

Update on the Individuals with Disabilities Education Act

- Changing times
- HR. 1350-House of Representatives version of reauthorization of IDEA
- S. 1248-Senate version of reauthorization of IDEA
- No Child Left behind Act (NCLB)

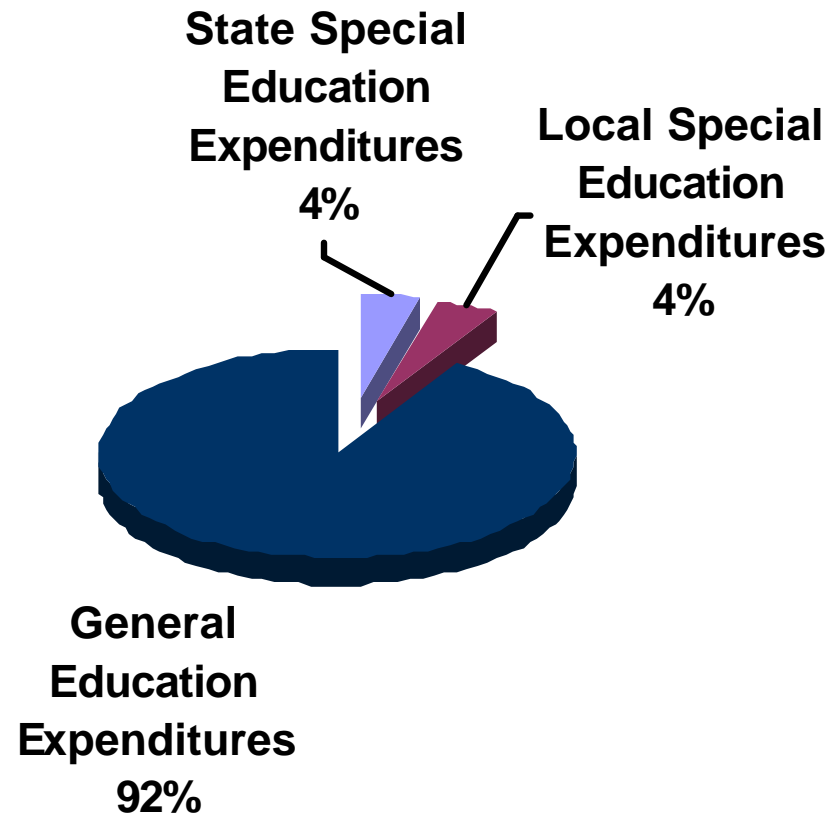
Background

- Montana background
- Approximately 19,000 students with disabilities
- Ages 3 through 18
- 13 disability categories
- Learning disabilities one-half of all students served
- Proportion of students served—compared to the rest of the country—lower 1/3

