**State Performance Plan / Annual Performance Report: Part B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on   
FFY 2019**

**New Jersey**

U.S. Department of Education seal

**PART B DUE   
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION**

**WASHINGTON, DC 20202**

# Introduction

**Instructions**

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State’s systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State’s General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

## Intro - Indicator Data

**Executive Summary**

In accordance with Part B of the Individuals with Disabilities Education Act (IDEA), New Jersey’s SPP/APR includes the following information:   
• Introduction;  
• baseline data for Indicators 1 through 16;  
• targets for Indicators 1 through 16 for each year reflected in the SPP;  
• data from FFY 2019;  
• other responsive information for Indicators 1 through 16, including the impact of the COVID 19 pandemic on the data collected, steps taken relevant to the Indicator re: COVID 19 impact (when relevant), and the steps taken to mitigate the impact;  
• an explanation of slippage on indicators where New Jersey did not meet its FFY 2019 target; and  
• information to address actions required by OSEP’s response to the FFY 2018 SPP/APR.  
  
Additionally, specific content required to complete Phase III of the SSIP for Indicator 17 will be submitted by April 1, 2021, in accordance with the instructions provided.

**Additional information related to data collection and reporting**

The NJDOE collects data each year through NJSMART, New Jersey’s student level data system. The COVID-19 pandemic did not affect the collection or reporting of data in FFY 2019 except for Indicator 3 which was waived due to the cancellation of statewide assessments. Data was collected and analyzed for all of the remaining indicators. The potential impact of the pandemic on the outcome data collected is addressed through slippage explanations for each indicator as it is hypothesized that the some indicators were affected more than others.

**Number of Districts in your State/Territory during reporting year**

657

**General Supervision System**

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

Please see attached narrative

**Technical Assistance System**

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

Please see attached narrative

**Professional Development System**

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.**

Please see attached narrative

**Stakeholder Involvement**

**The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
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• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

YES

**Reporting to the Public**

**How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State’s submission of its FFY 2018 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State’s SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2018 APR in 2020, is available.**

NJDOE posted the 2018-2019 local district profiles on June 26, 2020. (see https://www.state.nj.us/education/specialed/info/spp/ )  
  
Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJDOE made New Jersey’s FFY 2018 State Performance Plan/Annual Performance Report available to the public as indicated below. The NJDOE will use the same mechanisms to report annually to the public on the FFY 2019 SPP/APR regarding the State’s progress in meeting the measurable and rigorous SPP targets.  
  
Public Means, Including Posting on the Website of the State Education Agency (SEA): The FFY 2018 SPP/APR were posted on the New Jersey Department of Education’s website following the submission to USDE with the requested clarifications. The SPP/APR was posted at: http://www.nj.gov/education/specialed/info/spp/. The FFY 2019 SPP/APR will be posted at the same website after the submission to USDE with any requested clarifications.  
  
NJDOE also posted the USDE response to the SPP/APR FFY 2018 submission that included USOSEP’s determination regarding the State’s compliance with the requirements of Part B of the IDEA at http://www.nj.gov/education/specialed/info/spp/. The USOSEP’s response to the NJDOE’s SPP/APR FFY 2019 submission will again be posted at: http://www.nj.gov/education/specialed/info/spp/ .  
  
Distribution to the Media: Annually, upon submission to USOSEP, the NJDOEP makes the SPP/APR available to the media through the NJDOE website and refers the press to the SPP/APR website when press inquiries are relevant to the SPP indicators.  
  
Distribution to Public Agencies: Members of the State Special Education Advisory Council as well as other stakeholders participated in a meeting on October 15, 2020 (conducted via web conference). The participants were informed of the posting of the SPP/APR on the NJDOE website. The stakeholders were informed of the USOSEP determination regarding the FFY 2018 SPP/APR submission and the posting of the determination letter from the USOSEP as well. The USOSEP Response table was discussed in detail with the stakeholders. Information regarding the submission of the SPP/APR and the state’s determination is also annually discussed with county supervisors of child study who communicate the information to local special education directors at their monthly meetings.  
  
Regarding the FFY 2019 SPP/APR, NJDOEP will distribute a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE’s broadcast procedures. The memorandum will provide information regarding posting of the SPP/APR, the federal determination regarding the State’s implementation of the IDEA, the requirements for State determinations of local districts, and the requirements for annual public reporting of local districts’ performance and the posting of local district profiles.

## Intro - Prior FFY Required Actions

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year Five; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP’s coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State’s capacity to improve its SiMR data.

**Response to actions required in FFY 2018 SPP/APR**

The FFY 2019 data for the SIMR and progress in implementing the SSIP will be reported in the SSIP report which is due on April 1, 2021.

## Intro - OSEP Response

## Intro - Required Actions

## Intro - State Attachments

  

# Indicator 1: Graduation

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) graduating from high school with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

Same data as used for reporting to the Department of Education (Department) under Title I of the Elementary and Secondary Education Act (ESEA).

**Measurement**

States may report data for children with disabilities using either the four-year adjusted cohort graduation rate required under the ESEA or an extended-year adjusted cohort graduation rate under the ESEA, if the State has established one.

**Instructions**

Sampling is not allowed.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target. Provide the actual numbers used in the calculation.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Targets should be the same as the annual graduation rate targets for children with disabilities under Title I of the ESEA.

States must continue to report the four-year adjusted cohort graduation rate for all students and disaggregated by student subgroups including the children with disabilities subgroup, as required under section 1111(h)(1)(C)(iii)(II) of the ESEA, on State report cards under Title I of the ESEA even if they only report an extended-year adjusted cohort graduation rate for the purpose of SPP/APR reporting.

## 1 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2011 | 73.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 75.00% | 78.00% | 78.00% | 81.00% | 81.00% |
| Data | 76.62% | 77.99% | 78.80% | 78.84% | 80.14% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 81.50% |

**Targets: Description of Stakeholder Input**

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• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
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**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 07/27/2020 | Number of youth with IEPs graduating with a regular diploma | \*[[1]](#footnote-2) |
| SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 07/27/2020 | Number of youth with IEPs eligible to graduate | 16,014 |
| SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695) | 07/27/2020 | Regulatory four-year adjusted-cohort graduation rate table | 83.83% |

**FFY 2019 SPP/APR Data**

| **Number of youth with IEPs in the current year’s adjusted cohort graduating with a regular diploma** | **Number of youth with IEPs in the current year’s adjusted cohort eligible to graduate** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| \*1 | 16,014 | 80.14% | 81.50% | 83.83% | Met Target | No Slippage |

**Graduation Conditions**

**Choose the length of Adjusted Cohort Graduation Rate your state is using:**

4-year ACGR

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain*.***

New Jersey issues one state-endorsed high school diploma for all students, including students with disabilities. In order to graduate with a State-endorsed diploma in New Jersey, students must satisfy several requirements. Students must participate in a course of study consisting of a specified number of credits in courses designed to meet all of the New Jersey Student Learning Standards. State regulations at N.J.A.C. 6A:8-5.1(a)1 delineate minimum required credit totals for language arts, mathematics, science, social studies, health and physical education, visual or performing arts, world languages, technological literacy, and career education. Methods for meeting the minimum credit requirements are also set forth in Title 6A, Chapter 8 of the New Jersey Administrative Code, which concerns standards and assessments. Local attendance and other locally-established requirements must also be met in order to receive a State-endorsed diploma, as well as all statutorily-mandated requirements.

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

## 1 - Required Actions

# Indicator 2: Drop Out

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

**Measurement**

OPTION 1:

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

**Instructions**

Sampling is not allowed.

OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved, but are known to be continuing in an educational program.

OPTION 2:

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target.

Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain.

## 2 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2011 | 15.36% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target <= | 14.00% | 13.00% | 13.00% | 12.00% | 12.00% |
| Data | 12.52% | 5.80% | 6.04% | 5.80% | 6.65% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target <= | 6.00% |

**Targets: Description of Stakeholder Input**

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**Please indicate the reporting option used on this indicator**

Option 1

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 9,021 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b) | 0 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c) | 31 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d) | 1,042 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e) | 41 |

**FFY 2019 SPP/APR Data**

| **Number of youth with IEPs who exited special education due to dropping out** | **Total number of High School Students with IEPs by Cohort** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1,042 | 10,135 | 6.65% | 6.00% | 10.28% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

In the State’s continued effort to improve data quality, changes were made to the 2018-19 data collection as we moved from aggregate data which PCG provided earlier to student level data.

**Provide a narrative that describes what counts as dropping out for all youth**

In New Jersey, "drop outs" are defined as students who were enrolled at the start of the reporting period but were not enrolled at the end of the reporting period and did not exit special education through any other means. This includes dropouts, runaways, status unknown, students who moved but are not known to be continuing in another educational program.

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs below.**

**Provide additional information about this indicator (optional)**

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

## 2 - Required Actions

# Indicator 3B: Participation for Students with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Indicator 3A – Reserved

B. Participation rate for children with IEPs

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

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

**Data Source**

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

**Measurement**

B. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Provide separate reading/language arts and mathematics participation rates, inclusive of all ESEA grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3B - Indicator Data

**Reporting Group Selection**

**Based on previously reported data, these are the grade groups defined for this indicator.**

| **Group** | **Group Name** | **Grade 3** | **Grade 4** | **Grade 5** | **Grade 6** | **Grade 7** | **Grade 8** | **Grade 9** | **Grade 10** | **Grade 11** | **Grade 12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall | X | X | X | X | X | X | X | X | X | X | X |

**Historical Data: Reading**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group** | **Group Name** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2005 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 97.00% |
| **A** | Overall | 96.05% | Actual | 82.87% | 91.09% | 93.37% | 94.25% | 95.78% |

**Historical Data: Math**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group** | **Group Name** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2005 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 97.00% |
| **A** | Overall | 95.55% | Actual | 82.99% | 90.93% | 93.45% | 94.23% | 95.69% |

**Targets**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2019** |
| Reading | A >= | Overall | 97.00% |
| Math | A >= | Overall | 97.00% |

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
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• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

**Reading Assessment Participation Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards |  |  |  |  |  |  |  |  |  |  |  |

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

**Math Assessment Participation Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards |  |  |  |  |  |  |  |  |  |  |  |

**FFY 2019 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs** | **Number of Children with IEPs Participating** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 95.78% | 97.00% |  | N/A | N/A |

**FFY 2019 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs** | **Number of Children with IEPs Participating** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 95.69% | 97.00% |  | N/A | N/A |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

The public reports of assessment results for the New Jersey Student Learning Assessments for English Language Arts and Math are available in downloadable files here: https://www.nj.gov/education/assessment/results/reports/  
  
The public reports of assessment results for the Dynamic Learning Maps are available here: https://www.nj.gov/education/assessment/dlm/

**Provide additional information about this indicator (optional)**

Statewide Assessments were not conducted in FFY 2019 due to the COVID-19 pandemic.

