Management, Special Education Services and Parents Orientation held on March 29, 2007. With this action PRDE is working to ensure that the State complaint process is accessible to everyone in Puerto Rico.

A new Legal Register Information System was planned to begin in August/September 2008. This System will be similar to the one currently used and will be used to enter and keep track of all the State complaints. Moreover, it will be part of an integrated system in which due process complaints, lawsuits and other legal matters will be recorded with the purpose of having a global overview of the cases dealt with in the Legal Division regarding special education services. This integrated system will make it easier to identify and investigate the background of each case. Specific to State complaints, the Investigators and the Lawyers will have access to the system and will register all the process done with the complaint. The Administrative Assistant as well as the Secretary of the PRDE will also have access to the System. This System will allow all the personnel involved in the State complaint process to know the exact status of each complaint and will help PRDE to maintain the compliance with the timelines.

A State Complaint under IDEA Management Training was held on March 29, 2008 for all the Administrative Complaint Investigators of the Central Legal Division and all Regions island wide and all the personnel that works with the state complaints investigations and reporting process. Also, we introduced a new State Complaint Model Form available for filing a State complaint. This Form is available not only at the Central Level, but also in all the Regions.

OSEP requested in its Verification Visit Report Letter to PRDE dated October 16, 2008 that PRDE submit its State complaint procedures and its State complaint model form. PRDE's State complaint procedures consistent with the revised IDEA State complaint at 34 CFR §§ 300.151 through 300.153 and its model form are included with this APR submission at Attachments C and D. Puerto Rico revised its special education procedures manual during the fall of 2008. Puerto Rico gained stakeholder input on the manual through various means including a public hearing, accepting written comments both prior to and following the public hearing, and meeting with the RLV plaintiffs class to discuss the procedures manual. Comments were received from representatives from all stakeholder groups. Puerto Rico reviewed and evaluated all comments and incorporated them into the final procedures manual as appropriate. The manual was signed by then-Secretary Aragunde in December 2008 as a provisional manual effective immediately. Puerto Rico developed its model form for State complaints in October 2007, just prior to its Verification Visit from OSEP, and began using the form shortly thereafter. Individuals or organizations interested in filing a State complaint are able use the model form or submit their complaint in any other written form that complies with 34 CFR 300.153. PRDE held a State Complaint Management Process Training on March 29, 2008 for all Administrative Complaint Investigators, both at the central level and in the regions, which included training on State complaint procedures, including the model form and how interested parties can file a State complaint.

PRDE has achieved these accomplishments through much hard work and dedication. PRDE appreciates the support and assistance it has continually received from OSEP as it has worked to achieve this goal.

Activity	Discussion
<p>1. Validation checks of information system to ensure all complaints are being recorded.</p>	<p>Analysis of the state complaints files and the information system is made to ensure all complaints are registered.</p> <p>Additionally, on November 20, 2007, an individual was designated to be responsible for overseeing the tracking of state complaints. This individual assists with collection of data for the APR and Special Condition Reports. This individual handles these validation checks.</p> <p>Data system is operating efficiently. There have not been any problems with efficient and regular data input. Nonetheless, PRDE intends to continue with this activity.</p>
<p>2. Monitor timeline of all pending complaints and determine if further action need be taken (i.e., communication with investigator or assigned lawyer to determine why any delay in progress, etc.).</p>	<p>PRDE complied with this activity. A weekly monitoring process is performed to oversee the status of all pending complaints. A weekly alert regarding the time left to resolve each complaint within the 60 day timeline is established for the Complaint Investigator, the assigned lawyer on the complaint, the Special Education Legal Division (SELD) Director, and the individual designated to track the process. As discussed above, the weekly alert was implemented to aide in this activity.</p>
<p>3. Hold trainings for investigators, lawyers, and other personnel related to the state complaint process.</p>	<p>Such trainings were held, as were trainings on this process for all special education teachers island wide.</p> <p>Also, our state complaints investigator attends training on investigation techniques, communication, and mediation and negotiation techniques.</p>
<p>4. Review and improve as appropriate the state complaint filing process, to include designing and incorporating a new model complaint form and expanding the sites wherein a state complaint can be filed.</p>	<p>As discussed above, PRDE has reviewed and improved its State complaint filing process, including designing and incorporating a new model complaint form as well as expanding the sites where a State complaint can be filed.</p>
<p>5. Evaluate resources and seek to hire new personnel to work with the state complaint process as determined appropriate (likely an additional investigator and an additional lawyer).</p>	<p>As discussed above, PRDE brought in new personnel to work with the State complaint process during FFY 2007. At the current moment, PRDE is in the process of an administration transition and as such will be re-evaluating resources and current needs to ensure the necessary resources are made available.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2007:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

FFY	Measurable and Rigorous Target
FFY 2007 (2007-2008)	100%

Actual Target Data for FFY 2007: 50.06%

Data from Table 7 (FFY 2007):

Data Year	3.2—Hearings (fully adjudicated)	3.2(a)—Decisions within timeline	3.2(b)—Decisions within appropriately extended timeline
2007-2008	833	417	0