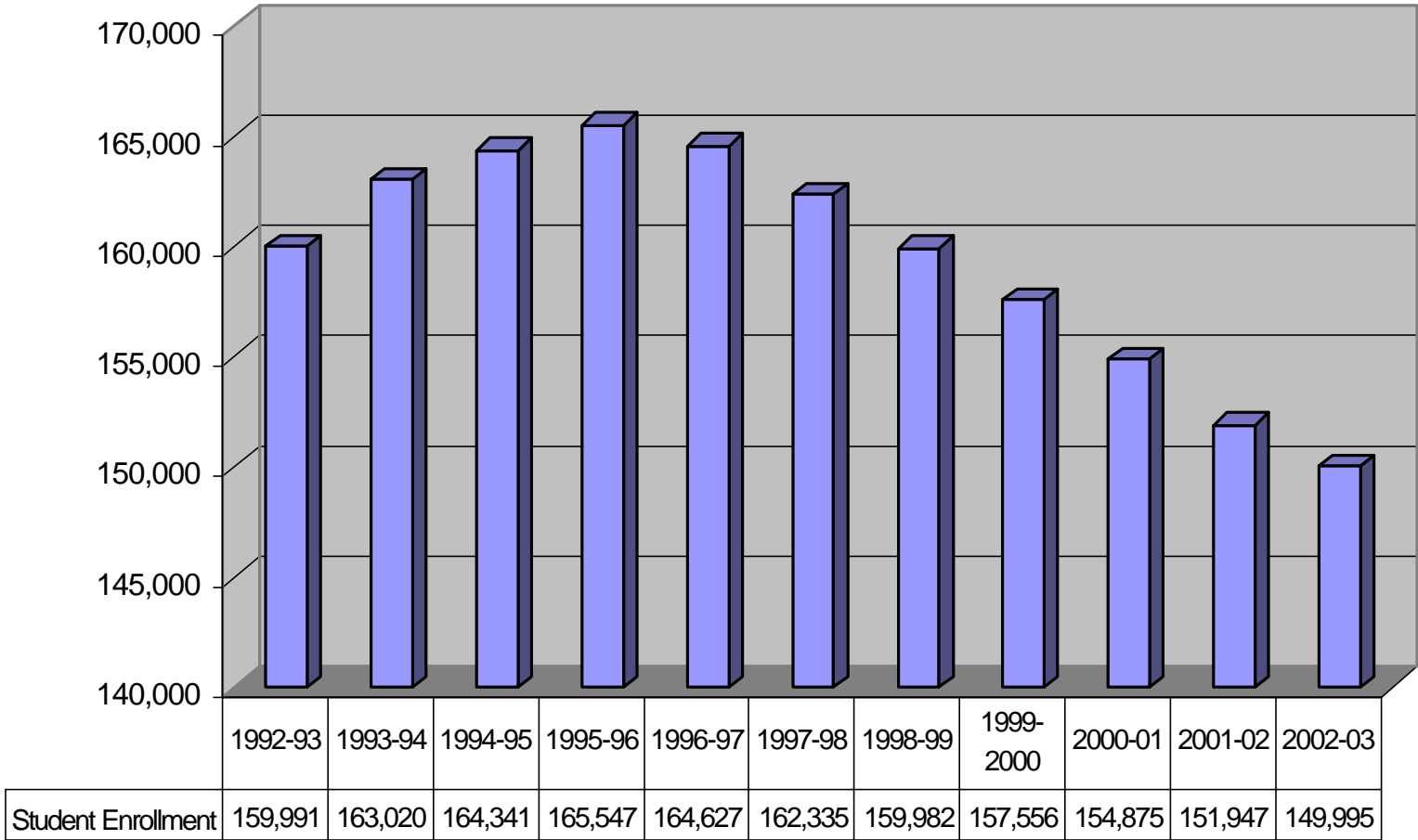
Background

- Montana background
- Expenditures 2001-2002 school year
 - \$31 million—local
 - \$17 million—federal
 - \$34 million—state
- Percentages
 - 38 percent—local
 - 20 percent—federal
 - 42 percent—state

