

**Part B State Annual Performance Report (APR) for FFY 2008****Overview of the Annual Performance Report Development:**

For the Puerto Rico Department of Education (PRDE) Office of the Special Education (SAEE), the FFY 2008 has been one of collaborative work to ensure compliance and progress with the State Performance Plan (SPP)/Annual Performance Report (APR) indicators.

During this year the PRDE SAEE received direct technical assistance from OSEP staff as well from SERRC and DAC. These efforts contributed to keep the personnel focused on the compliance with the IDEA requirements. In January of 2009 there was the transition process with a new SAEE leadership team under a new administration. This was a very smooth transition. Meetings were held to share substantial information that was crucial to maintaining the stability of the SAEE. The new leadership, including the entire core SAEE team working on the SPP/APR, has been in place during the majority of the year having a better understanding of the requirements and expectations.

During 2008-2009 PRDE SAEE continued receiving direct technical assistance from OSEP staff as well as SERRC and DAC. These efforts contributed to the improved conceptualization and understanding of the indicators, how to collect and analyze data regarding the measurements, and how to effectively lead efforts for improved compliance.

For FFY 2008 PRDE achieved 100% compliance with the management of State complaints (Indicator 16) and the correction of noncompliance within one year of Identification (Indicator 15), achievements which are the result of several consecutive years of hard work related to these indicators. Also, PRDE increased the performance with several other indicators.

Within the dispute resolution realm, PRDE's continued progress with the implementation of the resolution meetings during FFY 2008 has been tremendously successful (see discussion under Indicator 18). This has improved its performance not only with Indicator 18, but when looking at the dispute resolution system as a whole, has had a significant impact on the overall resolution of due process complaints—leading to quicker and less adversarial resolutions of due process complaints filed overall (see discussion under Indicator 17).

Additionally, SAEE's close collaboration with OSEP, including bi-weekly calls with PRDE's State Contact, as well as PRDE's work with SERRC and DAC for continued technical assistance have kept PRDE focused on the hard work required to demonstrate progress with the indicators and procedures. A lot of attention was placed on improving the general supervision indicator and the data collection system.

SERRC and DAC also worked in close collaboration with SAEE to assist in re-envisioning and re-structure the general supervision system, and particularly the monitoring unit. A monitoring manual has been developed and a district self-assessment is in place for second year. NSTACC and NPSO worked with SAEE for postsecondary transition process re-envisioning and providing technical assistance to train the personnel.

In FFY 2008, PRDE SAEE continued to increase the momentum of significant progress that began just over three years. At the same time, we realize that even with all of these accomplishments, significant work remains. PRDE SAEE is proud of the reported past year's progress, not only for the improved data reported but also the reality that the data reflects of the improved quality in services. PRDE SAEE looks forward to continue working collaboratively with OSEP in order to move toward compliance for the benefit of our special education children.

Along with this APR, PRDE submits its APR Supplemental Report, which addresses items related to the 2007 Compliance Agreement and Enclosure E of Puerto Rico's FFY 2009 IDEA Grant Award.

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

**Measurement:** States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

| FFY                           | Measurable and Rigorous Target |
|-------------------------------|--------------------------------|
| <i>FFY 2008<br/>2008-2009</i> | 94%65.65                       |

Actual Target Data for FFY 2008: 59.4%

Data for FFY 2008:

| B. Graduated with regular high school diploma | C. Received a certificate | D. Reached Maximum Age | E. Died | G. Dropped out | (B + C + D + E + G) |
|---|---------------------------|------------------------|---------|----------------|---------------------|
| 1712  | 202                       | 0                      | 19      | 950            | 2,883               |

Actual Measurement for FFY 2008:

| B. Graduated with regular high school diploma | Divided by (B + C + D + E + G) | FFY 2008 Actual Target Data |
|---|--------------------------------|-----------------------------|
| 1712  | .593825                        | 59.4%                       |

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

This indicator requires the SEA to report the percent of youth with IEPs graduating from high school with a regular diploma using the same calculation and timeline as the annual graduation rate under Title 1 of the ESEA. Increasing the number of students graduating with a high school diploma has been shown to be essential for improving economic and social conditions in all countries. Puerto Rico used graduation rates to identify schools that need improvement programs as well as those that are already demonstrating adequate yearly progress.

The 2008 Title I regulations require each State to set a goal and targets for high school graduation and incorporate the goal and targets into its AYP definition, beginning in 2009-2010. If a State or its LEAs cannot calculate the four-year graduation rate in time to report it on either the State or LEA report card providing assessment results for the 2010-2011 school year, the State may request an extension of the deadline from the Secretary (34 C.F.R. §200.19(b)(7)(i)). If a State is unsure if it can meet the reporting deadline, it must submit a request for an extension to USED. Pursuant to 34 C.F.R. § 200.19(b)(7), the

Puerto Rico Department of Education (PRDE) requested an extension of the deadline to report its graduation rate data required under 34 C.F.R. § 200.19(b)(4)(ii)(a). In response to PRDE's request, a letter was received by July 21, 2009, approving the following: use of a three-year adjusted cohort graduation rate, a one-year extension to report its three-year adjusted cohort graduation rate and to continue using the graduation rate in its current Accountability Workbook as its transitional rate until it can report its three-year adjusted graduation rate in 2011-12. Until 2011-12, PRDE will continue to use the transitional graduation rate as described in the approved PRDE Consolidated State Application Accountability Workbook. This rate is an adaptation of the method recommended by the National Center for Education Statistics. Data were collected from schools in the aggregate, not by individual student, and aggregated up to the state level. An additional aggregation at the school level was the collection for all students, without any subgroup designations. Therefore, the data PRDE reported in the CSPR was an aggregated graduation rate; no disaggregation by subgroup was reported.