FFY 2007 Measurement:

Data Year	3.2(a) + 3.2(b)	3.2	[3.2(a) + 3.2(b)] / 3.2	Times 100	= Percent
2007-2008	417	833	0.50060	50.06	50.06%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

PRDE has continued to improve the management of the due-process request timelines. The *percent of fully adjudicated due-process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party* for FFY 2006 was 51.5%; the same indicator for FFY 2007 was 50.1%. Despite having a similar percentage for both fiscal years (FFY 2006 and FFY 2007) for this timeline indicator, significant progress can be observed in other

aspects of the administration of the due-process hearing requests. Several activities have been implemented during FFY 2007 to ensure more reliable and accurate data and the continuation towards the goal to meet the 100% target of the timeline indicator. Here are some observations:

- ❖ The *percent of fully adjudicated due-process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party* for the first semester of FFY 2007 was 47.3% (257 requests fully adjudicated within 45 days divided by 543 fully adjudicated hearing requests) while the same percent for the second semester for FFY 2007 was 55.2% (160 requests fully adjudicated within 45 days divided by 290 fully adjudicated hearing requests). This shows an increase in the effectiveness of timeline management efforts.
- ❖ Per PRDE's request, during FFY 2007, the administrative judges (hearing officers) started including clearer language in the orders indicating when parties are giving up the 45-day resolution timeline in accordance with 34 CFR 300.515. However, after further review, we have determined that the efforts to improve the judges' order have not been sufficient to count orders granting extension requests as fully adjudicated *within a timeline that is properly extended by the hearing officer* because they do not include in the order the specific number of days of the extension. In other words, they have not been *specific extensions of time* to the 45-day timeline but rather general extensions. This technicality is being brought to the attention of the administrative judges for their corresponding action. This should make possible counting most of the rest of the requests as properly extended and reaching the 100% target or a point very near this target.
- ❖ PRDE's island-wide implementation and success with resolution meetings throughout FFY 2007 may have had an impact on PRDE's performance with Indicator 17 during FFY 2007. In FFY 2006, the percent of due-process complaints resolved without a hearing was 14% (out of 1,698 hearing requests filed) while the same percent in FFY 2007 was 45% (out of 1,700 requests filed). This is a very significant milestone. Those requests resolved without a hearing include cases totally resolved through resolution meetings or mediation and cases in which parents withdraw prior to the due process complaint reaching the hearing stage. This significant increase points to improvements in the communication channels available previous to the rather adversarial nature of a hearing. At the same time, this may also be a sign that the average complaint reaching the hearing stage may be more complex and more difficult to resolve than the average complaint going to hearing in prior years. While this may not have helped the actual target data under Indicator 17 for FFY 2007, the success of the resolution meetings and mediations is a trend PRDE hopes to continue.
- ❖ For FFY 2006, 11% of the hearing requests (out of 1,698 filed requests) were still active as of November 1, 2007. In FFY 2007, 6% of due-process hearing requests (out of 1,700 filed requests) were still active as of October 22, 2007. This is a significant decrease in cases pending that shows progress in timely administration of the due-process requests.
- ❖ Looking at the bigger picture of all due process complaints filed, PRDE decreased in the total number of due process requests that exceeded the 45-day timeline. For FFY 2006, 36% of the hearing requests (out of 1,698 filed requests) were resolved through a hearing process beyond the 45-day timeline. In FFY 2007, 24% of due-process hearing requests (out of 1,700 filed requests) were resolved through a hearing process beyond the 45-day timeline. This is another significant decrease showing progress.
- ❖ For FFY 2006, 53% of the hearing requests (out of 1,698 filed requests) were properly resolved either with a hearing process within the 45-day timeline or through a non-adversative process without a hearing. In FFY 2007, 70% of due-process hearing requests (out of 1,700 filed requests) were

properly resolved either through a hearing process within the 45-day timeline or through a non-adversative process without a hearing. This is a positive increase reflecting a more effective management process for due-process hearings.