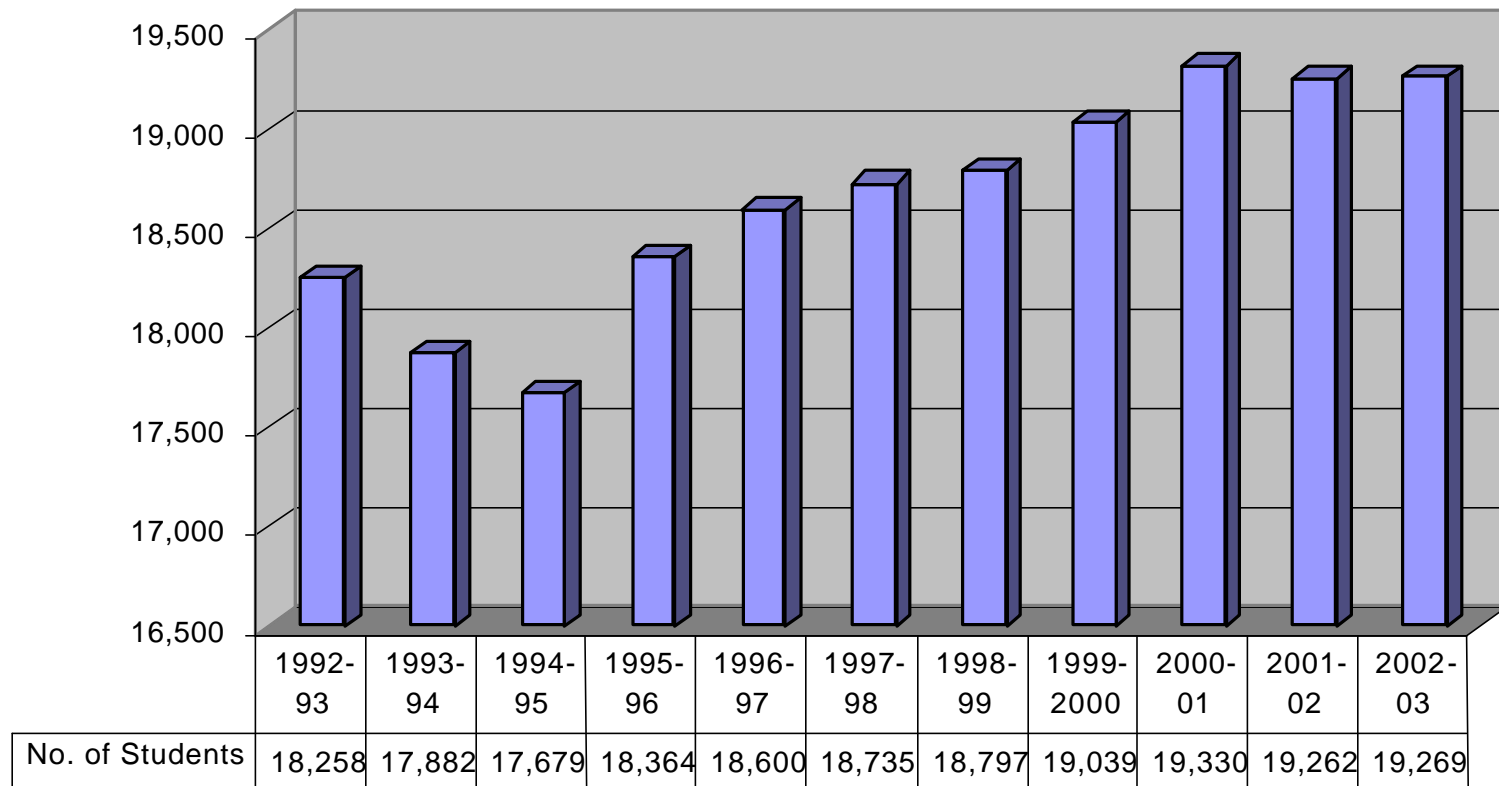
General Fund Expenditures



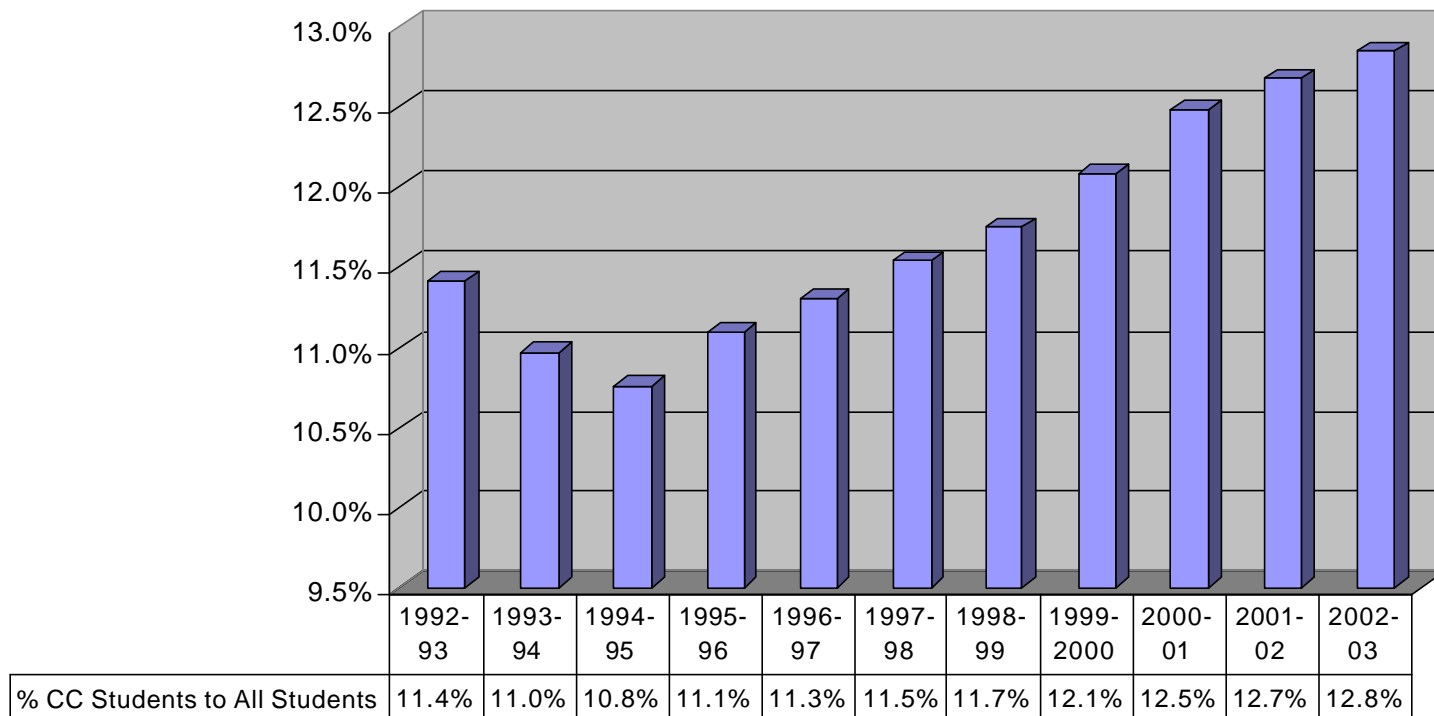