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

## 3B - Required Actions

# Indicator 3C: Proficiency for Students with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

A. Indicator 3A – Reserved

B. Participation rate for children with IEPs

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

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

**Data Source**

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

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

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for reading/language arts and mathematics assessments (combining regular and alternate) for children with IEPs, in all grades assessed (3-8 and high school), including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3C - Indicator Data

**Reporting Group Selection**

**Based on previously reported data, these are the grade groups defined for this indicator.**

| **Group** | **Group Name** | **Grade 3** | **Grade 4** | **Grade 5** | **Grade 6** | **Grade 7** | **Grade 8** | **Grade 9** | **Grade 10** | **Grade 11** | **Grade 12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 3 | X |  |  |  |  |  |  |  |  |  |  |
| **B** | Grade 4 |  | X |  |  |  |  |  |  |  |  |  |
| **C** | Grade 5 |  |  | X |  |  |  |  |  |  |  |  |
| **D** | Grade 6 |  |  |  | X |  |  |  |  |  |  |  |
| **E** | Grade 7 |  |  |  |  | X |  |  |  |  |  |  |
| **F** | Grade 8 |  |  |  |  |  | X |  |  |  |  |  |
| **G** | HS |  |  |  |  |  |  |  |  |  |  | X |

**Historical Data: Reading**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group** | **Group Name** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Grade 3 | 2005 | Target >= | 60.50% | 65.40% | 70.40% | 70.40% | 70.40% |
| **A** | Grade 3 | 54.19% | Actual | 22.78% | 22.88% | 24.38% | 24.33% | 24.11% |
| **B** | Grade 4 | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **B** | Grade 4 | 50.21% | Actual | 24.00% | 23.52% | 25.45% | 26.18% | 25.88% |
| **C** | Grade 5 | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **C** | Grade 5 | 57.83% | Actual | 20.55% | 21.19% | 23.41% | 23.36% | 24.41% |
| **D** | Grade 6 | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **D** | Grade 6 | 37.30% | Actual | 16.54% | 15.99% | 17.88% | 19.03% | 19.63% |
| **E** | Grade 7 | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **E** | Grade 7 | 44.69% | Actual | 17.56% | 17.54% | 20.32% | 23.37% | 23.44% |
| **F** | Grade 8 | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **F** | Grade 8 | 34.81% | Actual | 15.89% | 17.51% | 19.35% | 20.54% | 23.57% |
| **G** | HS | 2005 | Target >= | 55.50% | 60.50% | 65.40% | 70.40% | 70.40% |
| **G** | HS | 46.05% | Actual | 10.73% | 12.48% | 13.31% | 15.20% | 18.65% |

**Historical Data: Math**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group** | **Group Name** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Grade 3 | 2005 | Target >= | 66.10% | 70.30% | 74.60% | 74.60% | 74.60% |
| **A** | Grade 3 | 72.00% | Actual | 25.96% | 28.38% | 29.14% | 29.31% | 31.14% |
| **B** | Grade 4 | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **B** | Grade 4 | 61.03% | Actual | 19.91% | 22.56% | 22.87% | 23.74% | 25.79% |
| **C** | Grade 5 | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **C** | Grade 5 | 53.90% | Actual | 17.84% | 19.31% | 19.68% | 20.27% | 19.31% |
| **D** | Grade 6 | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **D** | Grade 6 | 33.47% | Actual | 14.12% | 13.86% | 13.93% | 14.01% | 12.94% |
| **E** | Grade 7 | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **E** | Grade 7 | 26.93% | Actual | 11.14% | 9.79% | 11.63% | 12.63% | 13.01% |
| **F** | Grade 8 | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **F** | Grade 8 | 27.95% | Actual | 11.43% | 11.63% | 12.31% | 13.20% | 13.55% |
| **G** | HS | 2005 | Target >= | 61.80% | 66.10% | 70.30% | 74.60% | 74.60% |
| **G** | HS | 33.80% | Actual | 4.46% | 5.56% | 6.11% | 7.16% | 9.24% |

**Targets**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2019** |
| Reading | A >= | Grade 3 | 32.00% |
| Reading | B >= | Grade 4 | 32.00% |
| Reading | C >= | Grade 5 | 32.00% |
| Reading | D >= | Grade 6 | 32.00% |
| Reading | E >= | Grade 7 | 32.00% |
| Reading | F >= | Grade 8 | 32.00% |
| Reading | G >= | HS | 32.00% |
| Math | A >= | Grade 3 | 32.00% |
| Math | B >= | Grade 4 | 32.00% |
| Math | C >= | Grade 5 | 32.00% |
| Math | D >= | Grade 6 | 32.00% |
| Math | E >= | Grade 7 | 32.00% |
| Math | F >= | Grade 8 | 32.00% |
| Math | G >= | HS | 32.00% |

**Targets: Description of Stakeholder Input**

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• New Jersey City University  
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This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

**Reading Proficiency Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs who received a valid score and a proficiency was assigned |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

**Math Proficiency Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs who received a valid score and a proficiency was assigned |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |

**FFY 2019 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Children with IEPs who received a valid score and a proficiency was assigned** | **Number of Children with IEPs Proficient** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 3 |  |  | 24.11% | 32.00% |  | N/A | N/A |
| **B** | Grade 4 |  |  | 25.88% | 32.00% |  | N/A | N/A |
| **C** | Grade 5 |  |  | 24.41% | 32.00% |  | N/A | N/A |
| **D** | Grade 6 |  |  | 19.63% | 32.00% |  | N/A | N/A |
| **E** | Grade 7 |  |  | 23.44% | 32.00% |  | N/A | N/A |
| **F** | Grade 8 |  |  | 23.57% | 32.00% |  | N/A | N/A |
| **G** | HS |  |  | 18.65% | 32.00% |  | N/A | N/A |

**FFY 2019 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Children with IEPs who received a valid score and a proficiency was assigned** | **Number of Children with IEPs Proficient** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 3 |  |  | 31.14% | 32.00% |  | N/A | N/A |
| **B** | Grade 4 |  |  | 25.79% | 32.00% |  | N/A | N/A |
| **C** | Grade 5 |  |  | 19.31% | 32.00% |  | N/A | N/A |
| **D** | Grade 6 |  |  | 12.94% | 32.00% |  | N/A | N/A |
| **E** | Grade 7 |  |  | 13.01% | 32.00% |  | N/A | N/A |
| **F** | Grade 8 |  |  | 13.55% | 32.00% |  | N/A | N/A |
| **G** | HS |  |  | 9.24% | 32.00% |  | N/A | N/A |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

**Provide additional information about this indicator (optional)**

## 3C - Prior FFY Required Actions

The State must revise its FFY 2019 Reading Grade 3 through Grade 8 and HS, and Math Grade 3 through Grade 6 and HS targets to reflect improvement, or revise its baseline in the data fields for this indicator.

**Response to actions required in FFY 2018 SPP/APR**

New baseline and targets will be included in the FFY 2020 SPP/APR but were not updated because statewide assessment was not conducted due to COVID-19.

## 3C - OSEP Response

OSEP's response to the State's FFY 2018 SPP/APR required the State to include in the FFY 2019 SPP/APR Reading Grade 3 through Grade 8 and HS, and Math Grade 3 through Grade 6 and HS targets to reflect improvement, or revise its baseline in the data fields for this indicator. Due to the COVID-19 pandemic, the State is not required to provide this information.   
  
The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

## 3C - Required Actions

# Indicator 4A: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs

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

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of districts that meet the State-established n size (if applicable) that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State that meet the State-established n size (if applicable))] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 4.30% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target <= | 1.30% | 1.20% | 1.10% | 1.00% | 1.00% |
| Data | 0.77% | 1.51% | 1.83% | 0.91% | 0.76% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target <= | 0.90% |

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

NO

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of districts that have a significant discrepancy** | **Number of districts in the State** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 5 | 656 | 0.76% | 0.90% | 0.76% | Met Target | No Slippage |

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State

**State’s definition of “significant discrepancy” and methodology**

"Significant Discrepancy" is defined as a suspension rate of greater than 5 times the baseline statewide average (i.e., a rate of more than 3%)  
  
Methodology: The New Jersey Department of Education (NJDOE) determined whether significant discrepancies were occurring in each LEA by comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State. NJDOE used a set number of times above the state average to determine significant discrepancy. Data from the Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days of the Annual Report of Children Served were used in the process.  
  
Specifically, first, NJDOE calculated the baseline state average (i.e., a rate of .6%) for the baseline year of 2004-2005 for all districts in the state. Second, NJDOE used a multiple of the baseline statewide average (i.e., more than 5 times the state average) to determine local districts demonstrating a significant discrepancy. In calculating the percent of districts with a significant discrepancy for this FFY 2019 APR, all LEAs were included in the calculation. No LEAs in the state were excluded from this calculation based on a minimum cell size requirement. An LEA was determined to demonstrate a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year if the LEA rate exceeded 3.0% (0.6% x 5 = 3.0%).

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Districts identified as having a significant discrepancy in suspension/expulsion rates of children with disabilities for greater than 10 days in a school year participate in a targeted review process. The review includes a self-assessment, and/or desk audit and/or an onsite targeted review of discipline requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards. The targeted review may include: (a) record reviews; (b) interviews with general and special education staff members; (c) review of written policies, procedures and practices; and (d) review of district discipline and suspension data. District data, reported through the Student Safety Data System (SSDS), are reviewed and analyzed to identify the specific schools within the identified districts where most suspensions over 10 days occurred. School-based discipline practices and tracking data are analyzed to identify noncompliance and patterns of suspension. Districts where data, interviews and record review indicated that policies, procedures and practices were not consistent with IDEA and N.J.A.C. requirements related to suspension and expulsion are identified as noncompliant, findings are issued, and corrective action is required.  
  
Technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Districts are provided with resources, as needed, for additional information on compliant policies, procedures and practices related to positive behavioral interventions and supports, school-wide behavioral systems and federal and state regulations. A brochure outlining the IDEA and N.J.A.C. requirements related to suspension/expulsion, developed by the New Jersey Department of Education (NJDOE), is also disseminated to district staff. Districts are provided with additional training as described below (see discussion of improvement activities).  
  