- ❖ During FFY 2007, to ensure sustained involvement towards compliance, PRDE has continued multiple activities and has designed and implemented additional measures:
 - Training sessions regarding the adequate implementation of due-process policies were conducted island wide to inform teachers, district supervisors (“directores de zona”), and regional supervisors (“supervisores generales” at the Special Education Service Centers).
 - Since requirements by the class-action suit makes it challenging to have meetings with all administrative judges, individual technical assistance has been provided to administrative judges regarding complying with timelines.
 - For FY 2008, the contracts with administrative judges were revised to include mandatory compliance with the 45-day timeline for the resolution of the hearing request and the appropriate procedure to extend the 45-day term for resolution.
 - As per their new contract, administrative judges should use formats specifically designed to evidence compliance with the requirement.
 - The Secretarial Unit in charge of the due-process complaints has continued to issue notifications to the administrative judges of due-process requests that are near the end of the 45-day term. In order to optimize this activity, the current computerized warning system is being updated.
 - A needs assessment was conducted among the administrative judges in order to determine their training needs.
 - Training and technical assistance have been provided to the new judges contracted to start in FY 2008 and mentors selected among the existing judges were assigned to these new ones.
 - Policies and procedures to implement the requirements for expedited due-process hearings have been established and implemented.
 - Administrative judges were provided with a digital recording machine to ensure hearing recording and time efficiency.
 - Data validation of system’s information is being continuously carried out.
 - Personnel in charge of data entry have been retrained to insure data accuracy.
- ❖ Several reasons stand out when explaining the due-hearing requests that go beyond the 45-day timeline during FY 2007:
 - With the newly instituted resolution meetings and the existing mediation mechanisms resolving the most straightforward cases, the hearings are left with the most complex ones requiring more time, involving legal representation, and often calling for the participation of expert witnesses.
 - The work of two judges no longer under contract to handle due-process hearings is reflected in the number of cases beyond the 45-day timeline. They had not only an excessive number of cases beyond the 45-day timeline (and not properly extended), but a high number of old active cases with no status on them.
 - Two periods during the year typically make it extremely challenging to comply with the 45-day timeline: Christmas season (a long holiday season in Puerto Rico from the December 24 through January 7) and summertime. During those periods, it is difficult to convene parents and PRDE employees since many of them are on vacation as they are entitled to be. Difficulties convening for resolution meetings and mediation produce more cases reaching the hearing stage. Difficulties convening for the hearing cause the extension beyond the 45-day timeline.
 - A look at June 2008 illustrates this situation: because of the aforementioned reasons, June had the lowest percent of cases resolved without a hearing during the second semester of FY 2007 (58% out of 113 request filed, 56% out of 125, 58% out of 143, 63% out of 152, 52% out

of 149, and 39% out of 115 for each month of the semester, respectively) and the highest percent of cases resolved beyond the 45-day timeline (9% out of 113 request filed, 17% out of 125, 16% out of 143, 14% out of 152, 16% out of 149, and 26% out of 115 for each month of the semester, respectively).

- Thus, the numbers obtained in this month of June 2008 (which had more requests filed than June 2007 – 115 vs. 85) did not follow the positive trend of previous months (in terms of a higher percent of cases resolved without a hearing and a lower percent of cases resolved within the 45-day timeline) and were largely responsible for the slightly lower percent in the timeline indicator in FY 2007 as compared to the previous fiscal year. (As expressed previously, the *percent of fully adjudicated due-process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party* for FY 2006 was 51.5%; the same indicator for FY 2007 was 50.1%.)

Activity	Discussion
1. Include due process procedures as part of the Statewide Personnel Development System to ensure personnel's' understanding and implementation of adequate processes.	See discussion above. Also, trainings were held as a part of the statewide personnel development system October through December 2007 island-wide to teachers, general supervisors, and district supervisors. Mediation is included. These training efforts are part of a continuous and on-going process.
2. Request administrative judges to make an explanation of the reasons for resolutions being issued after 45 days timeline.	See discussion above. This issue was discussed with the judges and furthermore incorporated as part of the contract agreements.
3. Continue to inform administrative judges on due process requests that are near the 45 days timeline expiration.	This continued to be done a monthly basis. While PRDE works to incorporate specific alerts pre case going to the judges, the Secretarial Unit provides judges with status reports on a monthly basis for all of their open cases.
4. Continue periodic training, continuing education, for administrative law judges.	See discussion above. A special session with the judges was convened to discuss the proper extension timelines for the due process complaints. Judges asked for training directly held by OSEP, and not PRDE, on the legal requirements and clarification of their responsibilities to comply.
5. Encourage and publicize resolution session option to complainants.	There is a memorandum for the availability of resolution meeting. At the services centers and when parents are

	<p>filing a due process complaint. PRDE personnel encourage the use of the resolution meeting as an alternative for solving any dispute. Conciliators (staff responsible for holding the resolution sessions) are located at the service centers for parents' easy access and closeness to the schools and school districts.</p> <p>A brochure has been developed to continue efforts promoting this alternative. As discussed regarding mediations (see Indicator 19), this brochure is being discussed with the RLV plaintiffs class.</p>
<p>6. Re-train personnel on the due process procedures including the newly incorporated Resolution Meeting processes.</p>	<p>In the beginning of the school year, an island wide training was held by PRDE to personnel including teachers and supervisors regarding various topics. In a whole day meeting, the discussion included due process policies and procedures among others.</p>
<p>7. Review and amend contracts to be used with the administrative judges to specifically include compliance with timeline requirements.</p>	<p>The contracts were revised and a clause was incorporated into the contracts regarding the full compliance with IDEA requirements and, including the appropriate timelines extension.</p>
<p>8. Include in the information system a system for issuing alerts identifying due process cases that are approaching the end of their timelines.</p>	<p>For FFY 2008, PRDE plans to continue efforts to ensure the information system is used for the greatest benefit possible. PRDE SAEE intends to develop a manual for proper operation of the information system, a manual with both technical and procedural aspects of data entry and validation.</p>
<p>9. Conduct a needs study to determine training area needs for administrative judges.</p>	<p>As a part of this effort, during FFY 2008, PRDE intends to design and implement a process to evaluate the administrative judges' due-process management performance. This will be a part of the needs assessment but will also be something PRDE can continue into the future in evaluating the administrative judge's performance.</p>
<p>10. Train administrative judges on the requirements for proper time extensions for the 45 day timeline, along with other topics, in accordance with the needs study discussed above.</p>	<p>See discussions above.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