Enrollment



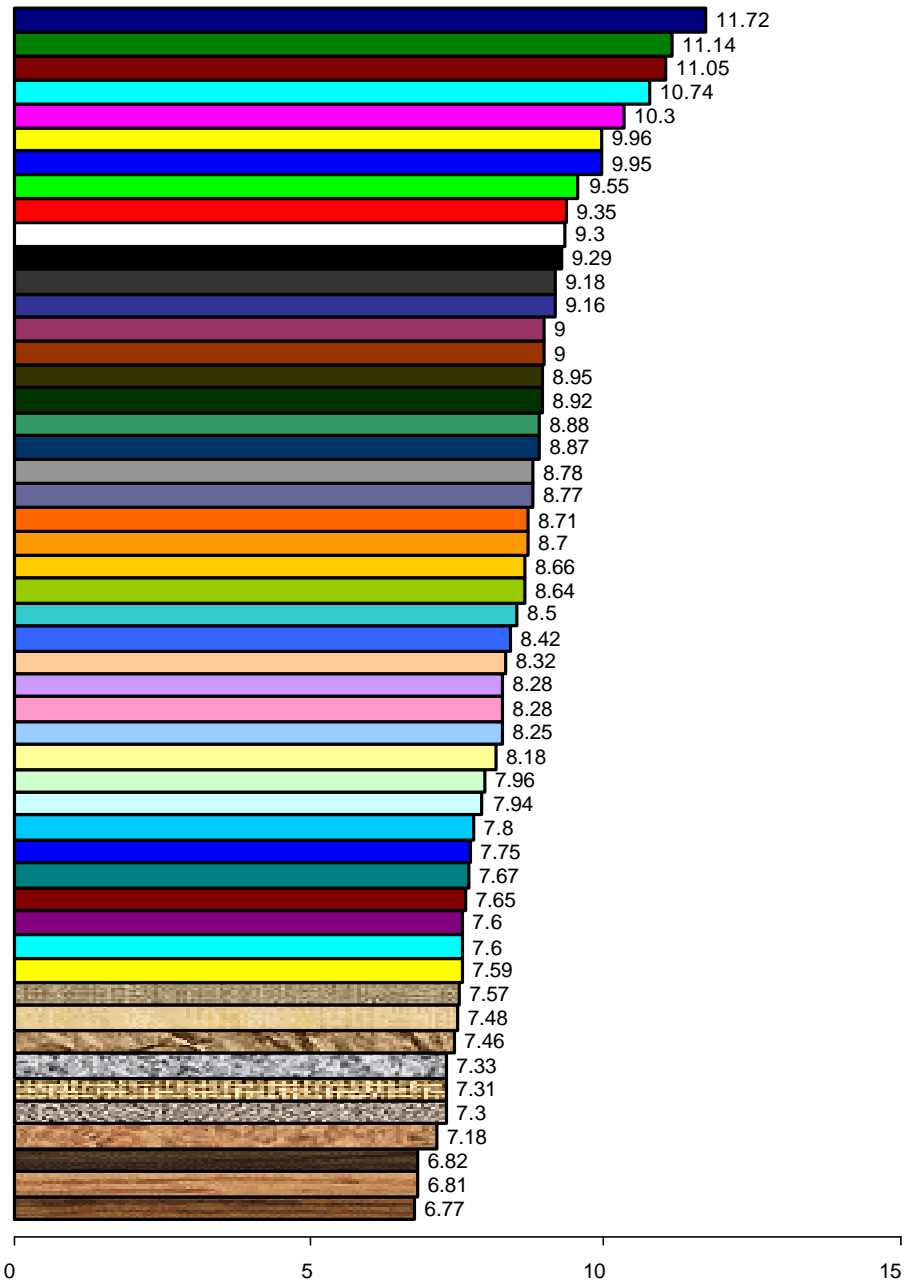
Child Count