PRDE requires 19 credits to graduate with a regular high school diploma. This requirement is the same for students with disabilities.

Because PRDE did not collect disaggregated data by subgroup, PRDE was unable to use the same calculation as used in the CSPR. Based on this background information, PRDE used its Section 618 Data Report, Table 4 *Report of Children with Disabilities Exiting Special Education* as the data source for this indicator. Specifically, PRDE used data from the "All Disabilities" page (Tab 13 of Table 4). Data from Row B (graduated with regular high school diploma) is divided by all exits from school represented in the sum of Tab 13 Rows B, C ("received a certificate"), D (reached a maximum age"), E ("died"), and G ("dropped out"). PRDE used this data to establish the baseline and set the actual target data.

For FFY 2008, data reviews demonstrate that a total of **1712** students graduated from high school with a regular diploma out of the 2,882 students who exited the 2008-2009 school year, resulting in **59%** as the actual measurement for Indicator 1. PRDE made progress from FFY 2007, increasing from 52% to 59%. However, PRDE did not meet its target for FFY 2008, which was set at 65.65%. In addition to the seven percentage point increase, the number of students who graduated with a high school diploma increased from 897 students to 1712. The number of students who exited with a certificate also increased from 119 to 202 students.

It is important to note that PRDE is aware that the number of exited students has also increased as has the number of dropped out students, which is a matter of concern. PRDE analyzed the data to determine the percentage change for students who graduated with a regular diploma compared to the percentage change for students who dropped out. There was almost a 200% increase in the students graduating, while about 150% increase in the students dropping out. PRDE asserts that after this second year of using the SEASWEB database, teachers/schools are becoming more diligent in entering data into the database and the current data reflect a more accurate count of students exiting special education. PRDE is developing additional verification procedures to make greater use of the data from the SEASWEB database in the 2009-2010 school year. PRDE SAEI will also continue its plans for improvement emphasizing the development of activities and additional efforts regarding students' school retention.

| vities   | Discussion on improvement activities completed  |
|--|---|
| Maintaining special education support, placement options, streamlined procedures, transition planning available to IEP students in high school as a means of working to maintain a high graduation rate. | PRDE is continuing these efforts. More emphasis has been placed in the identification of appropriate placement where the students benefit from peer interaction, courses of study and other areas regarding their preferences and interest after students' transition assessment. |

|   |   |
|---|---|
| <p>Maintaining special education support, professional development, technical assistance available to high school teachers and other personnel.</p>         | <p>PRDE is continuing these efforts.</p>  |
| <p>Continue to monitor graduation rates and foster retention in schools.</p>  | <p>PRDE has continued tracking its graduation rates and fostering retention in schools. The placement of Transition coordinators at the region level has led to a more effective collaboration between Professional School Counselors and School Directors regarding the inclusion and participation of special education students in school activities. Also, the provision of alternatives such as: team teaching in regular classroom, giving credits for resource room attendance, assuring accommodation provisions and regular teachers and counselor interviews with the students that will help students' retention to obtain a high school diploma as a goal.</p> <p>PRDE is working on the graduation rate and have set a first cohort of students for 2009-2010 who will graduate in 2012. Special education students have been also included In this list as part of the process and having Identification of these students In advance will help teachers and coordinators to keep tracking and monitor their status year by year leading to the opportunity to provide additional activities and necessary support to reach the final goal.</p> |
| <p>Evaluate Table 4 data collection methods and participate in activities to help ensure reliable data collection; continue data validation activities.</p> | <p>Technical Assistance received by DAC remains ongoing to assure successful completion of this task. Trials of reporting for secondary transition and exiting have been done with satisfactory results in obtaining direct data from the system.</p> <p>PRDE also still works with SIS matching with SEAS Web system. Our major target is to complete this matching and provide a unique Identification number for each special education student that will be used for future references in both systems. PRDE SAE preferred SIS number to emphasize the student belonging to that particular school community. That is why in SEAS Web, PRDE created a field where special education teachers included each student's SIS student Identification number In their reports. Special Education Teachers are required to use both numbers in students' paper and electronic documentation.</p>   |
| <p>Explore and develop activities regarding alternatives for students' school retention and to promote improved graduation rates.</p>                       | <p>Monthly meetings with Transition coordinators generate common activities to share with the teachers providing ideas to school communities for students' retention and improve graduation rates. The Inclusion of students In career fairs, on site visits, students' participation In school programs like Juvenile Organizations, School Clubs, where they join their peers getting academic credit for special education resource room attendance and promoting students' direct participation In their IEP's revisions, among other items has contributed to better outcomes for school retention. This activity is complete but monthly Transition meetings will continue in order to further discuss these areas.</p>   |

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

PRDE SAEЕ plans to continue with its currently stated improvement activities. Because a new policy regarding graduation rate will be in place for the following years, SAEЕ will be engaged in one additional activity listed below.

| Activity  | Timeline           | Resources       |
|---|--------------------|-----------------|
| 1. Training in graduation rate PRDE new policy. | March to June 2010 | Planning Office |

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school. (20

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

**Measurement:** States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

| FFY                           | Measurable and Rigorous Target |
|-------------------------------|--------------------------------|
| <i>FFY 2008<br/>2008-2009</i> | 32.95%                         |