FFY	Measurable and Rigorous Target
2007	50.3%

Actual Target Data for FFY 2007: 60.13%

Data from Table 7 (FFY 2007):

- (3.1) Resolution sessions: 607
 - (a) Settlement agreements: 365

FFY 2007 Measurement:

Data Year	3.1(a), Settlement Agreements	3.1, Resolution Sessions Held	3.1(a) Divided by 3.1	= Percent
2007-2008	365	607	0.6013	60.13%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2007

As detailed in the FFY 2006 APR, PRDE implemented the resolution session process into its due process procedures effective May 23, 2007 and established its baseline data for Indicator 18 with its FFY 2006 data. Because the resolution session process was implemented so close to the end of the year, PRDE held only 24 resolution sessions during FFY 2006. In contrast, the resolution process was in place for the entirety of FFY 2007, and as such, PRDE’s FFY 2007 measurement is based on a significantly increased number of resolution sessions.

During FFY 2007, PRDE participated in 607 resolution sessions, of which 365 resulted in settlement agreements that resolved the underlying due process complaint in full. This is a 60.13% success rate of resolution sessions resulting in complete settlement agreements. As such, PRDE met its FFY 2007 measurable and rigorous target for Indicator 18 of 50.3%. Table 7 is included with this APR submission at Attachment E.

PRDE continues to meet with the Rosa Lydia Velez (RLV) plaintiffs’ class regarding the resolution process. As previously explained, PRDE is required to consult with the RLV class on all changes or new

incorporations to policies, processes, and procedures affecting services to children with disabilities and their rights for the class's consent or approval under the RLV consent decree. These meetings have included the review of all documents related to the resolution process and the final version of the policy related to the resolution meetings that will appear the PRDE SAAE Procedures Manual.

As the resolution process is still relatively new in Puerto Rico, PRDE feels a strong need to continue promoting the benefits of resolution to parents across the island. Many parents are initially very opposed to the concept and request to skip resolution to move directly to an administrative hearing. However, PRDE has found that the proper explanation of resolution to these same parents can change their minds about the process and allow them to have positive experiences through the process, and many in fact have even left the process with a written agreement resolving their underlying due process complaint in full. Nonetheless, promotion of the resolution process remains an improvement activity PRDE plans to continue.

PRDE has made extraordinary efforts to help the parents understand the benefits of the resolution process and that it is not a means for delaying administrative hearings. There have even been instances where PRDE has held resolution meetings at a parent's job site in order to allow them to attend and avoid any delays to this process.

While PRDE is pleased with the results of the resolution sessions over all, we have identified areas within which to implement improvement activities in order to further improve our resolution session process. For example, PRDE has identified certain difficulties related to the resolution session process at the Service Centers, which is where the individuals in charge of handling the resolution sessions reside. Certain difficulties have arisen, particularly in the San Juan and Bayamón Regions, and these difficulties include the following:

- Coordinating telephone calls with parents and/or guardians.
- Coordinating telephone calls with related PRDE parties such as the zone supervisors, school directors, or central level staff.
- Sending and/or receiving faxes or emails.

In some instances, Service Center staff has had difficulty obtaining full cooperation from district supervisors who are required to be present in the resolution sessions. Sometimes, a district supervisor may not agree with the need for the meeting and/or when the supervisor does attend he or she may not bring the necessary information to resolve the underlying due process complaint.

PRDE plans to work to educate and train personnel to better understand the process, including the importance of attending these meetings and efficiently supplying the necessary documentation. Additionally, PRDE will work with personnel to make sure they have ways of efficiently sending necessary documentation to the CSEE, be it electronically or via fax. It is critical that all supervisors and school directors can understand the resolution process better and its implications—that they may understand the importance of attending these meetings when they are informed about the due process complaint. We also hope that the personnel in charge of the meeting work with the investigation of the complaint and work to ensure all written agreements are realistic and that the appropriate parties complete their responsibilities under the agreement.

PRDE is making and will continue to make an extraordinary effort to ensure the resolution sessions are held and are beneficial for all parties involved. As another improvement activity, PRDE plans to ask parents to evaluate their experience with the resolution process. This will allow PRDE to address areas of concerns, and recognize best practices.

PRDE must continue training personnel. Personnel whose actions or inactions negatively impact the carrying out of the settlement agreements should receive warning letters and other disciplinary actions. The lack of personnel and support limits the Central Level Supervisor to execute her assigned work considerably, preventing her from accomplishing what she might otherwise be able to accomplish.