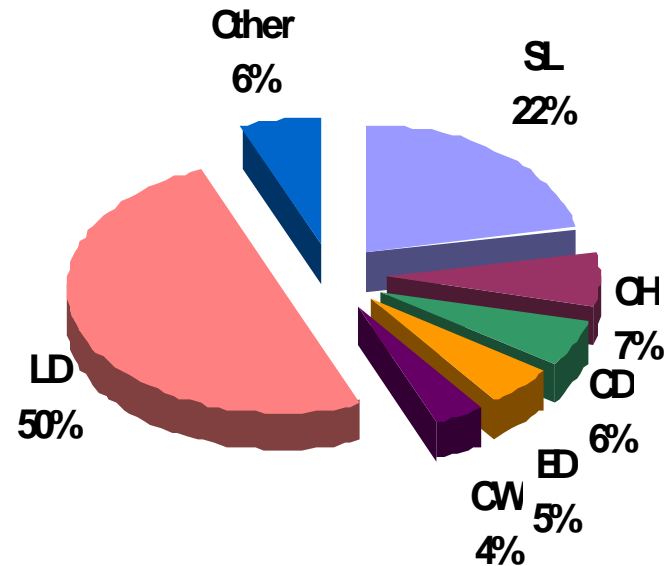
Percentage of Students with Disabilities to Total Enrollment