Actual Target Data for FFY 2008: 32.95%

Data for FFY 2008:

| B. Graduated with high school diploma | C. Received a regular certificate | D. Reached Maximum Age | E. Died | G. Dropped out | (B + C + D + E + G) |
|---------------------------------------|-----------------------------------|------------------------|---------|----------------|---------------------|
| 1712                                  | 202                               | 0                      | 19      | 950            | 2,883               |

Actual Measurement for FFY 2008:

| G. Dropped Out | Divided by (B + C + D + E + G) | FFY 2005 Actual Target Data |
|----------------|--------------------------------|-----------------------------|
| 950            | 0.32951                        | 32.95%                      |

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

This indicator requires the SEA to report the percent of youth with IEPs reported as exiting from special education because of dropping out of high school. In the FFY 2006 APR, Puerto Rico established its baseline and its annual measurable and rigorous targets based on this approach to Indicator 2. PRDE defines “dropping out” for students with IEPs as students who leave school prior to completing the academic program, which is consistent with the definition used in the Section 618 data report.

PRDE uses its Section 618 Data Report, Table 4 Report of Children with Disabilities Exiting Special Education as the data source for this indicator. Specifically, PRDE uses data from the “All Disabilities” page (Tab 13 of Table 4). Data from Row G (“dropped out”) is divided by the total sum of the data from Rows B (“graduated with regular high school diploma”), C (“received a certificate”), D (“reached a maximum age”),

E (“died”), and G (“dropped out”). PRDE used this data to establish the baseline and set the actual target data for the 2007-2008 school year in its FY 2006 APR. The technical assistance and clarifications provided by OSEP, SERRC, and DAC last year allowed PRDE to have a better understanding of what is required in this indicator.

“Dropped out” means a student or school-age youth leaves school without achieving an orderly administrative procedure to disengage from the education system. This definition is the same for students with disabilities.

For FFY 2008, data reviews demonstrate that a total of 950 students dropped out from high school out of the 2,883 students who exited the 2008-2009 school year. After calculations, our drop-out rate for 2008-2009 is 32.9%, which represent progress from 38.6% the FFY 2007 data for this indicator. Unfortunately, PRDE was not able to meet its target for FFY 2008.

Reasons for students making the decision to exit the regular diploma program vary from the need to work for independence or economic situation, school apathy, or a desire for less academic challenges. Students who qualified as “dropping out” under this definition are leaving the system or their placements in order to engage in other academic alternatives to complete high school graduation requirements—just not with a regular diploma or certificate.

Many PRDE special education students considered to have dropped out actually enrolled in the adult education program and CASA program which are alternatives provided by PRDE that allow students to obtain a diploma that is sufficient to allow them to enroll in universities and/or find jobs. For 2008-2009, the adult education program enrolled approximately 300 students with iEPs who dropped out of school. Also, 232 students were referred to AAFET, a private vocational program sponsor by SAEE, for those special education students between 16 to 21 years old as an alternative for those who were already dropped out or in severe risk. If this category of students did not count against PRDE as drop outs, this might significantly improve PRDE’s Actual Measurement for this Indicator.

Other students are opting to leave special education, looking for fast track programs that help the students to obtain in one or two years a high school diploma with the same PRDE regulations but curricular modifications emphasizing their needs and targeting the development of necessary skills approved by the College Board for University or College admission.

PRDE has continued with the development of several alternatives to work as prevention measures. These include:

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

**Revisions, with Justification. To Proposed Targets / improvement Activities / Timelines / Resources for FFY 2009:**

| <b>Activities</b>   | <b>Discussion of improvement activities completed</b>  |
|---|--|
| Increase special education support available for high school students.  | PRDE is continuing these efforts.  |
| Increase special education support for teachers and other high school personnel.                                      | PRDE is continuing these efforts.  |
| Target in and provide support to districts that are reporting higher numbers of students dropping out of high school. | PRDE SAE is continuing these efforts. PRDE has undertaken efforts regarding preventative activities, as discussed above.   |
| Continue to collect and validate drop out data for IEP students.  | <p>PRDE collects this data based on child count for exiting table. This table includes all the possible reasons for exiting. The SIS collects information regarding the student status at the end of the year. After the conclusion of matching the SEAS Web and SIS data, PRDE will validate and share dropout data using the dropout data used in the ESEA graduation rate calculation and follow the timeline by the Department under ESEA agreements and approvals for PRDE.</p> <p>DAC will continue assisting the SEAS Web data manager in order to make sure it is well suited to assist with the forms and tables required by OSEP for reporting. Trials of reporting for exiting have been done with satisfaction that resulted in obtaining direct data from the system.</p> |

Part B State Annual Performance Report (APR) for FFY

2008 Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

- A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup. **Puerto Rico is a unitary system, thus part A is not applicable to PRDE.**
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

Measurement:

- A. AYP percent = [(# of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size)] times 100.
- B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

| FFY                  | Measurable and Rigorous Target  |
|----------------------|---|
| FFY 2008 (2008-2009) | INDICATOR 3B: Return to Baseline (98.73% for Spanish. 98.44% for Math} INDICATOR 3C: Increase to 35% for Spanish and 40% for Math |

Actual Target Data for FFY 2008 (2008-2009):

|                   | Spanish | Math   |
|-------------------|---------|--------|
| 3B, Participation | 98.30%  | 98.01% |
| 3C, Proficiency   | 24.27%  | 19.30% |

Here is the link for the publicly reported assessment results for 3b and 3c:

<http://de.gobierno.pr/que-se-mide-en-las-pruebas-anauales>

Actual Target Data and Measurement for Part B. Participation. For FFY 2008:

| Data Year and Examination        | a. #of children with IEPs in grades assessed | b. #of children with IEPs in RA with no accomm. | c. #of children with IEPs in RA with accomm. | d. #of children with IEPs in AA against GLS | e. # of children with IEPs in AA against AAS | Measurement<br>[[ $(b + c + d + e)/a$ ] $\times 100$ ] |
|----------------------------------|--|---|--|---|--|--|
| 2008-2009, Spanish Participation | 58,141                                       | 12,137  | 42,960                                       | 0   | 2,057  | 98.30%   |
| 2008-2009, Math Participation    | 58,141                                       | 12,107  | 42820  | 0   | 2,057  | 98.01%   |

Actual Target Data and Measurement for Part C. Proficiency. For FFY 2008:

| Data Year and Examination      | a. #of children with IEPs in grades assessed | b. #of children with IEPs in grades assessed who are proficient or above as measured by the RA with no accomm. | c. #of children with IEPs in grades assessed who are proficient or above as measured by the RA with accomm. | d. # of children with IEPs in grades assessed who are proficient or above as measured by the AA against GLS | e. #of children with IEPs in grades assessed who are proficient or above as measured by the AA against AAS | Measurement<br>[[ $(b + c + d + e)/a$ ] $\times 100$ ] |
|--------------------------------|--|--|---|---|--|--|
| 2008-2009, Spanish Proficiency | 58,141                                       | 3052   | 10717   | 0   | 346  | 24.28%   |
| 2008-2009, Math Proficiency    | 58,141                                       | 2376   | 8451  | 0   | 396  | 19.30%   |

**Discussion of improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

PRDE administered a revised regular and alternate assessment (AA-AAS) island wide for the 2008-2009 school year. The tests are known as the Pruebas Puertorriqueñas de Aprovechamiento Académico (PPAA) and the Pruebas Puertorriqueñas de Evaluación Alterna (PPEA). The PPEA is the AA-AAS administered to students with significant cognitive disabilities.

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

PRDE revised its content standards and grade level expectations during the 2007-2008 school year. The learning expectations were clearly defined for each grade and with rigor. The revised PPAA and PPEA have been aligned to the 2007-2008 content standards and grade level expectations.

The new PPAA is composed of multiple choice and constructed response Items. The mathematics tests contain grid-in Items. In the past, the PPAA test was composed exclusively of multiple choice items.

The revised PPEA for the 2008-2009 school year represents a multi-disciplinary approach to assessing student learning and providing access to grade-level learning standards and varied opportunities to learn. A strength of the PPEA is its flexibility in teacher-designed assessment tasks to meet the individual needs of students with significant cognitive disabilities. The following statements clarify the PPEA’s design method:

- PRDE has employed a development process to create strongly linked standards/PPEA entry targets that are academic and grade referenced. This has resulted in the overall system being organized by grade level and content strands that are consistent with general education PPAA content and content strands.
- The approach of organizing the targeted content of PPEA entry targets with multiple subparts for data collection allows for breaking down larger grade-level expectations into smaller, measurable objectives, even though teachers are guided to "bundle" the subparts for meaningful instruction. The strategy of bundling entry targets for instruction attempts to avoid instruction that is disjointed or too small a grain size to be meaningful for students. Intentional bundling encourages teachers and students to make connections between and among the content of entry targets.

As reflected in the following tables, the data for 2008-2009 assessments demonstrate an a-slight decrease in participation for both Spanish and Math as compared to the FYY 2007 assessment results. Percentages are shown in the following table. Island wide, a total of 57,154 students with IEPs in the grades assessed (3-8 and 11) participated in the Spanish and 56,984 in the Math PPAA and PPEA 2008-2009 assessments. PRDE’s FFY 2008 Actual Data for assessment participation was shy of its target by just 43 percentage points, interestingly, for both Spanish and Math. As such, PRDE substantially met its target, and PRDE is satisfied with its participation rates for 2008-2009.

| <b>COMPARISON OF FFY 2008 PARTICIPATION ACTUAL DATATO PRIOR YEARS</b> |                 |                 |                 |                 |                 |   |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|---|
| <b>Subject/Participation/Proficiency</b>                              | <b>FFY 2004</b> | <b>FFY 2005</b> | <b>FFY 2006</b> | <b>FFY 2007</b> | <b>FFY 2008</b> | <b>FFY 2008 Commentary</b>  |
| <b>PARTICIPATION: Spanish</b>   | 97.76%          | 98.73%          | 95.52%          | 98.59%          | 98.30%          | Although PRDE's FFY 2008 Actual Data for assessment Participation in Spanish was shy of its target by 0.43%, PRDE has substantially met its target for assessment Participation in Spanish. |
| <b>PARTICIPATION: Math</b>  | 97.69%          | 98.44%          | 96.99%          | 98.43%          | 98.01%          | Although PRDE's FFY 2008 Actual Data for assessment Participation in Spanish was shy of its target by 0.43%, PRDE has substantially met its target for assessment Participation in Spanish. |

Due to the fact that a newly and significantly revised test was given during the 2008-2009 test administration, PRDE's performance under Indicator 3C for both Spanish and Math cannot properly be compared to the proficiency rates demonstrated in prior years. During the 2007-2008 school year, PRDE revised its content standards and grade level expectations. This year's assessments were designed to clearly define learning expectations with much more rigor. The proficiency rates on the new 2008-2009 assessment shall be used as baseline data to set appropriate measurable and rigorous targets for future years. PRDE will meet with stakeholders by June 30, 2010 to revise the State Performance Plan (SPP) accordingly.