PRDE has conducted a variety of trainings and implemented new standard forms. Discussion of these and other efforts related to the improvement activities in the SPP appears below

Activity	Discussion
<p>1. Visits to the CSEE to monitor the implementation of the meetings and supervise the work of the investigators.</p>	<p>The Coordinator of Resolution Meetings has conducted periodic visits to all of the CSEEs to monitor the implementation of the resolution meetings and the work of the investigators.</p> <p>The coordinator has attended resolution sessions to observe the PRDE personnel's performance in resolution sessions. After such sessions, the Coordinator provides feedback and technical assistance.</p> <p>The visits to the CSEEs have also included personnel training related to dispute resolution in reoccurring issues in resolution sessions.</p> <p>Technical assistance regarding general special education matters that arise in resolution sessions is also provided.</p>
<p>2. Meetings with the resolution meetings investigators/facilitators to review any challenges they are facing and clarify doubts about the process and their responsibility.</p>	<p>During visits to the CSEEs and follow up telephone calls to the personnel in charge of resolution sessions, PRDE central level staff worked to clarify questions they have had regarding the resolution process and their responsibilities including the following topics:</p> <ol style="list-style-type: none"> 1) Investigating the underlying complaint; 2) coordinating with the necessary parties to determine whether the requested solutions can be offered 3) Reaching agreements 4) Processing and transmission of agreements, partial agreements, and the sessions that did not reach agreement to the Due Process and Provisional Remedies Unit. 5) Follow-up to ensure resolution agreements are followed/implemented <p>On May 23, 2008, a meeting was held to review the due process complaint and resolution processes and to present new model documents.</p> <p>The visits were also held to clarify any doubts in how to transmit position requests and facilitate the purchase of Assistive Technology equipment.</p> <p>During the visits, the timeline requirements relating to the resolution process are always included in the trainings and the importance of quick action in arranging the resolution sessions in order to avoid any possible delays.</p>
<p>3. Monitor and ensure timeliness of resolution sessions to include tracking timelines through the designed computer system.</p>	<p>Timeline data is submitted to the Unidad de Querellas y Remedio Provisional to ensure and monitor timeliness of resolution sessions and track timelines through the designed computer system.</p> <p>After CSEE visits, follow- up calls regarding the resolution session and resolution period timelines are made.</p>
<p>4. Continue to design and provide trainings to the investigators/facilitators to further train them in dispute</p>	<p>On April 10, 2008, a meeting was held with personnel in charge of the resolution sessions to discuss the following matters:</p>

<p>resolution and conflict management.</p>	<p>1) The transmission of the resolution process documents to the Unidad de Querellas y Remedio Provisional and verification of receipt.</p> <p>2) Use of resolution process forms.</p> <p>3) Personnel Responsibilities.</p> <p>A personnel training was held May 23, 2008. The training discussed the following documents and related issues:</p> <p>1) Timeline Extension Agreements</p> <p>2) <i>Querrela en Delación</i> – Assignment to a Hearing Officer (Juez Administrativo)</p> <p>Training in dispute resolution and conflict management is included as well.</p>
<p>5. Continue to design and provide training to all other relevant personnel (including process, forms, best practices, etc.).</p>	<p>As demonstrated above in reporting progress with PRDE's improvement activities, PRDE is continuously designing and providing training to all relevant personnel.</p>
<p>6. Recruit the last investigator assigned to San Juan.</p>	<p>During March 2008, a contract was signed to fill the last remaining open investigator position (in San Juan). As such, PRDE successfully complied with this activity. However, three investigator positions have more recently opened. PRDE is proposing to revise this activity to more generally ensure all investigator positions are filled and recruit as necessary (See below in Revisions to Improvement Activities section).</p>
<p>7. Offer training to all the Special Education teachers around the Island.</p>	<p>As explained in the FFY 2006 APR, the trainings had been held islandwide, but the Arecibo region training was cancelled due to the weather. The Arecibo Region training was re-scheduled and held during May 2008.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-2009

PRDE plans to continue the improvement activities listed in the past, with the exception of activity #6 listed above. PRDE proposes replacing that activity with a more general statement of the underlying activity (Activity #1 below, "Recruit and hire new investigators as the positions open."). Additionally, as discussed above, PRDE would like to implement a parental evaluation related to the resolution session process as an improvement activity. The two new proposed improvement activities are listed below.

Activity	Timeline	Resources
<p>1. Recruit and hire new investigators as the positions open.</p>	<p>As necessary.</p> <p>For open positions, as soon as a qualified candidate is identified, extended an offer, and agrees to take the position.</p>	<p>Human Resources</p>

2. Implement parental evaluation regarding the resolution session experience.	Summer 2009	Resolution Meeting Coordinator
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Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

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

FFY	Measurable and Rigorous Target
2007	62.5%

Actual Target Data for FFY 2007: 69.97%

Data from Attachment I Used for Measurement

Data Year	2.1(a)(i) – Agreements Reached in Mediations Related to Due Process	2.1(b)(i) – Agreements Reached in Other Mediations (not Related to Due Process)	2.1 – Total Number of Mediations
2007-2008	376	90	666

Measurement

Data Year	2.1(a)(i) + 2.1(b)(i)	Divided by 2.1	Multiplied by 100	Percentage/Measurement
2007-2008	466	0.6996996	69.97	<u>69.97%</u>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

PRDE has in place procedures to resolve special education services controversies through mediation. PRDE’s mediation procedures allow parents and the agency to resolve a controversy with the intervention of an impartial mediator, on a voluntarily basis. In Puerto Rico, mediation can be requested as part of a due process request or by itself, outside of the filing of a due process complaint. Both alternatives require the identification of a mediator and scheduling mediation meetings in a timely manner.