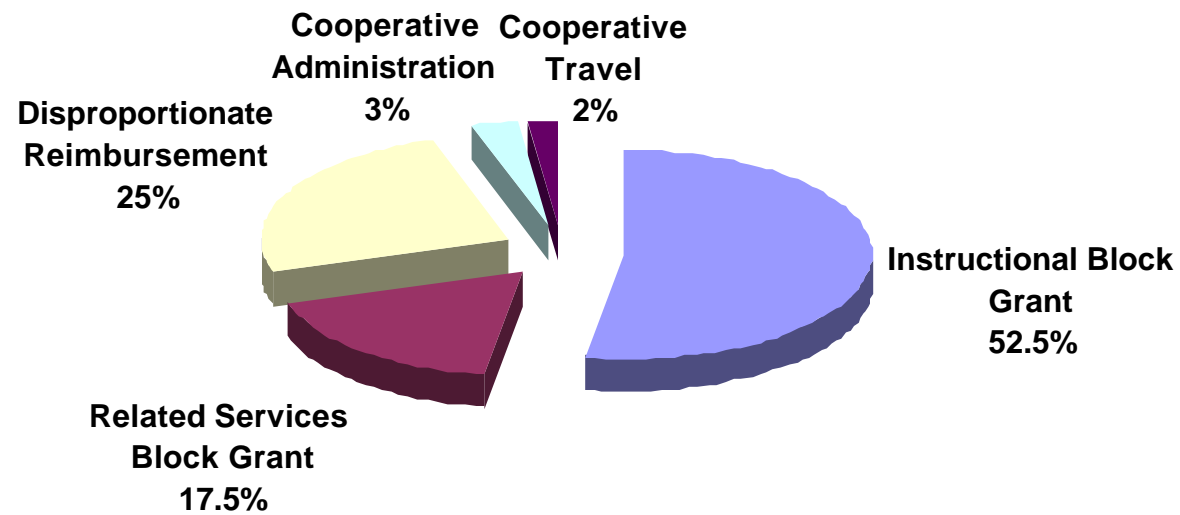
- Rhode Island
- West Virginia
- Maine
- Massachusetts
- New Jersey
- New Mexico
- South Carolina
- Florida
- Wyoming
- Indiana
- New York
- Vermont
- Iowa
- Virginia
- Missouri
- District of Columbia
- New Hampshire
- Nebraska
- Tennessee
- Oklahoma
- Connecticut
- Illinois
- Kentucky
- Alabama
- Arkansas
- North Carolina
- Delaware
- Oregon
- Wisconsin
- Alaska
- Texas
- Maryland
- Kansas
- Minnesota
- Michigan
- Ohio
- Montana
- Mississippi
- North Dakota
- Georgia
- Idaho
- Pennsylvania
- South Dakota
- Louisiana
- Hawaii
- Washington
- Utah
- Nevada
- California
- Colorado
- Arizona



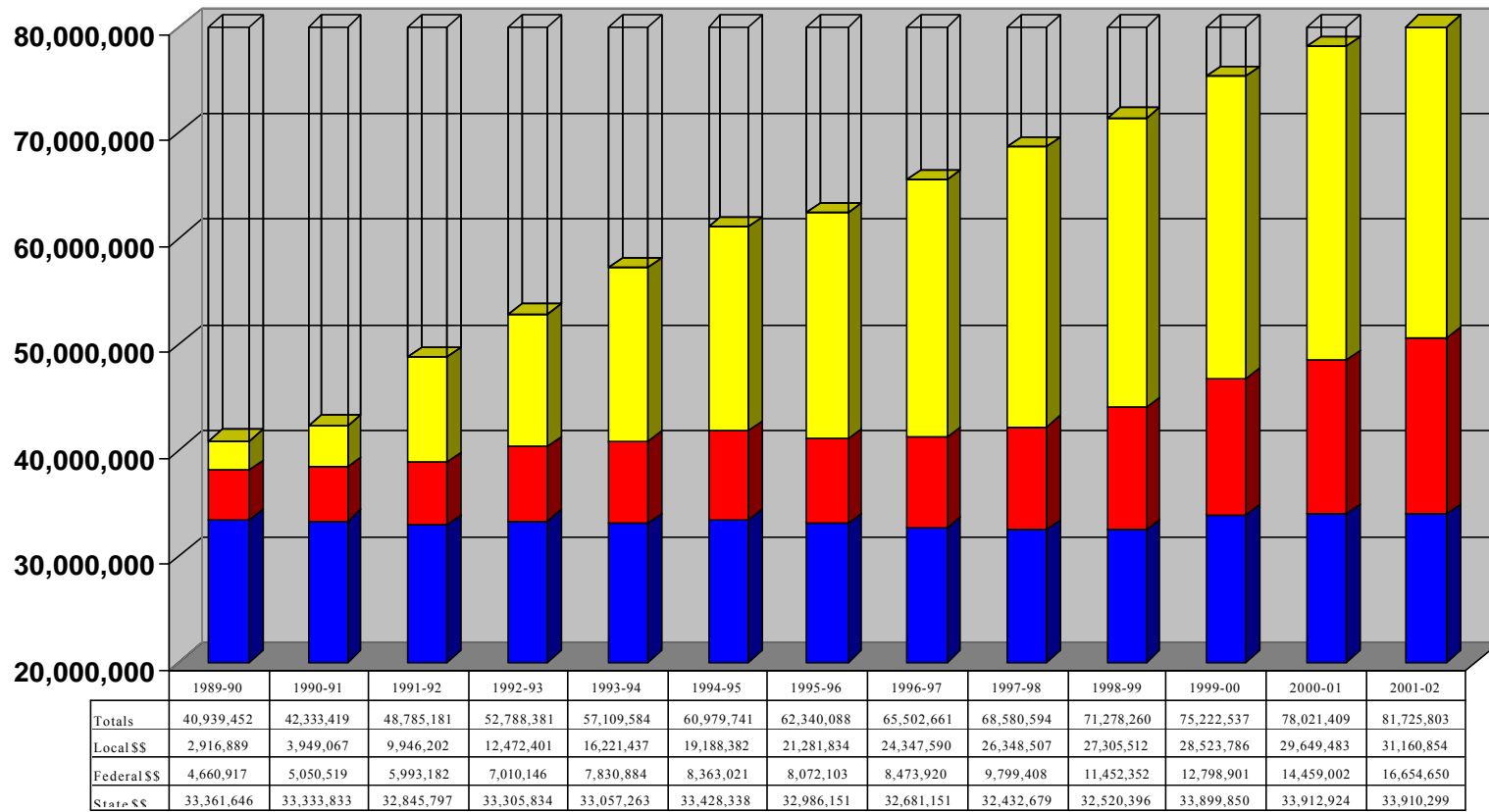
Disabilities by Percentage of Total Number of Students with Disabilities