All of the districts identified with significant discrepancies in their suspension rates participated in the targeted review process described above to determine compliance with the federal requirements related to this indicator.  
  
Results of the Review: Three (3) districts were identified with noncompliance.

The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).

**If YES, select one of the following:**

The State DID ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008*.***

For Indicators 4A and 4B, a review is conducted in districts that demonstrate a significant discrepancy in their rate of suspensions and expulsions over 10 days and/or a significant discrepancy in suspension/expulsion rate by race and ethnicity. Compliance with IDEA requirements related to discipline procedures, and positive behavioral supports, is reviewed. The review may consist of self-assessment, desk audit or onsite review of discipline requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards is conducted by the LEA. Following the review, a written report of findings is generated. Corrective action activities are included in the report if noncompliance is identified and are based on any identified root causes of the noncompliance. Corrective action activities included the revision of procedures, staff training, and activities related to implementation of procedures, and/or oversight of implementation of procedures.

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 3 | 3 |  | 0 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

Verification of correction is conducted by the NJDOE in accordance with USOSEP 09-02 memo. Districts are required to correct noncompliance identified during monitoring activities within one year of identification. If noncompliance is not corrected, state-directed corrective action plans are required that include specific activities, timelines and documentation to demonstrate correction. Corrective action activities include the development or revision of policies and procedures, training, activities related to implementation of procedures and/or oversight of implementation of procedures. In addition to requiring corrective actions that address any root causes of noncompliance, the NJDOE verifies correction consistent with USOSEP Memorandum 09-02 by reviewing files with individual noncompliance to be corrected and reviewing subsequent data collected following the implementation of the corrective actions that demonstrate 100 percent compliance with regulatory requirements. Technical assistance is provided as needed to assist districts in timely correction, training of staff and/or development of oversight activities to ensure implementation of IDEA. Technical assistance documents (e.g., state notice and IEP sample forms, discipline requirements power point presentation) are disseminated to assist districts with establishing or revising procedures that comply with federal and state special education requirements.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
(1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data obtained through the desk audit and/or onsite visit, and   
(2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4A - Prior FFY Required Actions

**Response to actions required in FFY 2018 SPP/APR**

None

## 4A - OSEP Response

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2018 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2018: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

## 4A - Required Actions

The State must report, in the FFY 2020 SPP/APR, on the correction of noncompliance that the State identified in FFY 2019 and FFY 2018 as a result of the review it conducted pursuant to 34 C.F.R. § 300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each district with noncompliance identified by the State in FFY 2019 and FFY 2018: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

# Indicator 4B: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

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

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

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of districts that meet the State-established n size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State that meet the State-established n size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4B: Provide the following: (a) the number of districts that met the State-established n size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) the number of those districts in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2017 | 0.15% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.30% | 0.15% | 0.15% | 0.15% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

NO

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts that have a significant discrepancy, by race or ethnicity** | **Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements** | **Number of districts in the State** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 13 | 6 | 656 | 0.15% | 0% | 0.91% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if not applicable**

Six (6) of the State's 656 districts were identified for noncompliance with the requirements related to the discipline of students with disabilities in FFY19. Review of the results from the self-assessment and/or desk monitoring did not demonstrate similar areas of noncompliance across the six districts. A single reason for noncompliance cannot be identified. One could speculate that the differential impact by race and ethnicity of COVID-19 on students could carry over to these data.

**Were all races and ethnicities included in the review?**

YES

**State’s definition of “significant discrepancy” and methodology**

The New Jersey Department of Education (NJDOE) determined whether there was a significant discrepancy in the suspension rate for each racial/ethnic group in each LEA by comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State. Specifically, for each LEA, the suspension rate was calculated for each racial/ethnic group by dividing the number of children with IEPs suspended for greater than 10 days in a school year by the number of children with IEPs reported in the specified racial/ethnic group.  
  
In order to compare the district rate for each racial/ethnic group to other LEAs in the state, the state rate for all children with IEPs suspended was calculated by dividing the number of children of all racial/ethnic groups suspended for greater than 10 days by the number of children with IEPs in the state. The state rate for FFY 2019 was 1.62% . The district rate for each racial/ethnic group was then compared to the state rate and if the district rate for a specific racial/ethnic group was greater than three times the state rate (or greater than 4.86%), the district was determined to demonstrate a “significant discrepancy” for the specific racial/ethnic group.

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

For FFY 2019, thirteen (13) districts identified for significant discrepancy by race or ethnicity in the rate of suspensions or expulsions greater than 10 days in a school year participated in a self-assessment or desk monitoring of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the discipline of students with disabilities. The self-assessment and desk monitoring tool were aligned with the IDEA requirements identified by the USOSEP as related to Indicator 4B and included a review of compliance indicators related to the requirements of 34 CFR §§300.170(a) and 300.646(a)(3) as well as a review of policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.  
  
Result of the Review: Six (6) districts had findings of noncompliance in one or more of the requirements reviewed indicating that policies, procedures or practices contributed to the significant discrepancy.

The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).

**If YES, select one of the following:**

The State DID ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008*.***

NJDOE revised, or required the affected districts to revise their policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA.  
  
To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
1. was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and  
2. had corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1 | 1 |  | 0 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

To ensure correction of noncompliance, districts were required to revise their policies, procedures and practices, and/or revise IEPs based on findings of noncompliance. This involved: (a) development or revision of district or school policies and procedures; (b) training of staff on those new or revised policies; (c) revision of individual student IEPs to reflect requirements; and (d) implementation of oversight mechanisms to ensure that parents and case managers are informed of suspensions. The findings made related to this indicator ranged from individual child files missing necessary documentation of a behavioral intervention plan or manifestation determination to districts or schools not having procedures in place.  
  
To verify correction of noncompliance, when possible, NJDOE reviewed individual child files or school records to ensure correction of each individual case of noncompliance, unless the child was no longer within the jurisdiction of the school district. In some cases, actions occurred, although late and in some cases, individual files were corrected. In the case of policies or procedures, NJDOE verified the presence of revised policies and procedures.  
  
NJDOE also reviewed subsequent data in each school district demonstrating compliance with the specific requirements. These data were reviewed through additional desk audits, data and record submissions, and in some cases, onsite reviews.  
  
The NJDOE continues to ensure correction of noncompliance in accordance with the OSEP 09-02 memo, in collaboration with districts. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices and identification of the root cause of noncompliance. NJDOE staff members from the Learning Resource Centers, in collaboration with the monitors, also provide technical assistance on the development of policies, procedures and practices related to positive behavioral supports in districts with high rates of suspension. All districts identified for a significant discrepancy in their suspension and expulsion rates are invited to specific training and ongoing technical assistance opportunities to assist with correction of noncompliance, identification of root causes, and implementation of best practices in implementing positive behavioral support systems, differentiated instruction and placement in the least restrictive environment.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

To verify correction of noncompliance, when possible, NJDOE reviewed individual child files or school records to ensure correction of each individual case of noncompliance, unless the child was no longer within the jurisdiction of the school district. In some cases, actions occurred, although late and in some cases, individual files were corrected. In the case of policies or procedures, NJDOE verified the presence of revised policies and procedures.  
  
NJDOE also reviewed subsequent data in each school district demonstrating compliance with the specific requirements. These data were reviewed through additional desk audits, data and record submissions, and in some cases, onsite reviews.  
  
The NJDOE continues to ensure correction of noncompliance in accordance with the OSEP 09-02 memo, in collaboration with districts. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices and identification of the root cause of noncompliance. NJDOE staff members from the Learning Resource Centers, in collaboration with the monitors, also provide technical assistance on the development of policies, procedures and practices related to positive behavioral supports in districts with high rates of suspension. All districts identified for a significant discrepancy in their suspension and expulsion rates are invited to specific training and ongoing technical assistance opportunities to assist with correction of noncompliance, identification of root causes, and implementation of best practices in implementing positive behavioral support systems, differentiated instruction and placement in the least restrictive environment.  
  
To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
1. was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and  
2. had corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

**Describe how the State verified that each *individual case* of noncompliance was corrected**

## 4B - Prior FFY Required Actions

None

## 4B - OSEP Response

## 4B- Required Actions

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. The State must demonstrate, in the FFY 2020 SPP/APR, that the districts identified with noncompliance in FFY 2019 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data, such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 5: Education Environments (children 6-21)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Education environments (children 6-21): Percent of children with IEPs aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; and

C. In separate schools, residential facilities, or homebound/hospital placements.

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

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

**Measurement**

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)]times 100.

**Instructions**

Sampling from the State’s 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2019 | Target >= | 48.50% | 49.00% | 49.50% | 50.00% | 50.50% |
| A | 44.64% | Data | 44.93% | 45.99% | 45.08% | 44.62% | 45.12% |
| B | 2019 | Target <= | 16.00% | 15.50% | 15.50% | 15.00% | 15.00% |
| B | 14.98% | Data | 16.09% | 14.72% | 14.36% | 14.74% | 14.44% |
| C | 2019 | Target <= | 7.40% | 7.40% | 7.20% | 7.10% | 6.90% |
| C | 6.78% | Data | 7.60% | 7.51% | 7.25% | 7.14% | 7.02% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= | 50.50% |
| Target B <= | 14.00% |
| Target C <= | 6.90% |

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
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• Special Olympics New Jersey  
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• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | Total number of children with IEPs aged 6 through 21 | 231,842 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 103,488 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 34,728 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c1. Number of children with IEPs aged 6 through 21 in separate schools | 14,529 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c2. Number of children with IEPs aged 6 through 21 in residential facilities | 514 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements | 670 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2019 SPP/APR Data**

| **Education Environments** | **Number of children with IEPs aged 6 through 21 served** | **Total number of children with IEPs aged 6 through 21** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 103,488 | 231,842 | 45.12% | 50.50% | 44.64% | Did Not Meet Target | N/A |
| B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 34,728 | 231,842 | 14.44% | 14.00% | 14.98% | Did Not Meet Target | N/A |
| C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 15,713 | 231,842 | 7.02% | 6.90% | 6.78% | Met Target | N/A |

**Use a different calculation methodology (yes/no)**

NO

**Provide additional information about this indicator (optional)**

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.  
  
Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State’s data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State’s slippage status indicates “NA” for this indicator.