**FFY 2008 Baseline:** The proficiency data for the 2008-2009 assessments demonstrate a 24.27% proficiency rate for Spanish and 19.30% proficiency rate for Math.

PRDE prepared informational booklets to familiarize educators, parents and students in Puerto Rico with the new PPAA tests that were administered during the 2008-2009 testing period. The booklets provided helpful explanations that enabled the students to get a comprehensive grasp of the tests. The PPEA teachers guide was also revised to provide teachers with a clearer understanding of standards based instruction for the alternate assessment for children with significant cognitive disabilities. Training and dissemination activities were provided in school communities to foster greater awareness of the changes in the island wide assessments.

PRDE scheduled and conducted onsite monitoring visits throughout the schools island wide before, during and after the test administration period. The process of monitoring for PPEA included supervision of the process, monitoring of security regulations and the use and availability of resources like the teachers' guide, resource guide and portfolio distribution, among others. PRDE notes that the in regards to students who did not participate in the exams, this was not due to the opportunity not being made or lack of efforts made by PRDE to have all students participate.

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

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

The data source used for this indicator is the data used for accountability reporting under Title I of the ESEA. Table 6 for the 618 data collection for the participation and performance of students with disabilities on State Assessments will be submitted as EDEN-only.

| <b>Activities</b>   | <b>Discussion</b>  |
|---|--|
| Support personnel development for the teaching methodologies, teaching to grade level | See discussion above. PRDE will continue with this effort. |

|   |  |
|---|--|
| standards, and teaching best practices  |  |
| 2. Increase technical assistance and support to regular and special education teachers and service providers on teaching strategies and methodologies | See discussion above. PRDE will continue to provide technical assistance and support to general and special education teachers and service providers on teaching strategies and methodologies. |
| 3. Continue TA for regular and special education teachers on the use of accommodations for students with disabilities                                 | The technical assistance and professional development for teachers included the use of accommodations for students with disabilities. PRDE will continue with this effort.                     |

**Revisions, with Justification. To Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

PRDE is revising its baseline for Indicator 3C as discussed above. Due to the timing of the receipt of final assessment results, however, PRDE has not yet had the opportunity to hold a stakeholder meeting to discuss the results and the revision of the actual targets for this indicator. PRDE intends hold a meeting to discuss this matter and to propose revised targets to its SPP to account for the revised assessments following that meeting. At this time, however, PRDE does not propose any revisions to its proposed targets, improvement activities, or timelines.

**Part B State Annual Performance Report (APR) for FFY 2008**

**Overview of the Annual Performance Report Development:**

**Monitoring Priority: FAPE in the LRE**

**Indicator 4:** Rates of suspension and expulsion:

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

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

**Measurement:**

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

Include State’s definition of “significant discrepancy.”

| FFY                  | Measurable and Rigorous Target  |
|----------------------|---|
| FFY 2008 (2008-2009) | Maintain the actual percentage of IEP students suspended/expelled for more than 10 days |

**Indicator 4 (a)**

**Actual Target Data for FFY 2008 APR (same as reported for 2007): 0.0011%**

For FFY 2007, the Report of Children with Disabilities Subject to Disciplinary Removal (618 data, Table 5) shows that 1 student was removed or suspended/expelled for more than 10 days (Section A, Column 3B). This represents .0011% (1/90,036) of the total student based on child count report. As a point of clarification, the number of students with disabilities who were suspended or expelled for more than 10 days during FFY 2006 was 23 (.002% of students with disabilities). With actual data of .0011% for FFY 2007, PRDE exceeded its target of .003% for this indicator.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

Trainings were conducted looking toward the disciplinary requirements of IDEA. PRDE conducted a variety of trainings to regular and special education teachers, school directors and special education supervisors on what is a positive behavior support and the different disabilities that usually needs that kind of support. Then the trainings were on the development of a functional behavior assessment and on how and when to apply the discipline procedures observing the IDEA requirements.

| <b>Activity</b>   | <b>Discussion</b>   |
|---|---|
| 1. Personnel training for the use of the manual for positive behavior supports and functional behavior analysis       | These trainings helped personnel to understand how to develop a functional behavior assessment. Once they have been taught how to develop it, the personnel were trained on how to manage the discipline procedures. These activities will continue in an ongoing basis.                            |
| 2. Continue to support regular and special education teachers in the use of best practices for discipline procedures. | These trainings were intended for special education and regular teachers, school directors and Special Education Supervisors. Zone Supervisors of Special Education are to follow up the development and practice of the discipline procedures. These activities will continue in an ongoing basis. |

**Revisions, with Justification. To Proposed Targets / improvement Activities / Timelines / Resources for FFY 2009:**

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

**Part B State Annual Performance Report (APR) for**

**2008 Overview of the Annual Performance Report Development:**

**Monitoring Priority: FAPE in the LRE**

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

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

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

**Measurement:**

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

| <b>FFY</b>  | <b>Measurable and Rigorous Target</b>  |
|-------------|--|
| <b>2008</b> | Special education students who spent less than 21 % of the day outside regular class = 74%<br><br>Special education students who spent greater than 60% of the day outside regular class= 14.4%<br><br>Special education students placed in private/public separate schools; residential institutions; placed in hospitals and homebound = 1.31% |