When mediation is requested as part of a due process request, the process is overseen by the Secretarial Unit. The mediation option is included on the model due process complaint form. When a

party enters the mediation process in this manner, the secretarial unit receives the mediation request and enters the data into a database to keep track of the process. Once the mediation meetings have occurred, the mediator informs the Secretarial Unit of the results of the meetings, and the Administrative Judge is informed in order to continue with the due process procedures accordingly. Mediation procedures under this alternative must take place within the due process timelines. If an agreement is not reached during the mediation, the hearing shall proceed, and a decision reached within the 45 days term.

When mediation is requested outside of a due process complaint, the Secretarial Unit is also in charge of the process of receiving, entering the data, and tracking the progress of the mediation. These mediations do not face the time constraints of those entered within the realm of a due process complaint.

PRDE's performance under this indicator increased significantly over the last year up over 10%, from 57.9% to 69.97%. PRDE has met its FFY 2007 target of 62.5%, exceeding that target by over 7%. The following table highlights PRDE's continual increase in performance under Indicator 19 over the past three years.

Demonstrated Progress with Indicator 19 Over Time		
<i>FFY 2005</i>	<i>FFY 2006</i>	<i>FFY 2007</i>
43.3%	57.9%	69.97%

The following chart provides information on the accomplishments, progress, and slippages of the activities proposed in the SPP for the implementation of this indicator.

Activity	Discussion
1. Include mediation as part of the statewide Personnel Development System to ensure adequate comprehension and implementation of mediation process.	Trainings were held as a part of the statewide personnel development system October through December 2007 island-wide to teachers, general supervisors, and district supervisors. Mediation is included. These training efforts are part of a continuous and on-going process.
2. Disseminate mediation process to schools and public.	As previously reported, a brochure regarding mediation process had been developed and distributed to school districts and interested parties and was made available to the public. This brochure was revised and updated. The updated brochure is in the process of being reviewed by the Rosa Lydia Velez plaintiffs' class. PRDE is still waiting for a final reaction to this document. The major reason for this delay is that class representatives do not agree with the mediation process as an alternative for parents and prefer parents be directly referred to more adversarial processes to resolve controversies. PRDE has continued dissemination efforts through informational meetings at the CSEEs in collaboration with the CSEE and District social workers, and APNI (PR DTA).

<p>3. Include mediation as part of the focused monitoring system.</p>	<p>Due to the work with PRDE's with its monitoring unit and overall general supervision system as discussed throughout the APR and particular under Indicator 15, how mediation will be included under the new monitoring system is currently under review.</p>
<p>4. Encourage and publicize mediation options.</p>	<p>See progress recorded for activity # 2 above.</p>
<p>5. Provide on-going training to mediators.</p>	<p>A bimonthly calendar of meetings has been established for meetings between the mediators and coordinators. This allows the mediators and coordinators a scheduled time once every two months to discuss issues related to mediation and also allows for technical assistance and training on a regular basis.</p> <p>In October 2008, the Secretarial Unit coordinated a staff meeting with follow-up investigators on the collection, use, and meaning of reporting data obtained from mediation and complaint statistical Data system.</p>
<p>6. Collect evaluation feedback from mediators and mediation participants.</p>	<p>As discussed in the FY 2006 APR submission, PRDE developed and implemented an evaluation form. The evaluation questionnaire ("Satisfacción con el Proceso de Mediación") was again given during FFY 2007. Results are described below (See activity #7).</p>
<p>7. Analyze evaluation feedback materials to help identify mediation skills that enhance likelihood of mediation resulting in agreement.</p>	<p>Analysis of the evaluation feedback materials occurred upon receipt of the questionnaires, and a meeting was held to discuss the analyzed results with the mediators. The discussion took place during one of the regularly scheduled (bi-monthly) meetings.</p> <p>There were three sections to the questionnaire: (1) The Mediation Process, (2) The Assigned Mediator, and (3) The Agreement. Participants were to select whether they (i) totally agreed, (ii) agreed, (iii) disagreed, (iv) totally disagreed, or (v) had no opinion on a series of statements under each section. The statements were phrased as affirmative positive statements about the experience with the mediation process, the mediator, and the agreement reached.</p> <p>The results of the questionnaires reflected that participants were generally extremely satisfied with the mediation process and the mediators (Sections A and B). For the majority of the statements in these two sections, over 84% of participants 'totally agreed' with the affirmative positive statements. While the majority of participants' answers reflected they were also very satisfied with the agreement reached (Section C), with a majority of participants selecting 'totally agreed' for nearly all of these statements, the percentage of participants selecting 'totally agreed' for generally was not as high as that for the previous sections.</p>
<p>8. Schedule Mediations in a timely manner.</p>	<p>In the past, scheduling mediations in a timely matter was sometimes problematic due to the lack of staff in the office managing mediations and because of the high volume of due process complaints filed.</p> <p>Since that time, PRDE has been able to coordinate meetings on time.</p>