## 5 - Required Actions

# Indicator 6: Preschool Environments

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Preschool environments: Percent of children aged 3 through 5 with IEPs attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and

B. Separate special education class, separate school or residential facility.

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

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

**Measurement**

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

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

**Instructions**

Sampling from the State’s 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2019 | Target >= | 43.00% | 43.50% | 44.00% | 44.50% | 45.00% |
| A | 44.82% | Data | 42.30% | 43.67% | 44.83% | 45.73% | 47.44% |
| B | 2019 | Target <= | 35.50% | 35.00% | 34.50% | 34.50% | 34.00% |
| B | 41.14% | Data | 37.19% | 36.71% | 39.33% | 39.67% | 38.75% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= | 46.00% |
| Target B <= | 34.00% |

**Targets: Description of Stakeholder Input**

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• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
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• The Search Day Program  
• New Jersey Principals and Supervisors Association  
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Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
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• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | Total number of children with IEPs aged 3 through 5 | 14,851 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 6,656 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b1. Number of children attending separate special education class | 5,560 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b2. Number of children attending separate school | 544 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b3. Number of children attending residential facility | 5 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2019 SPP/APR Data**

| **Preschool Environments** | **Number of children with IEPs aged 3 through 5 served** | **Total number of children with IEPs aged 3 through 5** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 6,656 | 14,851 | 47.44% | 46.00% | 44.82% | Did Not Meet Target | N/A |
| B. Separate special education class, separate school or residential facility | 6,109 | 14,851 | 38.75% | 34.00% | 41.14% | Did Not Meet Target | N/A |

**Use a different calculation methodology (yes/no)**

NO

**Provide additional information about this indicator (optional)**

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.  
  
Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State’s data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State’s slippage status indicates “NA” for this indicator.

## 6 - Required Actions

# Indicator 7: Preschool Outcomes

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

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

**Data Source**

State selected data source.

**Measurement**

Outcomes:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

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

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

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

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

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

**Summary Statements for Each of the Three Outcomes:**

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

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

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

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

**Instructions**

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining “comparable to same-aged peers.” If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining “comparable to same-aged peers” has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A1 | 2013 | Target >= | 72.00% | 72.00% | 72.50% | 72.50% | 73.00% |
| A1 | 72.60% | Data | 71.96% | 85.98% | 73.24% |  |  |
| A2 | 2013 | Target >= | 77.00% | 77.00% | 78.00% | 78.00% | 78.50% |
| A2 | 76.25% | Data | 77.50% | 77.47% | 76.22% |  |  |
| B1 | 2013 | Target >= | 66.00% | 67.00% | 68.00% | 69.00% | 70.00% |
| B1 | 66.67% | Data | 72.10% | 78.30% | 66.02% |  |  |
| B2 | 2013 | Target >= | 51.00% | 51.00% | 52.00% | 53.00% | 54.00% |
| B2 | 48.25% | Data | 56.00% | 51.85% | 56.64% |  |  |
| C1 | 2013 | Target >= | 70.00% | 70.00% | 70.50% | 71.00% | 71.00% |
| C1 | 70.29% | Data | 69.57% | 76.17% | 52.38% |  |  |
| C2 | 2013 | Target >= | 59.00% | 59.00% | 60.00% | 60.00% | 61.00% |
| C2 | 56.00% | Data | 56.50% | 58.02% | 62.94% |  |  |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A1 >= | 73.00% |
| Target A2 >= | 78.50% |
| Target B1 >= | 70.00% |
| Target B2 >= | 54.00% |
| Target C1 >= | 71.00% |
| Target C2 >= | 61.00% |

**Targets: Description of Stakeholder Input**

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The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
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**FFY 2019 SPP/APR Data**

**Number of preschool children aged 3 through 5 with IEPs assessed**

109

**Outcome A: Positive social-emotional skills (including social relationships)**

| **Outcome A Progress Category** | **Number of children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 1 | 20.00% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 2 | 40.00% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 0 | 0.00% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1 | 20.00% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 1 | 20.00% |

| **Outcome A** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation:(c+d)/(a+b+c+d)* | 1 | 4 |  | 73.00% | 25.00% | Did Not Meet Target | N/A |
| A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 2 | 5 |  | 78.50% | 40.00% | Did Not Meet Target | N/A |

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

| **Outcome B Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 1 | 20.00% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 1 | 20.00% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 2 | 40.00% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 0 | 0.00% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 1 | 20.00% |

| **Outcome B** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation: (c+d)/(a+b+c+d)* | 2 | 4 |  | 70.00% | 50.00% | Did Not Meet Target | N/A |
| B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 1 | 5 |  | 54.00% | 20.00% | Did Not Meet Target | N/A |

**Outcome C: Use of appropriate behaviors to meet their needs**

| **Outcome C Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 1 | 20.00% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 1 | 20.00% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 1 | 20.00% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1 | 20.00% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 1 | 20.00% |

| **Outcome C** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.  *Calculation:(c+d)/(a+b+c+d)* | 2 | 4 |  | 71.00% | 50.00% | Did Not Meet Target | N/A |
| C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program.  *Calculation: (d+e)/(a+b+c+d+e)* | 2 | 5 |  | 61.00% | 40.00% | Did Not Meet Target | N/A |

**Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)**

YES

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | YES |
| If yes, has your previously-approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

Data reported represent a small sample of 10 pilot districts who participated in Child Outcome Summary (COS) Training in the 2019-20 school year. Overall, 109 students were assessed using the COS upon entry into the pre-K program, but only 5 students exited these programs by June 30, 2020. Please see narrative explanation below discussing the current status of the NJDOE transition towards using the COS.

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

YES

**List the instruments and procedures used to gather data for this indicator.**

As mentioned in the FFY 2018 SPP/APR, our state continues to transition towards a new methodology for collecting data on this Indicator. In order to efficiently execute this transition, we convened a task force in 2018-19 to investigate all options for collecting Preschool Outcomes data. Through discussions with the task force and consultation with our National Technical Assistance DaSy representative, Sharon Walsh, it was decided that utilizing the Child Outcomes Summary (COS) moving forward would be the most beneficial option for our state.

**Provide additional information about this indicator (optional)**

In order to ensure fidelity of implementation, the Department chose to implement the COS with a pilot of ten districts last year. Utilizing a pilot program ensured that one-to-one assistance could be provided to participating districts. The 619 Coordinator trained all applicable personnel in the ten districts including administration, child study team members, coaches, and teachers. In addition to the trainings, all available resources created by the Early Childhood Technical Assistance Center were discussed with the participating districts, so they had multiple methods for accessing information and answering questions. The 619 Coordinator also provided individual technical assistance as needed to the districts.  
The data presented for FFY 2019 represents the data collected from 9 of the 10 pilot districts. As a result, there were 109 students who counted as “entries” and only 5 students who were classified as “exits” during the pilot year. Therefore, we have the potential for up to 104 students on which to report in FFY 2020. While this is not the scope that NJDOE OSE had planned on in FFY 2020, it still represents the continued transition towards implementing the COS.  
  
Due to competing priorities with the management of the COVID-19 pandemic and its pervasive effects on the LEAs throughout NJ, the first cohort was not notified of their participation in utilizing the COS for this upcoming school year by April 1, 2020 as planned. COVID protocols, continuous shifting between in-person, remote, and hybrid instructional models, and overall capacity to train and implement the COS delayed the start of Cohort 1. In addition to these challenges, the current Pilot schools were intended to provide support to the additional schools entering Cohort 1; however, these districts reported being overwhelmed with the pervasive and persistent impacts of COVID-19 impeding their capacity to provide support to other districts.   
  
New Jersey is committed to rectifying the current situation with Indicator 7, and with the support of a new administration, we have decided to slightly shift gears towards a plan that will build our capacity to collect and report data that is representative of the entire state. We have recognized the pitfalls with the rotating cohort-based model utilized in previous years and would like to work towards full state implementation of the Child Outcomes Summary tool to collect Preschool Outcomes data. We will select approximately 175 LEAs each year to begin implementation until we reach all LEAs in the state who provide preschool programming. Due to the ability to reach LEAs across the state on virtual platforms, we are confident that through live training sessions, recorded webinars, and additional COS materials provided by ECTA, we will be able to support the large number of LEAs beginning this process. By June of 2024, we anticipate all LEAs in the state to be reporting on both entry and exit data for their preschoolers. After June of 2024, all districts will be required to collect Preschool Outcomes data every year.   
  
Finally, to memorialize this data collection process, the 619 Coordinator worked with the NJDOE Web Development team in the Office of Information Technology to build a data system to store the Indicator 7 data. This data system now allows districts to enter their COS information in real time and additionally mitigate the errors of incomplete or duplicate records. Each year, the Part B Data Manager will pull a report from the data system which will be utilized to convert the data to complete the Indicator 7 reporting, including the summary statements.

## 7 - Prior FFY Required Actions

The State did not provide data for FFY 2018. The State must provide the required data for FFY 2019 in the FFY 2019 SPP/APR.

**Response to actions required in FFY 2018 SPP/APR**

The data presented for FFY 2019 represents the data collected from 9 of the 10 Pilot districts. As a result, 109 students across the nine LEAs were entered into the data and only 5 students exited during the Pilot. Therefore, we have the potential for up to 104 students on which to report in FFY 2020. While this is not the scope that NJDOE OSE had planned on in FFY 2020, it still represents the continued transition towards implementing the COS.

## 7 - OSEP Response

The State reported that the COVID-19 pandemic impacted the data for this indicator. Specifically, the State reported, "[t]he data presented for FFY 2019 represents the data collected from 9 of the 10 pilot districts. As a result, there were 109 students who counted as “entries” and only 5 students who were classified as 'exits' during the pilot year. Therefore, we have the potential for up to 104 students on which to report in FFY 2020. While this is not the scope that NJDOE OSE had planned on in FFY 2020, it still represents the continued transition towards implementing the COS."

## 7 - Required Actions

# Indicator 8: Parent involvement

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** 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))

**Data Source**

State selected data source.

**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.

**Instructions**

Sampling **of parents from whom response is requested** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed.

Include the State’s analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States should consider categories such as race and ethnicity, age of the student, disability category, and geographic location in the State.