**Actual Target Data for 2008:** A) 87.4%: B) 3.3%: C) 1.8%

PRDE collects data on students' placements for 618 data submission from the SEASWEB database. The data reported for this indicator were collected directly from Table 3, IDEA Implementation of FAPE requirements. The following table reflects the raw data and measurement calculations leading to the actual target data reflected above.

| a. Total Child Count | b. IEP students removed from regular class less than 21% of day |         | c. IEP students removed from regular class greater than 60% of the day |         | d. IEP students served separate schools, residential facilities, or homebound/hospital placements |         |
|----------------------|---|---------|--|---------|---|---------|
|                      | #   | % (b/a) | #  | % (c/a) | #   | % (d/a) |
| 94,933               | 83,011  | 87.4%   | 3,152  | 3.3%    | 1,704   | 1.8%    |

**Discussion of improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008:**

PRDE met its FFY 2008 targets for 5A and 5B of this indicator. PRDE did not meet the 1.31 % target for 5C of this indicator. Below is a table comparing performance over time to demonstrate Puerto Rico's progress:

|      | IEP students removed from regular class less than 21% of day | IEP students removed from regular class greater than 60% of the day | IEP students served in separate schools, residential facilities, or homebound/hospital placements |
|------|--|---|---|
|      | <i>Percent</i>   | <i>Percent</i>  | <i>Percent</i>  |
| 2006 | 81.1%  | 9.6%  | 0.4%  |
| 2007 | 81.7%  | 11.5%   | 1.1%  |
| 2008 | 87.4%  | 3.3%  | 1.8%  |

The following chart provides a summary discussion of the improvement activities undertaken during 2008-2009. PRDE will continue with these activities in 2009-2010. Specifically, PRDE will continue the provision of appropriated special education services, continue follow up trainings on accommodations, curriculum adaptation and modification; also, PRDE will reinforce the technical assistance and support to the regular and special education teachers.

| Activity  | Discussion   |
|---|--|
| 1. Include training to regular teachers and personnel as part of the Statewide Personnel Development System.        | PRDE submitted proposed training activities for regular teachers and personnel so they can choose those topics on which they need information or technical assistance.<br><br>This training covered areas for both teachers and supervisors regarding accommodations, IEP development, post-secondary transition, and equitable services as main topics. A training plan was designed during 2008-2009 and held In August 2009.<br><br>PRDE will continue this effort. |
| 2. Include training for special education teachers and staff as part of the Statewide Personnel Development System. | See discussion In #1 above.  |
| 3. Continue to monitor provision of appropriate special education services in schools.                              | The Technical Assistance Unit provided the necessary support to teachers and school personnel after the Monitoring Unit identifies concerns in the provision of FAPE. This effort is improving the understanding of the special education personnel on the provision of  |

|   |  |
|---|--|
|   | <p>Appropriate services. Please see Indicator 15 for a discussion of PRDE SAE's general supervision system, including coordinator between its Monitoring and Technical Assistance units.</p> <p>PRDE will continue this activity.</p>  |
| <p>4. Increase special education support to students; accommodations, modifications, materials and equipment, assistive technology, related services.</p> | <p>Special attention was provided for technical assistance regarding accommodations provision. District facilitators made on-site visits to schools for technical assistance as requested. SAE made efforts in the distributing special materials to schools including special education contained classrooms and other educational materials like Math operational guides.</p> <p>PRDE will continue this effort.</p> |
| <p>5. Increase special education support to personnel; technical assistance, consultations, best practices information dissemination.</p>                 | <p>This is a continuous and on-going activity.</p>   |

**Revisions, with Justification, to Proposed Targets / improvement Activities / Timelines / Resources for FFY 2009**

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

Part B State Annual Performance Report (APR) for FFY

2008 Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

**Measurement:**

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

| FFY                   | Measurable and Rigorous Target |
|-----------------------|--------------------------------|
| FFY 2008<br>2008-2009 | N/A                            |

**Actual Target Data for FFY 2008:** N/A

As directed by OSEP, the States, including Puerto Rico, are not to report on Indicator 6 in the FFY 2008 APR. See, e.g., *Part B State Performance Plan (SPP) and Annual Performance Report (APR) Instruction Sheet* which does not include required data for Indicator 6 ("The State's FFY 2008 Part B APR, which must contain actual target data from FFY 2008 and other responsive APR information for Indicators 1, 2, 3, 4A, 5, 8, 9, 10,11, 12, 15,16,17,18, 19, and 20." P.1) and the *OSEP Memo 10-03 to State Education Agency Directors of Special Education and State Data Managers* dated December 3, 2009 ("Indicator 6: The indicator has been revised to align with the proposed section 618 State-reported data collection. Reporting will begin with the FFY 2010 SPP/APR due February 1, 2012." P.2).

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

N/A (see above).

**Revisions, with Justification. To Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

N/A (see above).

## Part B State Annual Performance Report (APR) for 2008

## Overview of the Annual Performance Report Development:

## Monitoring Priority: FAPE in the LRE

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

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

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

**Measurement:**

Outcomes:

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

Progress categories for A, B and C:

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

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

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Putamen, 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.

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

In order to comply with the requirements for this indicator, PRDE received intense technical assistance from the Early Childhood Outcomes Center (ECO) and the South East Regional Resource Center (SERRC) during August, September, and October 2006, and has continued a series of technical assistance activities since that time.