	<p>As reported in the FFY 2006 APR, two additional mediators were contracted by the PRDE during the summer of 2007 for a total of 5 mediators. This total number of mediators available during FFY 2006 and FFY 2007 appears to be sufficient.</p>
<p>9. Intensify training to PRDE personnel regarding the mediation option as a means to resolve controversies as part of the statewide Personnel Development System to ensure adequate comprehension and implementation of mediation process.</p>	<p>See #1 and #5 above.</p>
<p>10. Evaluate PRDE resources in order to determine if it is feasible to increase the number of mediators.</p>	<p>As discussed in #8 above, at this time the number of mediators currently under contract with PRDE is sufficient.</p>
<p>11. Continue and intensify the dissemination of information regarding mediation to the public</p>	<p>See #2 and #4 above.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

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

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

FFY	Measurable and Rigorous Target
FFY 2007 (2007-2008)	100%

Actual Target Data for FFY 2007: 100%

PRDE has computed its actual target data for the FFY 2007 APR in accordance with the OSEP tables for Indicator 20. Those completed tables appear below.

OSEP Chart #1

Part B Indicator 20 - SPP/APR Data			
APR Indicator	Valid and reliable	Correct calculation	Total
1	1		1
2	1		1
3A ²	N/A, -1	N/A, -1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2

² -B20 TA WS says states cannot use 'NA' except as allowed by that WS. This indicator does not apply to Puerto Rico, however, because there is no option as per the WS to stat not applicable, and because Puerto Rico reported in accordance, PRDE is reporting 'yes'.

5	1	1	2
7	1	1	2
8	1	1	2
9 ³	N/A,-1	N/A,-1	2
10 ⁴	N/A,-1	N/A,-1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
Subtotal			328
APR Score Calculation	Timely Submission Points (5 pts for submission of APR/SPP by February 2, 2009)		5
	Grand Total		3743

OSEP Chart #2

Part B Indicator 20 - 618 Data					
Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/08	1	1	1	1	4
Table 2 – Personnel Due Date: 11/1/08	1	1	1	N/A	3
Table 3 – Ed. Environments Due Date: 2/1/08	1	1	1	1	4
Table 4 – Exiting Due Date: 11/1/08	1	1	1	N/A	3
Table 5 – Discipline Due Date: 11/1/08	1	1	1	N/A	3
Table 6 – State Assessment Due Date: 2/1/09	1	N/A ¹	N/A ¹	N/A	3
Table 7 – Dispute Resolution Due Date: 11/1/08	1	1	1	N/A	3
				Subtotal	213
				Weighted Total (subtotal X 1.87; round ≤.49 down and ≥ .50 up to whole number)	39.2743

³-See prior footnote.

⁴-See prior footnote.

OSEP Chart #3

Indicator #20 Calculation		
A. APR Total	3743	3743
B. 618 Total	43	39.2743
C. Grand Total	86	86
	<u>Total N/A in APR</u>	<u>6</u>
	<u>Total N/A in 618</u>	<u>2 x 1.87</u>
	<u>Base*</u>	<u>76.26</u>
Percent of timely and accurate data = (C divided by <u>Base*86</u> times 100)	(C) / (86) X 100 =	100%

*Note: Any cell marked as N/A specific to Puerto Rico will decrease the denominator by 1 for APR and 1.87 for 618.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

PRDE is a unique category of states that have been approved as EDEN-only for reporting several of the Tables. Recognized for the high quality of its Ed Facts submissions, PRDE qualified to supply the data for the following IDEA data collection tables exclusively through EDEN files:

- Table 1 / Report of Children with Disabilities Receiving Special Education Services Under Part B (July 15, 2008)
- Table 2 / Personnel Distribution (July 15, 2008)
- Table 5 / Report on Disciplinary Removals (October 20, 2008)
- Table 6 / Special Education Students in State Assessment (October 20, 2008)

All tables (Tables 1-7) were submitted timely. Due to the fact of having almost all the tables approved for EDEN-only submission, Table 4 / Report on exiting students was delivered **on time** not to WESTAT but through the PRDE Planning and Evaluation office for the corresponding EDEN filing. WESTAT personnel contacted PRDE SAAE requesting Table 4, upon which this Table was immediately sent to WESTAT (November 20, 2008).

For the first time, the data collected for all tables except for Table 3 was retrieved from the data information system SEASWeb and several activities for validation were made. With this being the first year of pulling the data for the tables from SEASWeb, PRDE dedicated significant resources to its validation efforts. PRDE has received extensive technical assistance from the Data Accountability Center (DAC). Validation efforts included comparing data from the system to data recorded manually from all of the service centers and school districts. Since it is a new system this validation process was necessary to proved the system capacities for managing data, and also to monitor the data entry which was crucial for the system availability for accurately reporting.