If the analysis shows that the demographics of the parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 8 - Indicator Data

| **Question** | **Yes / No** |
| --- | --- |
| Do you use a separate data collection methodology for preschool children? | NO |

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 80.60% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 84.50% | 85.00% | 85.50% | 85.50% | 86.00% |
| Data | 82.33% | 84.45% | 84.49% | 83.65% | 84.74% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 86.00% |

**FFY 2019 SPP/APR Data**

| **Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities** | **Total number of respondent parents of children with disabilities** | | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 8,645 | | 10,180 | 84.74% | 86.00% | 84.92% | Did Not Meet Target | No Slippage |

**The number of parents to whom the surveys were distributed.**

41,732

**Percentage of respondent parents**

24.39%

**Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.**

The preschool data was collected using the same methodology that was used to collect the school age data, therefore it is equally valid and reliable to the school age data. The methodology is described below.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | YES |
| If yes, has your previously-approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

New Jersey decided to sample districts using a representative cohort method. This means that the entire population of parents with children receiving services are divided up into separate cohorts. Each cohort, or sample, was selected to be demographically representative of the entire state. In our trainings with school districts we describe each of these cohorts as a “mini New Jersey.” The reason for the sampling is to counter attrition in survey participation due to fatigue. If the same parents get the survey every year, they won’t participate as often.  
  
The demographics included in the sampling frame include disability type, race/ethnicity status, and gender. NJDOE established a ± 3% sampling error, i.e. the sample that is chosen will be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%. Through the establishment of the ± 3% sampling error and the use of a sampling calculator, selection bias should be prevented.

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used? | YES |
| If yes, is it a new or revised survey? | NO |
| The demographics of the parents responding are representative of the demographics of children receiving special education services. | NO |

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

While the demographic differences of the responding sample are not all within the ± 3% range to be representative, they have always been close enough to be acceptable. Looking at Cohort 14’s results, all four of the disability categories were within range to be representative. Gender was representative while minority status missed the band for being representative (-6.20%). This was a significant change from last year in terms of the minority representation. That being said, despite the delays in getting the surveys out to parents, and the corresponding need for a rapid turnaround time, the response rate went up from last year. In order to continue to address these discrepancies around minority representation, the following strategies will be used:  
  
 1. NJDOE will continue to work with the Statewide Parent Advocacy Network (SPAN) and utilize their networking resources in order to promote and encourage parent participation and response to the survey.   
  
 2. In response to our stakeholders recommendations at our October, 2019 meeting, NJDOE contracted with a vendor to translate the survey into the top 6 spoken languages in addition to English in NJ and the parent survey will be available in the following languages: Spanish, Arabic, Mandarin Chinese, Portuguese, Korean, and Haitian.  
  
 3. NJDOE will continue providing participating districts with suggestions to increase parent access to the survey such as distributing and collecting surveys at school events, using parent email addresses, and inviting parents into the school computer lab to complete the survey electronically. The capacity for districts to address such issues while balancing the daily protocols associated with educating students during the COVID-19 pandemic was hindered and will be remedied with additional TA during the summer of 2021 for selected districts in Cohort 15.

**Include the State’s analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.**

When compared to other cohorts in the 12-year history, Cohort 14 was the third-best year for gender representation and primary disability while minority representation was about average (5th). Primary disability and gender were both within the threshold (+/- 3.0%) for representativeness. Just like every other year, minority respondents were under-represented and outside the +/- 3.0% guideline (-6.20%).  
  
The primary disability numbers – learning disability (LD), emotional disability (ED), intellectual disability (ID), and all other disabilities (AO) – differ by absolute values between 0.08% and 1.13% in Cohort 14. The value with the maximum difference, -1.13%, ranks Cohort 14 as having the third-smallest difference from the target representation among the cohorts in the 12-year history. Using +/- 3.0% as a guideline, each disability category met the threshold for representativeness in the sample. In prior years, the greatest differences were in the LD and AO categories – reaching a high in 2011 where learning disabilities (LD) were under-represented by 6.36% and all other (AO) disabilities were over-represented by 8.76%.   
  
In Cohort 14, the representativeness for gender ranked 3rd out of the 12-year history – under-representing females by 0.29%. This number is within the +/- 3.0% threshold for representativeness. In other years, female representation differed by absolute values ranging from 0.19% to 4.42%.  
  
Minorities have always been under-represented, and by a notable percentage. While this trend continued in Cohort 14, it was on the better end of the range as it was only under-represented by 6.20%.? The minority under-representation has ranged from 3.09% to 10.71% in other years.   
  
While it is appropriate to compare the responding population to the target population for the cohort, it is important to remember that the target population for the Cohort is itself a sample of the State population and thus differs to some degree. We provide the additional state demographic comparison because, technically, the sample is supposed to represent the “state”, not just the cohort.? Each cohort is supposed to represent a “mini-New Jersey” as it is described to districts in the webinars, and each cohort may be a little bit off from the state numbers due to the sampling process. Additionally, the parents who respond may be demographically off from the cohort target. So, if the cohort target can be slightly off from the state, and the responding population can be off from the cohort target, it is good to look at just how far the responding population differs from the state population.   
  
In two of the 3 categories, the Cohort 14 respondents were closer to the 2016 state population percentages (second table) than they were to the Cohort 14 sample in the table above. Primary disability only varied by a maximum value of 0.14 compared to the 2016 state population while it differed from the Cohort 14 target population by a maximum value of -1.13%. The gender target for Cohort 14 was the same as the state population percentage (33%). Thus, the Cohort 14 respondent representation of 32.71% female fell -0.29% below each mark. Race/ethnicity was also closer to the 2016 state numbers (-4.20%) than the Cohort 14 sample population (-6.20%).   
  
The updated 2019 state population numbers improved on the differences in gender (-0.29% difference to -0.15%), while getting worse for primary disability (max -1.28% difference) and race and ethnicity (-6.32% difference). These differences reflect the changing population in the state and the constant effort to use sampling methods to match.

**Provide additional information about this indicator (optional)**

The administration process for the Cohort 14 survey differed in many ways from previous years. The survey timeline was significantly delayed due to Coronavirus-related school closures beginning in March of 2020. All steps from initial district training on data submission to distributing survey invitations were postponed, but still needed to take place in a truncated timeframe between initial training and report submission.   
The response rate for the Cohort 14 survey is also affected by other external factors. Firstly, postal service was slower in 2020 due to multiple reasons including COVID-19. This affected the speed at which paper questionnaires could both be distributed and then returned in the shortened timeframe of the Cohort 14 survey. Secondly, some parents experienced confusion about whether or not they qualified for the survey due to the reference back to the already concluded 2019-2020 school year. Several parents contacted the BCSR to say that their child had graduated or they moved out of state, but after discussion about the sample year understood that the survey did apply to them.   
It is also important to note that the actual survey results and final facilitation scores may be affected because of the Coronavirus-related events of 2020. Many students were homeschooled for multiple months because of the school closures during the 2019-2020 school year, significantly impacting parents’ involvement with schools and their ability to obtain special education services for their children.   
Despite these challenges, the Cohort 14 survey saw the fastest progression to a 20% response rate compared to any previous year. This may be attributed to parents’ preference to complete the survey online, but could also be a result of the desire to express stronger feelings about special education due to the adjustments made to the 2019-2020 school year.

## 8 - Prior FFY Required Actions

In the FFY 2019 SPP/APR, the State must report whether its FFY 2019 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

**Response to actions required in FFY 2018 SPP/APR**

## 8 - OSEP Response

## 8 - Required Actions

In the FFY 2020 SPP/APR, the State must report whether its FFY 2020 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

# Indicator 9: Disproportionate Representation

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: 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))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, 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 that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2018, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 4.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

22

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial and ethnic groups in special education and related services** | **Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 2 | 0 | 634 | 0.00% | 0% | NVR | Met Target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The State uses the same calculation to identify significant disproportionality (CCEIS) and disproportionate representation (Indicators 9 and 10).   
  
Disproportionate Representation is defined as a risk ratio of 3.0 or higher for three consecutive years. The State applies a minimum 'n' size of 30 and a minimum cell size of 10.

**Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.**

In FFY 2019, two (2) districts were identified for disproportionate representation. Districts identified for disproportionate representation participated in a self-assessment of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the identification of students with disabilities. The self-assessment was aligned with the IDEA requirements identified by the USOSEP as related to Indicators 9 and 10 and included a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311. As a result of the self-assessment, zero (0) LEAs had findings of noncompliance in one or more of the requirements reviewed.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 |  | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

The State did not report valid and reliable data. These data are not valid and reliable because the State reported that 634 districts met the minimum n and/or cell size requirement and 22 districts were excluded from the calculation as a result of this requirement, for a total of 656 districts. However, in its introduction, the State reports that it had a total number of 657 districts in FFY 2019. Therefore, OSEP could not determine whether the State met its target.

## 9 - Required Actions

The State did not provide valid and reliable data for FFY 2019. The State must provide valid and reliable data for FFY 2020 in the FFY 2020 SPP/APR.

# Indicator 10: Disproportionate Representation in Specific Disability Categories

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: 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))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, 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 that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2019, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 4.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

72

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories** | **Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 45 | 0 | 584 | 0.00% | 0% | NVR | Met Target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The State uses the same calculation to identify significant disproportionality (CCEIS) and disproportionate representation (Indicators 9 and 10).   
  
Disproportionate Representation is defined as a risk ratio of 3.0 or higher for three consecutive years. The State applies a minimum 'n' size of 30 and a minimum cell size of 10.

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

In FFY 2019, forty-five (45) districts were found to have disproportionate representation. Districts identified for disproportionate representation participated in a self-assessment of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the identification of students with disabilities. The self-assessment was aligned with the IDEA requirements identified by the USOSEP as related to Indicators 9 and 10 and included a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311.  
  
As a result of the self-assessment, zero LEAs identified noncompliance indicating that the disproportionate representation was the result of inappropriate identification.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 |  | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 10 - Prior FFY Required Actions

None

## 10 - OSEP Response

The State did not report valid and reliable data. These data are not valid and reliable because the State reported that 584 districts met the minimum n and/or cell size requirement and 72 districts were excluded from the calculation as a result of this requirement, for a total of 656 districts. However, in its introduction, the State reports that it had a total number of 657 districts in FFY 2019. Therefore, OSEP could not determine whether the State met its target.

## 10 - Required Actions

The State did not provide valid and reliable data for FFY 2019. The State must provide valid and reliable data for FFY 2020 in the FFY 2020 SPP/APR.

# Indicator 11: Child Find

**Instructions and Measurement**

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

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

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

**Data Source**

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State’s timeline for initial evaluations.

**Measurement**

a. # of children for whom parental consent to evaluate was received.

b. # of children whose evaluations were completed within 60 days (or State-established timeline).