Policies and procedures for the outcomes assessment

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

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

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

PRDE determined it was necessary to revise its approach for data collection under Indicator 7 and reported the revisions in the APR that was submitted in February 1, 2008. The revised approach was developed using two phases: Phase 1, as was described in the APR submitted February 2008, was a pilot with cohort 1.

Phase 2. During FFY 2007 included the second cohort. In this APR, submission February 1, 2010, the baseline and measureable targets are established. The entire island is now included in the data collection and reporting.

Measurement strategies to collect data

PRDE uses the ECO COSF, translated documents. PRDE designed the process for the data collection and

provided training to school personnel and administrators. In using the COSF form, data were collected on the child's performance level, compared with same aged children, using the 7 points score provided in the form. When the child exits from preschool services, the form is completed again, answering the question of whether there was an improvement when compared with the entry level functioning.

Baseline Data:  
 Progress Data for Preschool Children Exiting 2008-2009

| <b>A-Positive social-emotional skills (including social relationships):</b>   | <b>Number of children</b> | <b>% of children</b> |
|---|---------------------------|----------------------|
| <b>a. Percent of children who did not improve functioning</b>   | 0                         | 0                    |
| <b>b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers</b> | 4                         | 4.8                  |
| <b>c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach</b>                         | 33                        | 39.2                 |
| <b>d. Percent of children who improved functioning to reach a level comparable to same-aged peers</b>                                 | 31                        | 36.9                 |
| <b>e. Percent of children who maintained functioning at a level comparable to same-aged peers</b>                                     | 16                        | 19                   |
| <b>Total</b>  | <b>N=84</b>               | <b>100%</b>          |

| <b>B-Acquisition and use of knowledge and skills (including early language/communication and early literacy):</b>   | <b>Number of children</b> | <b>% of children</b> |
|---|---------------------------|----------------------|
| <b>a. Percent of children who did not improve functioning</b>   | 0                         | 0                    |
| <b>b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers</b>   | 7                         | 8.3                  |
| <b>c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach</b>   | 36                        | 42.9                 |
| <b>d. Percent of children who improved functioning<br/>Percent of children who maintained functioning at a level comparable to same-aged peers to reach a level comparable to same-aged peers</b> | 25                        | 29.8                 |
| <b>e. Percent of children who maintained functioning at a level comparable to same-aged peers</b>   | 16                        | 19                   |
| <b>Total</b>  | <b>N=84</b>               | <b>100%</b>          |

| <b>C. Use of appropriate behaviors to meet their needs:</b>   | <b>Number of children</b> | <b>% of children</b> |
|---|---------------------------|----------------------|
| <b>a. Percent of children who did not improve functioning</b>   | 1                         | 1.2                  |
| <b>b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers</b> | 2                         | 2.4                  |
| <b>c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach</b>                         | 17                        | 20.2                 |

|  |             |             |
|--|-------------|-------------|
| d. Percent of children who improved functioning to reach a level comparable to same-aged peers | 46          | 54.8        |
| e. Percent of children who maintained functioning at a level comparable to same-aged peers     | 18          | 21.4        |
| <b>Total</b>   | <b>N=84</b> | <b>100%</b> |

Baseline Data for Preschool Children Exiting 2008-2009

| Summary Statements  | %of children |
|---|--------------|
| <b>Outcome A: Positive social-emotional skills (including social relationships)</b>   |              |
| 1. Of those children who entered 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 | 94.1         |
| 2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program   | 56           |
| <b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>   |              |
| 1. Of those children who entered 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 | 89.7         |
| 2. The percent of children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program   | 48.8         |
| <b>Outcome C: Use of appropriate behaviors to meet their needs</b>  |              |
| 1. Of those children who entered 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 | 95.5         |
| 2. The percent of children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program   | 72.2         |

**Discussion of Baseline Data:**

The baseline data established in the three areas (A1, B1, and C1 above) shows an average of 93.1 % of the preschool children who participated in the special education preschool program demonstrated an increased rate of growth by the time they exited the preschool program. Moreover, an average of 60.3% of the children were functioning at age level expectations when they exited preschool services. These data were reported from schools, and school districts, and includes preschool children who participated in all placement environments around the island.

- Area A (Social/Emotional) and B (Acquisition and use of knowledge and skills) were the two in which functioning near age expected functioning was reported; A-39.2, B-42.9.
- Though Area C (Use of appropriate behavior to meet needs) reported lower percentage of children functioning near age level expectations (20.2) than A and B, it showed the higher percentage of children functioning at age level (76.2) when they exited the program.
- Relatively low percentages of children were reported in the did not improved; (A-0, B-0, C-1.2), and did not improved sufficiently ;( A-4.8, B-8.3, C-2.4)
- An overall average of the three areas show that .39% did not improved, 5.1 % did not improved sufficient, 34.1 moved near age expected functioning, 40.4 reached age expected functioning, and 19.8 maintained functioning at age expected level.

PRDE is pleased with the collected data, which show that the preschool services are positively impacting the movement of preschool children to age appropriate functioning. As noted above, the majority of children who entered the preschool program below age expectation demonstrated substantial growth in the areas of social/emotional skills, acquisition and knowledge skills, and age appropriate behaviors upon exit from the preschool program. This is an indication that efforts to improve preschool services such as teacher and other personnel training and technical assistance, use of curricular materials are being successful... It also recognizes the need to continue developing teaching skills and using scientific

based materials and approaches to continue improving preschool services.