Funding Distribution



Expenditures of State, Federal and Local Funds



HR 1350 Key Provisions

- Overview
 - Highly qualified staff
 - Funding risk pool—flexible
 - Performance goals and indicators aligned with NCLB
 - Alternate assessments using alternate standards
 - Flexibility in maintenance of fiscal effort—8 percent rule—40 percent rule

HR 1350 Key Provisions

- Overview
 - Use of funds for prereferral—15 percent
 - Learning disabilities definition
 - IEPs—no short-term instructional objectives
 - Amend IEP without meeting
 - Procedural safeguards notice—one per year
 - Discipline

HR 1350 Key Provisions

- Overview
 - Focused monitoring
 - Placement in the least restrictive environment, graduation rates, dropout rates, discipline, disproportionality
 - State compliance plans
 - Sanctions against the state
 - National sample IEP form

S. 1248 Key Provisions

- Overview
 - Highly qualified teacher—consultative services
 - High-cost risk pool—formula driven (75 percent of the costs in excess of four times the average per pupil expenditure)
 - Performance goals and indicators aligned with ESEA
 - Alternative assessment with alternate standards

S. 1248 Key Provisions

- Overview
 - Maintenance of fiscal effort—8 percent rule—40 percent rule
 - Early intervention services—15 percent of allocation
 - Learning disability identification change
 - IEP amendments without a meeting
 - Procedural safeguards notice—one time per year

S. 1248 key provisions

- Overview
 - Discipline
 - Focused monitoring
 - Enforcement of state compliance, including referral to Department of Justice
 - Model IEP forms

No Child Left Behind Act

- Programs:
 - Title I—Improving the Academic Achievement of the Disadvantaged
 - Title II—Preparing Training and Recruiting High-quality Teachers and Principals
 - Title III—Language Instruction for Limited English Proficient
 - Others—Impact Aid, Safe and Drug-free Schools, 21st Century Schools, etc.

No Child Left Behind Act

- Standards-based Reform
- Accountability for Academic Achievement
 - Participation of All Students in Statewide Assessments
 - Alternate Assessments—Required by ESEA and IDEA

No Child Left Behind Act

- Accountability For Academic Achievement
 - All students achieving proficiency in 12 years
 - Adequate yearly progress for all schools, the district, and state
 - Disaggregated groups

No Child Left Behind Act

- Reporting to the public
- Sanctions for failure to show adequate yearly progress
- High-quality personnel
 - paraprofessionals
 - high-quality teachers
- Resources: over \$50 million

No Child Left Behind Act

- Adequate Yearly Progress (AYP)
 - Term used by NCLB to describe whether a school or district has met annual accountability goals
 - Requires the examination of several indicators
 - Participation rate for students tested
 - Academic indicators for reading and math
 - Other indicators—attendance and graduation rate