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

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

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 83.90% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 90.92% | 91.32% | 91.96% | 91.29% | 93.41% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 100% |

**FFY 2019 SPP/APR Data**

| **(a) Number of children for whom parental consent to evaluate was received** | **(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 17,624 | 14,075 | 93.41% | 100% | 79.86% | Did Not Meet Target | Slippage |

**Provide reasons for slippage**

The IEPs of 3549 students were not implemented within 90 days as required by New Jersey regulations. Review of the data indicate that 72% (2557 of 3549 students) were directly related to school closures due to COVID-19. As part of the State’s response efforts, the Governor signed several executive orders to prevent and mitigate the spread of the virus. Specifically, Executive Order No. 104 (Murphy, 2020) signed on March 16, 2020 ordered the closure of all public and private school buildings and the suspension of in-person instruction and services. Subsequent Executive Orders, as well as the continued spread of the virus throughout the State, resulted in the delivery of remote and virtual instruction for the remainder of the 2019-2020 school year. In the immediate weeks following the school closure and the switch to remote instruction, districts were unable to complete all components of the initial evaluation and implement IEPs within 90 days.

**Number of children included in (a) but not included in (b)**

3,549

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

Incomplete Residency  
Between 1-5 Days: 7  
Between 6-15 Days: 7  
Between 16-30 Days: 3  
Between 31-60 Days: 6  
Between 61-90 Days: 4  
Between 91-120 Days: 3  
More than 120 Days: 4  
Total: 34  
  
Additional Evaluations Needed  
Between 1-5 Days: 31  
Between 6-15 Days: 24  
Between 16-30 Days: 24  
Between 31-60 Days: 30  
Between 61-90 Days: 23  
Between 91-120 Days: 14  
More than 120 Days:16  
Total: 152  
  
Specialized Evaluations Needed  
Between 1-5 Days: 27  
Between 6-15 Days: 23  
Between 16-30 Days: 19  
Between 31-60 Days: 23  
Between 61-90 Days: 7  
Between 91-120 Days: 4  
More than 120 Days: 3  
Total: 106  
  
Vacancies of Child Study Team or Related Services Personnel  
Between 1-5 Days: 12  
Between 6-15 Days: 7  
Between 16-30 Days: 9  
Between 31-60 Days: 13  
Between 61-90 Days: 2  
Between 91-120 Days: 0  
More than 120 Days: 1  
Total: 44  
  
Child Study Team or Related Services Personnel were Unavailable  
Between 1-5 Days: 91  
Between 6-15 Days: 83  
Between 16-30 Days: 71  
Between 31-60 Days: 77  
Between 61-90 Days: 33  
Between 91-120 Days: 19  
More than 120 Days:9  
Total: 383  
  
Late Referral: If the Written Referral for the Initial Evaluation was Made Fewer than 120 Days Prior to Age 3  
Between 1-5 Days: 1  
Between 6-15 Days: 2  
Between 16-30 Days: 0  
Between 31-60 Days: 0  
Between 61-90 Days: 0  
Between 91-120 Days: 0  
More than 120 Days: 1  
Total: 4  
  
Student Transferred  
Between 1-5 Days: 3  
Between 6-15 Days: 7  
Between 16-30 Days: 6  
Between 31-60 Days: 7  
Between 61-90 Days: 2  
Between 91-120 Days: 4  
More than 120 Days: 6  
Total: 35  
  
School Closure Due to COVID  
Between 1-5 Days: 107  
Between 6-15 Days: 157  
Between 16-30 Days: 185  
Between 31-60 Days: 368  
Between 61-90 Days: 543  
Between 91-120 Days: 666  
More than 120 Days: 531  
Total: 2557  
  
No Reason or Invalid Reason   
Between 1-5 Days: 69  
Between 6-15 Days: 50  
Between 16-30 Days: 51  
Between 31-60 Days: 18  
Between 61-90 Days: 10  
Between 91-120 Days: 11  
More than 120 Days: 25  
Total: 234  
  
TOTAL OF ALL DELAY REASONS: 3549

**Indicate the evaluation timeline used:**

The State established a timeline within which the evaluation must be conducted

**What is the State’s timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).**

In accordance with 34 C.F.R. §300.301(c)(1)(ii) and 34 C.F.R. §300.301(c)(1)(ii), New Jersey has established a timeline within which evaluations must be completed and has also established procedures by which eligibility is determined. New Jersey’s system of evaluation and determination of eligibility includes the following procedures which must be completed within specific timelines from when a parent provides consent for evaluation, as detailed in New Jersey’s special education regulations. These include providing written notice of a meeting; disseminating to the parents any evaluations or reports that will be used to determine eligibility, at least 10 days prior to the eligibility meeting; conducting the eligibility meeting; and if the student is eligible, conducting an IEP meeting; providing written notice of the IEP; obtaining consent to implement the IEP; and having a program that is in place for the student. To comply with the requirement to have the entire process completed within 90 days from the date parental consent is obtained, the data for this indicator are collected based on the requirement that evaluations and a written report must be completed no later than the 65th day from parental consent.  
  
The evaluation timeline set for initial evaluation does not apply to a public agency if: (1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability (34 CFR §300.301(d)). As a result, in accordance with the instructions for Indicator 11 in the USOSEP measurement table, these exceptions are not reflected in either the numerator or denominator in the calculation of data for Indicator 11.  
  
In addition, because there is an automatic stay-put whenever mediation or due process hearing is initiated, this was also determined by NJDOE to be a valid exception to the state established timeline [N.J.A.C. 6A:14-2.6(d) 10 and N.J.A.C. 6A:14-2.7(u)]. As instructed in the measurement table, evaluations that met this exception are included in the numerator and denominator. The NJDOE determined that all other reasons for a delay in timelines are either not valid or not permitted in regulation.

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

Statewide census data for this indicator are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level database on October 15th of each year. LEAs report dates of consent and dates for the completion of evaluations, by student. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 11 and for analysis to identify and verify correction of noncompliance. Data for Indicator 11 represent evaluations conducted for the entire reporting year – July 1, 2019 to June 30, 2020 as reported by districts on October 15, 2020.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1,713 | 1,713 |  | 0 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

As required by OSEP Memorandum 09-02, NJDOE aggregates data for this indicator for the full reporting period at the district level to determine which LEAs demonstrate noncompliance. Individual instances of noncompliance are grouped by finding to make findings at the district level. Districts with findings are required to determine the root cause of the noncompliance, as appropriate, and to implement corrective actions to address any root causes identified and to correct any noncompliance policies, procedures or practices that may have contributed to the noncompliance.  
  
To verify correction of noncompliance, the NJDOE monitors determined, through desk audit and/or interviews, that each LEA with a finding of noncompliance:  
  
1. Achieved 100% compliance based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and  
2. Had developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

The specific actions taken to verify correction included review of data submitted by the districts indicating the dates of completion of IEP implementation, although late, and the review of updated data submitted by the districts regarding referrals conducted subsequent to FFY 2019. Interviews conducted with special education directors indicated that root causes of delays continue to be vacancies and the unavailability of child study team or related services personnel. Districts reported that, consistent with prior year findings, delays were at times due to difficulty scheduling specialists for additional evaluations. NJDOE has provided technical assistance regarding communication with referring early intervention programs, registration strategies, maintaining and using data for oversight and reallocation of staff to meet district needs.  
  
NJDOE analyzes subsequent data submitted through NJSMART to determine whether each LEA with identified noncompliance is correctly implementing the regulatory requirements. The data must demonstrate 100% compliance. The amount of data reviewed varies based on the level of the noncompliance and the size of the LEA.  
  
To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
1. was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and  
2. had corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 11 - Prior FFY Required Actions

None

## 11 - OSEP Response

## 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 12: Early Childhood Transition

**Instructions and Measurement**

**Monitoring Priorit**y: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: 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))

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.

b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.

c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.

e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

f. # of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option.

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

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

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child’s third birthday under 34 CFR §303.211 or a similar State option.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 73.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 92.19% | 92.05% | 91.86% | 92.04% | 81.22% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 100% |

**FFY 2019 SPP/APR Data**

|  |  |
| --- | --- |
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination. | 2,954 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday. | 0 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays. | 1,878 |
| d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. | 161 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays. | 10 |
| f. Number of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option. | 0 |

| **Measure** | **Numerator (c)** | **Denominator (a-b-d-e-f)** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 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. | 1,878 | 2,783 | 81.22% | 100% | 67.48% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

The data for Indicator 12 is collected through the State's student-level data system, NJSMART. The data stewards at the New Jersey Department of Education conduct ongoing reviews of the data collection and analysis procedures as part of continuous process improvement. Through this ongoing quality improvement process, it was determined that data flagged by the vendor for terminal errors in previous years could be scrubbed at the state level and be deemed usable for the purposes of the SPP/APR. As a result of this decision, additional student level data was included in this year's calculation for Indicator 12.   
  
According to the data, a total of 905 students did not have a program in place by their 3rd birthday. Delay reasons were provided for 364 of the 905 students. 84% (306 of the 364 students) of the delays in providing a program by age 3 was a direct result of school closures due to COVID-19. In the weeks immediately following Governor ordered statewide school closures in March 2020, districts were delayed in implementing IEPs by age three.   
  
The data submitted for the remaining 541 students did not include delay reasons. Therefore, it cannot be determined if the reasons for the delay in providing a program for these 541 students by age 3 were valid. The department is continuing to conduct the data retreats instituted last year with districts focusing on the importance of data quality. In addition, we are working with the NJSMART vendor to incorporate business rules that will prevent districts from submitting incomplete data.

**Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

905

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

Incomplete Residency  
Between 1- 5 Days: 0  
Between 6 - 15 Days: 2  
Between 16-30 Days: 3  
Between 31-60 Days: 4  
Between 61-90 Days: 2  
Between 91-120 Days: 1  
More than 120 Days: 2  
Total: 14  
  
Additional Evaluations Needed  
Between 1- 5 Days: 1  
Between 6 - 15 Days: 3   
Between 16-30 Days: 1  
Between 31-60 Days: 1  
Between 61-90 Days: 1  
Between 91-120 Days: 2  
More than 120 Days: 1  
Total: 10  
  
Specialized Evaluations  
Between 1- 5 Days: 1  
Between 6 - 15 Days: 0   
Between 16-30 Days: 2  
Between 31-60 Days: 1  
Between 61-90 Days: 1  
Between 91-120 Days: 1  
More than 120 Days: 1  
Total: 7  
  
Vacancies of Child Study Team or Related Services Personnel  
Between 1- 5 Days: 1  
Between 6 - 15 Days: 0  
Between 16-30 Days: 1  
Between 31-60 Days: 2  
Between 61-90 Days: 1  
Between 91-120 Days: 0  
More than 120 Days: 0  
Total: 5  
  
Child Study Team or Related Services Personnel were Unavailable   
Between 1- 5 Days: 5  
Between 6 - 15 Days: 2   
Between 16-30 Days: 4  
Between 31-60 Days: 5  
Between 61-90 Days: 3  
Between 91-120 Days: 2  
More than 120 Days: 1  
Total: 22  
  
School Closure Due to COVID  
Between 1- 5 Days: 21  
Between 6 - 15 Days: 25  
Between 16-30 Days: 35  
Between 31-60 Days: 83  
Between 61-90 Days: 60  
Between 91-120 Days: 53  
More than 120 Days: 29  
Total: 306  
  
Wrong Code/No Code  
Between 1- 5 Days: 60  
Between 6 - 15 Days: 113  
Between 16-30 Days: 101  
Between 31-60 Days: 135  
Between 61-90 Days: 84  
Between 91-120 Days: 21  
More than 120 Days: 27  
Total: 541  
  
TOTAL FOR ALL DELAY REASONS: 905

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

Statewide census data for this indicator for the full reporting period are collected through the Special Education Collection which is reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level database on October 15th of each year. LEAs report if the child was receiving services through the early intervention system (EIS), the date of IEP implementation and the reasons for any delays in implementing the IEP beyond the third birthday. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 12 and for analysis to identify and correct noncompliance.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 592 | 592 |  | 0 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

As required by OSEP Memorandum 09-02, NJDOE aggregates data for this indicator for the full reporting period at the district level to determine which LEAs demonstrate noncompliance. Individual instances of noncompliance are grouped by finding to make findings at the district level. Districts with findings are required to determine the root cause of the noncompliance, as appropriate, and to implement corrective actions to address any root causes identified and to correct any noncompliance policies, procedures or practices that may have contributed to the noncompliance.  
  
To verify correction of noncompliance, the NJDOE monitors determined, through desk audit and/or interviews, that each LEA with a finding of noncompliance:  
  
1. Was correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and  
2. Had developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

The specific actions taken to verify correction included review of data submitted by the districts indicating the dates of completion of IEP implementation, although late, and the review of updated data submitted by the districts regarding referrals conducted subsequent to FFY 2017. Interviews conducted with special education directors indicated that root causes of delays continue to be vacancies and the unavailability of child study team or related services personnel. Districts reported that, consistent with prior year findings, delays were at times due to difficulty scheduling specialists for additional evaluations. NJDOE has provided technical assistance regarding communication with referring early intervention programs, registration strategies, maintaining and using data for oversight and reallocation of staff to meet district needs.  
  
NJDOE analyzes subsequent data submitted through NJSMART to determine whether each LEA with identified noncompliance is correctly implementing the regulatory requirements. The data must demonstrate 100% compliance. The amount of data reviewed varies based on the level of the noncompliance and the size of the LEA.  
  
To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
1. was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and  
2. had corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 12 - Prior FFY Required Actions

None

## 12 - OSEP Response

## 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 13: Secondary Transition

**Instructions and Measurement**

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

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

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

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

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

If a State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2009 | 90.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 76.24% | 75.29% | 80.14% | 98.72% | 92.81% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target | 100% |

**FFY 2019 SPP/APR Data**

| **Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition** | **Number of youth with IEPs aged 16 and above** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 273 | 303 | 92.81% | 100% | 90.10% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

Thirty-one (31) of the 303 IEPs reviewed for compliance the required secondary transition components were determined noncompliant. Review of the documentation indicated that over 50% of the noncompliance was a lack of a use of age-appropriate transition assessments to determine post-secondary goals. In March 2020 Governor Murphy issued an Executive Order that closed all public school districts and nonpublic schools through the end of the school year due to COVID-19. The rapid closing of schools and immediate switch to remote learning impacted the ability of school districts to administer age-appropriate assessments to students ages 16 and above.

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

Data for this indicator were obtained through a targeted review process. Each year, a sample of districts and charter schools, where students ages 16 and above are enrolled, is selected to participate in the transition targeted review. During FFY 2019, forty-three (43) districts/charter schools with students aged 16 and above were selected to participate in the targeted review. A sample of student files was collected from each district/charter school representing a variety of disability categories, racial/ethnic groups, grade levels and placements. The revised checklist, developed by the National Secondary Transition Technical Assistance Center (NSTTAC), was used by state monitors to review each student file. Files were determined noncompliant if one or more of the 8 questions on the checklist received a response of “no.” Targeted technical assistance was offered to all districts/charter schools in the cohort.  
  
A report of results, including findings of noncompliance, as needed, was issued to each of the districts/charter schools participating in the targeted review. Noncompliance was found in eight (8) districts/charter schools. Districts/charter schools are required to develop corrective action plans to address the noncompliance and to correct it as soon as possible, but no later than one year from the date of the report. To verify correction of noncompliance, that will be reported in the FFY 2019 APR to be filed February 1, 2021, the NJDOE monitors will verify through desk audits and onsite visits in each district/charter school with a finding of noncompliance:  
  
- is correctly implementing the specific relevant regulatory requirements by reviewing updated subsequent data for a period of time, based on   
 the level of noncompliance, that demonstrate 100% compliance with the regulatory requirements; and  
- has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction, by reviewing a sample of the files found to have noncompliance.

| **Question** | **Yes / No** |
| --- | --- |
| Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16? | NO |

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 31 | 31 |  | 0 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

As required by OSEP Memorandum 09-02, NJDOE aggregates all available data for this indicator for the full reporting period at the district level to determine which districts/charter schools demonstrate noncompliance and ensure that the all instances of noncompliance are addressed. Individual instances of noncompliance are grouped by requirement to make findings at the district/charter school level. Districts/charter schools with findings are required to determine the root cause of the noncompliance, as appropriate, and to implement corrective actions to address any root causes identified and to correct any noncompliance policies, procedures or practices that may have contributed to the noncompliance.  
To verify correction of noncompliance, the NJDOE monitors determined through desk audits and onsite visits that each district/charter schools with a finding of noncompliance:  
  
1. Is correctly implementing the specific relevant regulatory requirements by reviewing updated subsequent data for a period of time, based on the level of noncompliance, that demonstrate compliance; and  
2. Has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files found to have noncompliance, consistent with OSEP Memo 09-02.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

Districts/charter schools where noncompliance was identified related to Indicator 13 were required to correct the noncompliance as soon as possible, but in no case not later than one year from identification in accordance with the USOSEP memo 09-02. Each district/charter school with a finding of noncompliance for this indicator was required to either review and revise its procedures, including procedures for transition assessment, review and revise its IEP form, conduct staff training regarding transition procedures, and review and revise IEPs of students whose IEPs were determined to be noncompliant. NJDOE reviewed procedures, all or a sample of the revised files in each district/charter, and files of students whose IEPs were developed subsequent to the monitoring, to verify the correction of each individual case of noncompliance.  
  
Districts/charters were also required to submit updated subsequent data such as IEPs and/or other documentation generated for students subsequent to the date of their targeted review report to demonstrate current implementation of the requirements at 100% compliance. Districts/charters where oversight was a root cause of noncompliance were also required to implement a system of oversight to ensure compliant implementation of the specific regulatory requirements.  
  
To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJDOE monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:  
  
1. was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and  
2. had corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.  
  
All findings of noncompliance with Indicator 13 identified in FFY 2018 were verified as corrected in accordance with OSEP memorandum 09-02 within one year of identification.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 13 - Prior FFY Required Actions

None

## 13 - OSEP Response

## 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 14: Post-School Outcomes

**Instructions and Measurement**

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

**Results indicator:** Post-school outcomes: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

Enrolled in higher education within one year of leaving high school.

Enrolled in higher education or competitively employed within one year of leaving high school.

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

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

**Data Source**

State selected data source.

**Measurement**

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

**Instructions**

*Sampling****of youth who had IEPs and are no longer in secondary school****is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See General Instructions on page 2 for additional instructions on sampling.)*

Collect data by September 2020 on students who left school during 2018-2019, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2018-2019 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

**I. *Definitions***

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment” in the FFY 2019 SPP/APR, due February 2021:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

**II. *Data Reporting***

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

1. Enrolled in higher education within one year of leaving high school;

2. Competitively employed within one year of leaving high school (but not enrolled in higher education);

3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);

4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

**III. *Reporting on the Measures/Indicators***

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Include the State’s analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States should consider categories such as race and ethnicity, disability category, and geographic location in the State.

If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2009 | Target >= | 46.00% | 46.50% | 47.00% | 47.00% | 47.50% |
| A | 45.00% | Data | 51.88% | 53.26% | 52.50% | 52.20% | 47.67% |
| B | 2009 | Target >= | 75.00% | 75.50% | 75.50% | 76.00% | 76.00% |
| B | 74.00% | Data | 81.27% | 82.32% | 80.53% | 83.67% | 78.57% |
| C | 2009 | Target >= | 86.00% | 86.00% | 86.50% | 86.50% | 86.50% |
| C | 84.00% | Data | 87.76% | 89.57% | 88.80% | 89.55% | 86.92% |

**FFY 2019 Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= | 48.00% |
| Target B >= | 77.00% |
| Target C >= | 87.00% |

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**FFY 2019 SPP/APR Data**

|  |  |
| --- | --- |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 1,479 |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school | 768 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school | 417 |
| 3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed) | 57 |
| 4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). | 47 |

| **Measure** | **Number of respondent youth** | **Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 768 | 1,479 | 47.67% | 48.00% | 51.93% | Met Target | No Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 1,185 | 1,479 | 78.57% | 77.00% | 80.12% | Met Target | No Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 1,289 | 1,479 | 86.92% | 87.00% | 87.15% | Met Target | No Slippage |

**Please select the reporting option your State is using:**

Option 2: Report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | YES |
| If yes, has your previously-approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

The New Jersey Department of Education (NJDOE) is following the guidelines established by the National Post School Outcomes (NPSO) Center for the sampling methodology, data collection procedures and data analysis for the purposes of developing and implementing a study to yield valid and reliable data as described in the SPP/APR. Consistent with New Jersey's (USOSEP approved) sampling plan, all districts in the state that have high school programs are participating in this study over a five year period. Using the NPSO sampling calculator, districts were randomly assigned to one of five cohorts. Each cohort consists of a representative sample of districts according to the demographic characteristics: district size; number of students with disabilities; disability type; race/ethnicity; gender (percentage of female students); ELL status; and dropout rate.  
  