Island wide training was set for teachers and supervisors in order to teach the functionality of the system and to train in data entry and system features. The system is been built up in phases. Beginning with data entry and monitoring the data entered was part of the first steps. Meanwhile fields were developed in the system to cover reporting necessities like OSEP performance indicators and the RLV court case consent decree and other additional data reporting. DAC assistance is now being directed to PRDE's efforts to improve the accuracy and validity of the data directly from the system and to make sure all items need to be pulled from the system can be. For this APR, data was retrieved from the system and then sent to the services centers and school districts to do corresponding updates and additions where necessary. , Instructions were given to the centers and districts that where such updates were required, they were to be directly loaded into the system. The establishment of an alert system for specific indicators and due dates for students; service provision is of significant impact for keeping the system updated and also to avoid delays in the provision of student services.

Specific information including collection and validation efforts related to the varying tables are discussed below, in turn.

Child Count and Placement alternatives (Tables 1 & 3)

Teachers, school directors, school district and service center appointed personnel have the responsibility of loading the system and maintaining updates to the student information. SEASWeb usernames and passwords allow for schools and districts to work only on information for the students for whom they directly offer services. This helps maintain confidentiality and also avoids inappropriate system intrusions. The information can be monitored from the central level information system through the alerts and keeping a track of those districts that are behind in uploading information updates.

A help desk was established and is designed to provide technical assistance to the personnel as needed and also to follow up in monitoring the data in-put to the system.

Child count was retrieved from the system and validated sending the data to the service center for corresponding updates and additions as necessary. The corrections were made directly in to the system so the system over all was updated. No particular failures are expected to get this report accurately for next FFY 2008.

Table 2 Reporting Special Ed Personnel

Data provided from Special Education Human Resource Unit was compared to data available in Human Resources Secretariat. Revisions were made to the roster of personnel hired by the Corporations. Even though SEASWeb is able to work with this data, it was collected through the STAFF system, a special program designed and developed by the agency for personnel data reports. This data is reported by EDEN files only as approved on July 18, 2008.

Table 4 Exiting and Table 5 Discipline

District Supervisors are responsible for collecting data from schools, revisions, and getting the designated personnel to ensure information is uploaded into the system. With DAC's technical assistance, the exiting report is one that is almost ready to provide completely from the system directly. PRDE SAEE is proud of the significant progress that has been made with this data system which contributes to overall data collection for the indicators B1, B2 and B14.

Table 4 on Discipline removals is reported in EDEN only and data is collected through SIS and SEASweb.

Table 6 – Assessment

Table 6 for Assessment report is validated in collaboration with data provided by the PRDE Evaluation Unit. This data report falls under the purview of the Secretariat of Academic Affairs and is then provided to SAEE.

Table 7 – Dispute Resolution

The Secretarial Unit (La Unidad Secretarial para Procedimiento de Querellas y Remedio Provisional), which was established under the RLV consent decree, is responsible for the management of timely due process including collecting the data for resolution meetings and mediations. A specific data system was designed and implemented to collect the data and to provide monthly reports related to dispute resolution. The system is in full operation and Table 7 data is provided by it. The compiling of State complaint data is collected through the PRDE legal division and provided to the Secretarial Unit for analysis and reporting. During the last OSEP verification visit, monitors had the opportunity to see how this system works and their recommendations were put in place. Also, new features were included regarding the system's speed and accuracy of data.

Activities	Discussion
<p>Continue to train special education special education personnel and other related staff in the new data based information system.</p>	<p>This is a continuous activity. Island wide training were held for teachers, supervisors, and related personnel who are responsible for data entry.</p>
<p>Continue with implementation of our data base information system island wide.</p>	<p>The information system of Special Education (Seasweb) is being used across the island, including Central Office, Regions (Service Centers EE), School Districts and Schools. As for the training of users we have trained at least one teacher from each school and the School Director, as well as staff working at headquarters.</p> <p>We have a group of professionals to provide monitoring and technical support to system users (Help Desk). In addition, this group helps us to validate data, and we can monitor the input to the system and we are able to identify school districts that need help.</p> <p>At this time, 95% of the districts are fully connected and have SEASWeb access. The remaining are due to some infrastructure difficulties, but alternate methods for data registration have been made to these particular districts. While the system is developing, so is the shift towards a new culture more comfortable with this form of a data collection and storage. PRDE is moving through the paper count (Manual) system where many feel comfortable and is now changing to a more technologically based system. As such, efforts are continually made to move in that direction and to improve in quality data end reporting.</p>
<p>Incorporate new elements to the data system to improve in our data collection and reporting (Transportation, Assistive technology, Appointments coordination)</p> <p>Complaints / Due Process Hearings</p>	<p>SEASWeb has the capability for the reporting in these areas. Transportation data is one of the next steps to be incorporated to be able to provide the necessary data and reports. The application module for transportation and assistive technology data are under the process of validation prior to being implemented.</p> <p>Efforts continue to be made regarding the integration of SIS and SEAS Web.</p> <p>Data relating to State complaints and due process hearings continues to be provided in an alternative system because of the requirements for this area that include additional components for the court under the RLV case. As PRDE continues to build up SEASWeb, additional work will be required to design the application model for complaints and due process hearings.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time.