No Child Left Behind Act

- Participation Rate
 - NCLB requires that 95 percent of all students enrolled must be tested
 - Minimum student population size for this indicator is 40. If less than 40, up to two students absent

No Child Left Behind Act

- Academic Indicators
 - Current
 - AYP target is a normal curve equivalent average of 45 using the past three years of test data
 - Future
 - AYP target moves forward using results from a new criterion-referenced test
 - By the 2013-2014 school year, 100 percent of enrolled students are expected to be at the proficient level or above

No Child Left Behind Act

- Other Indicators
 - Attendance rate K-8
 - Threshold set at 80 percent for progress from the previous year toward the threshold
 - Graduation rate 9-12
 - Threshold set at 80 percent or progress from the previous year toward the threshold

1
Other Indicator
K-8 – Attendance
9-12 – Graduation
For School & District

NO

Does Not
Make AYP

Steps 2 through 5
Repeated for Both Math
and Reading

2
Participation Rate
95% for Subgroup,
School & District

YES

3
Academic Indicator
3 Yr 45 NCE Average for
Subgroup, School & District

YES

Makes AYP

NO

Does Not
Make AYP

NO

4
Check for Safe Harbor
10% Reduction in
% Not Proficient from
Previous Year
(By Subgroup)

NO

Does Not
Make AYP

YES

YES

Makes AYP Through
Safe Harbor

Other Indicator
K-8 – Attendance
9-12 – Graduation
(By Subgroup)

NO

Does Not
Make AYP

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AYP Status Report – 2003 Initial Summary for Academic Indicators (Including Participation Rate)

MATH

Districts (443)

47%	Made AYP
1%	More disaggregated data is needed
26%	Status to be determined—too small populations
26%	Did not make AYP

Schools (862)

56%	Made AYP
4%	More disaggregated data is needed
24%	Status to be determined—too small populations
16%	Did not make AYP

AYP Status Report – Initial 2003 Summary for Academic Indicators (Including Participation Rate)

READING

Districts (443)

46%	Made AYP
1%	More disaggregation data is needed
25%	Status to be determined—too small populations
28%	Did not make AYP

Schools (862)

57%	Made AYP
3%	More disaggregation data is needed
24%	Status to be determined—too small populations
16%	Did not make AYP

State Accountability System(MTSASE)

**All Public
Schools and Districts**

443 Districts

862 Schools

- **Accreditation Process**
- **Expectations, rewards, and sanctions in Support of President Bush's No Child Left Behind Act**

Schools and districts that are identified for improvement (did not make AYP for 2 years):

- **Review and revise 5-Year Comprehensive Education Plan**
- **Parent notification**
- **OPI Technical Assistance – as capacity allows**

State Accountability System(MTSASE)

**Title I Schools Districts
289 Districts (64%)
636 Schools (74%)**

**Additional Rewards-
Sanctions Mandated by
Sec 1116 - NCLB**

Title I schools and districts that are identified for improvement (did not make AYP for 2 years):

- Public school choice
- Provision of supplemental services
- 10% of Title I funds must go for staff development
- Implementation of mentoring program
- OPI Technical Assistance - as capacity allows
- Additional \$809,000 for improvement grants

State Accountability System(MTSASE)

**Title I Schools Districts
289 Districts (64%)
636 Schools (74%)
Additional Rewards-
Sanctions Mandated by
Sec 1116 - NCLB**

Title I schools and districts that continue to not meet AYP will eventually be identified for corrective action and restructuring:

- In addition to the interventions outlined for schools identified for improvement, schools and districts must look at more intrusive and intensive interventions
- Actions here will be limited by Montana Constitution and/or Montana law

No Child Left Behind Act

- Observations
 - Reason for disaggregated subgroups
 - Concern for children with disabilities
 - Federal involvement in public education
 - Role of alternate assessments
 - Participation of students with significant cognitive disabilities

Opportunities with IDEA/NCLB

- Coordination
 - Flexibility in funding prereferral activities
 - Common standards for accountability
 - Focus on needs of students with disabilities
 - More collaboration between general education in special education