The sampling calculator developed by NPSO is based on a 5 way clustering process which has as its basis a probability model. Using the calculator, data were entered for the sampling parameters listed above for all New Jersey school districts serving students with disabilities. The sampling calculator selects a representative sample for each of five yars reflecting the population of the State at a pre-set confidence level of plus or minus 3%. NJDOE established a +/- 3% sampling error, i.e. the sample that is chosen will be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%. Through the establishment of the +/- 3% sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used? | NO |

**Include the State’s analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

Representativeness: Using the NPSO Response Calculator (see attached) NJOSE calculated the representativeness of respondents to all student exiters from Cohort IV districts (from the 2017-2018 school year). Representativeness is calculated for each demographic category by subtracting the percentage of respondents from the percentage of all student exiters in Cohort IV for each category. A difference of ±3% is considered a statistical difference.  
  
Comparison of Representativeness: Student exiters who responded to the survey were representative of all student exiters from 2018-2019 for all categories of disability, gender and students in separate, out of district placements.  
  
For accessibility purposes, the NPSO Response Calculator re: Representativeness (see Definition above) has been recreated below rather than attached:  
1) Target Lever Totals  
Overall 1944  
LD 833  
ED 131  
CI 35  
AO 945  
Female 698  
Minority 938  
Out of District 103  
Dropout 97  
Abbott 334  
   
2) Response Totals  
Overall 1479  
LD 636  
ED 92  
CI 18  
AO 733  
Female 529  
Minority 653  
OOD 68  
Dropout 48  
Abbott 178  
  
3) Target Lever Representation  
LD 42.85%  
ED 6.74%  
CI 1.80%  
AO 48.61%  
Female 35.91%  
Minority 48.25%  
OOD 5.30%  
Dropout 4.99%  
Abbott 17.18%  
  
4) Respondent Representation  
LD 43.00%  
ED 6.22%  
CI 1.22%  
AO 49.56%  
Female 35.77%  
Minority 44.15%  
OOD 4.60%  
Dropout 3.25%  
Abbott 12.04%  
  
5) Difference  
LD 0.15%  
ED - 0.52%  
CI - 0.58%  
AO 0.95%  
Female -0.14%  
Minority -4.10%  
OOD -0.70%  
Dropout -1.74%  
Abbott -5.15%  
  
Note: positive difference indicates over-representation, negative difference indicates under-representation. Minority representation and Abbott district representation amongst respondents was not within the +/-3% acceptable range.  
  
We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates and Non-response Bias, found on the NPSO website at http://www.psocenter.org/collecting.html.

| **Question** | **Yes / No** |
| --- | --- |
| Are the response data representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school? | NO |

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

Minority representation and Abbott district representation amongst respondents was not within the +/-3% acceptable range therefore, the NJDOE Office of Special Education will provide follow-up outreach to Abbott districts and districts who are underreporting. This year, due to delays associated with the response to COVID-19, some cohort participants reported difficulty getting accurate data back to NJDOE therefore there may be some data quality concerns. This is being addressed through data retreats and TA provided to districts by the NJDOE Office of Special Education as well as the Office of Fiscal and Data Management.

**Provide additional information about this indicator (optional)**

## 14 - Prior FFY Required Actions

None

## 14 - OSEP Response

## 14 - Required Actions

In the FFY 2020 SPP/APR, the State must report whether the FFY 2020 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

# Indicator 15: Resolution Sessions

**Instructions and Measurement**

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

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

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

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (3.1(a) divided by 3.1) times 100.

**Instructions**

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 15 - Indicator Data

Select yes to use target ranges

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/04/2020 | 3.1 Number of resolution sessions | 110 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/04/2020 | 3.1(a) Number resolution sessions resolved through settlement agreements | 33 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 77.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 56.00% | 57.00% | 58.00% | 59.00% | 60.00% |
| Data | 61.54% | 100.00% | 71.43% | 77.78% | 93.75% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 75.00% |

**FFY 2019 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 33 | 110 | 93.75% | 75.00% | 30.00% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

The State’s failure to meet its target for this Indicator is likely due to the COVID-19 global pandemic. As part of the State’s response efforts, the Governor signed several executive orders to prevent and mitigate the spread of the virus. Specifically, Executive Order No. 104 (Murphy, 2020) signed on March 16, 2020 ordered the closure of all public and private school buildings and the suspension of in-person instruction and services. Subsequent Executive Orders, as well as the continued spread of the virus throughout the State, resulted in the delivery of remote and virtual instruction for the remainder of the 2019-2020 school year. As a result, districts and parents of students with disabilities were precluded from holding in-person resolution sessions. Even though, districts were encouraged to offer and hold virtual resolution sessions with parents/guardians of students with disabilities, the number of agreements resulting from resolution sessions is below the target set for the 2019-2020 school year.

**Provide additional information about this indicator (optional)**

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

## 15 - Required Actions

# Indicator 16: Mediation

**Instructions and Measurement**

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

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

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

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

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

**Instructions**

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

**Select yes to use target ranges**

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1 Mediations held | 585 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1.a.i Mediations agreements related to due process complaints | 77 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1.b.i Mediations agreements not related to due process complaints | 99 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

The NJ Offices of Special Education Policy and Dispute Resolution (NJSPDR) and Special Education (NJOSE), meet monthly with stakeholders who are members of the State Special Education Advisory Council (SSEAC). The meeting allows for the following:  
• the Directors of Special Education to provide updates to members regarding office events and progress,  
• the group to discuss and provide input regarding NJDOE priorities and initiatives,  
• the public to be privy to meeting information and to be able to comment and have those comments recorded in the minutes, and  
• the group to discuss SPP indicators and initiatives targeted to improve results.  
  
Stakeholder meetings were conducted on October 15, 2020 and January 21, 2021. The purpose of the October 15, 2020 meeting was to discuss the use of the monthly SSEAC meetings as opportunities to include SPP/APR updates and discussions. Stakeholders, along with staff from NJDOE accomplished the following:  
• reviewed current data,  
• discussed improvement activities,  
• analyzed available data, and  
• engaged in a collaborative dialogue about the implementation and evaluation of the SSIP.  
  
The following organizations were represented at the stakeholder meeting:  
• Family Voices  
• SPAN – The Statewide Parent Advocacy Network  
• Dumont Public Schools  
• The State Special Education Advisory Council  
• New Jersey Coalition for Inclusive Education  
• Montclair State University  
• Special Olympics New Jersey  
• The ARC of New Jersey  
• NJ Association of School Psychologists  
• NJ Juvenile Justice Commission  
• Edgewater Park Public Schools  
• Westbridge Academy  
• The BOGGS Center – Robert Wood Johnson Medical School  
• Advancing Opportunities  
• AIM Institute of Research and Learning  
• Alliance for the Betterment of Citizens with Disabilities  
• Ramapo College of New Jersey  
• New Jersey Council for Exceptional Children  
• Learning Disabilities Association of New Jersey  
• New Jersey City University  
• The Search Day Program  
• New Jersey Principals and Supervisors Association  
• ASAH an association representing private schools for students with disabilities  
• NJ Division of Vocational Rehabilitation   
  
Feedback from prior stakeholder meetings, including the discussion at the October 15, 2020 meeting, suggested that reviewing the entirety of the SPP/APR report and data can be overwhelming when done in an annual, 5-6 hour meeting. Instead, beginning with the January 21, 2020 SSEAC/stakeholder meetings will include discussion of individual indicators, or groupings of similar indicators, where they will be reviewed in detail and data will be presented for feedback on current projects to address the area, identify gaps, and solicit ideas about future approaches towards improving SPP/APR outcomes. Also, the changes to the SPP/APR for FFY 2020 and beyond were discussed at the January 21, 2020 meeting.  
  
The COVID-19 pandemic presented a unique opportunity to engage stakeholders remotely through videoconferencing and focused on specific issues related to the changes in New Jersey’s educational practices. For example, the NJOSE convened a group of representatives from the related service providers in NJ including:   
• New Jersey Association of School Psychologists  
• New Jersey Speech-Language Hearing Association  
• New Jersey Association of School Social Workers  
• American Physical Therapy Assocation of New Jersey  
• New Jersey Occupational Therapy Association   
This group of professional associations was convened in order to ensure that their respective professional practice guidelines were updated to reflect the NJ State Board of Education’s temporary rule modifications to Chapter 14 of the New Jersey Administrative Code (adopted on April 1, 2020) which allowed LEAs to provide related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 38.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 38.00% | 38.50% | 38.50% | 39.00% | 39.00% |
| Data | 32.87% | 33.16% | 35.63% | 38.86% | 37.91% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 39.50% |

**FFY 2019 SPP/APR Data**

| **2.1.a.i Mediation agreements related to due process complaints** | **2.1.b.i Mediation agreements not related to due process complaints** | **2.1 Number of mediations held** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 77 | 99 | 585 | 37.91% | 39.50% | 30.09% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

The State’s failure to meet its target for this Indicator is likely due to the COVID-19 global pandemic. As part of the State’s response efforts, the Governor signed several executive orders to prevent and mitigate the spread of the virus. Specifically, Executive Order No. 104 (Murphy, 2020) signed on March 16, 2020 ordered the closure of all public and private school buildings and the suspension of in-person instruction and services. Subsequent Executive Orders, as well as the continued spread of the virus throughout the State, resulted in the delivery of remote and virtual instruction for the remainder of the 2019-2020 school year. As a result, districts and parents of students with disabilities were precluded from holding in-person special education mediation conferences. Even though, the State began to offer and conduct virtual special education mediation conferences within a few weeks of Executive Order No. 104 and throughout the remained of the 2019-2020 school year, the number of agreements resulting from mediation conferences, including conferences held in-person pre-COVID and conferences held virtually post-March 16, 2020, is below the target set for the 2019-2020 school year.

**Provide additional information about this indicator (optional)**

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

## 16 - Required Actions

# Indicator 17: State Systemic Improvement Plan



# Certification

**Instructions**

**Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.**

**Certify**

**I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.**

**Select the certifier’s role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

**Name:**

Kim Buxenbaum

**Title:**

Director Office of Special Education

**Email:**

kim.buxenbaum@doe.nj.gov

**Phone:**

609-376-9084

**Submitted on:**

04/29/21 2:42:11 PM

# ED Attachments

  

1. Data suppressed due to privacy protection [↑](#footnote-ref-2)