**Measurable and Rigorous Target:** [as stated in the Part B Indicator Measurement Table.]

**Measurable and Rigorous Target**

| Summary Statements   | Targets FFY 2009 (% of children) | Targets FFY 2010 (% of children) |
|--|----------------------------------|----------------------------------|
| <b>Outcome A: Positive social-emotional skills (including social relationships)</b>  |                                  |                                  |
| 1. Of those children who entered the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program | 94.5                             | 95                               |
| 2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program   | 56.2                             | 56.5                             |
| <b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>  |                                  |                                  |
| 1. Of those children who entered the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program | 89.9                             | 90.1                             |
| 2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program   | 49                               | 49.2                             |
| <b>Outcome C: Use of appropriate behaviors to meet their needs</b>   |                                  |                                  |
| Of those children who entered the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program    | 95.7                             | 95.9                             |
| 2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program   | 76.4                             | 76.7                             |

The measurable and rigorous targets established for the next two reporting periods were based on the analysis of progress reports for 2006 and 2007, and actual data.

**Improvement Activities/Timelines/Resources:**

During the past three years PRDE has developed and put in place a process to assess the impact of preschool services. It has been able to develop improvement activities including teacher and other relevant personnel training, acquisition and use of preschool curricular materials. The activities carried out through these years have allowed PRDE to establish a baseline that clearly shows that preschool services are positively impacting the movement of special education children to functioning near or at age expected skills. The following activities will be carried out during the next reporting periods.

| ACTIVITIES   | RESOURCES                                       | TIMELINES           |
|--|---|---------------------|
| 1- Develop and implement a process to identify through the Special Education Information System(SEIS) all preschool children entering preschool services in a continuous | -Preschool services supervisor - SEIS personnel | February-March 2010 |

|  |   |   |
|--|---|---|
| basis  |   |   |
| 2-Develop and implement guidelines to verify data collection and data entry.   | -Preschool services supervisor<br>- SEIS personnel<br>- Special Education Monitoring Team                         | March 2010                                      |
| 3-Develop and implement a Manual of procedures to implement the preschool outcomes assessment  | -Preschool services supervisor<br>-Other personnel with knowledge and skills in the implementation of the process | -Draft February-April 2010 Final<br>August 2010 |
| 4-Revise and disseminate the Outcomes Summary Format in order to incorporate recommendations and redesign its content to make it more user friendly  | -Preschool supervisor -Other knowledgeable personnel  | February 2010                                   |
| 5- Develop routine and annual training and technical assistance regarding data collection for this indicator to preschool teachers and other relevant personnel                                | -Preschool supervisor -Other knowledgeable personnel  | March 2010, and continuous                      |
| 6-Provide training, materials, and technical assistance to preschool teachers and other relevant personnel regarding intervention, strategies and models to provide quality preschool services | -Preschool supervisor - Other knowledgeable personnel   | March 2010, and continuous                      |

Part B State Annual Performance Report (APR) for FFY

2008 Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

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

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

| FFY                 | Measurable and Rigorous Target |
|---------------------|--------------------------------|
| 2008<br>(2008-2009) | 89.8%                          |

**Actual Target Data for FFY 2008: 82%**

For FFY 2008, PRDE continued with the same process for collection of data for Indicator 8 as described in its SPP submitted February 1, 2008. Therein, PRDE explained that it was using the *Inventario para Padres de Estudiantes que Reciben Servicios de Educación Especial*, a Spanish translation based on the National Center for Special Education Accountability and Monitoring's Parent Survey- Special Education (versión 2). This survey was translated, adapted and used to measure parent involvement in their children's special education services for use in 2005-2006. For 2006-2007, some grammatical changes were made to the versión used in 2005-2006 but no substantive changes were included. For 2007-2008 and 2008-2009, no changes were made to the survey used for FFY 2006. All questions, substantive areas and information requested remain the same without changes as approved by OSEP in 2006-2007.

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

FFY 2008 Sample

A random selection of parents was used for survey administration. As PRDE’s special education population for FFY 2008 was 103,310 the sample size would need to be at least 383 parents of students receiving special education services for 2008-2009.

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

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

Where:

s = required sample size

X<sup>2</sup> = the table value of chi-square for 1 degree of freedom at the desired confidence level (3.841)

N = population size

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

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

Accordingly, with a universe/population size (N) of 103,310:

|  |
|--|
| $s = \frac{(3.841) (103,310) (.50)(1-.50)}{(.05)^2 (103,310 - 1) + (3.841) (.50) (1 - .50)}$ |
| $= \frac{99,203.425}{.0025(103,309) + .96025}$   |
| $= \frac{99,203.425}{259.233}$   |
| $= 382.680$  |
| $s = 383 \text{ parents}$  |

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

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

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

Survey Results for FFY 2008

A total of 203 of the 248 completed surveys reported that schools facilitated parental involvement as a means to improving services and outcomes for their children with disabilities. This represents 65% of the respondent parents (203/248 x 100). The response group was representative of the population.

| <b>Data Year</b> | <b>(1) # respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities</b> | <b>(2) # of respondent parents of children with disabilities</b> | <b>[(1)/(2)] X 100 = Percent</b> |
|------------------|---|--|----------------------------------|
| <b>2008-2009</b> | 203   | 248  | 82%                              |

PRDE did not meet the target of 89.8% that was set for FFY 2008. Moreover, participation in the survey from the sample selected improved from FFY 2006 and 2007 as well.

**Discussion of improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

| <b>Activity</b>  | <b>Discussion of improvement activities completed</b>  |
|--|--|
| 1. Revise and modify the survey  | As discussed above, PRDE employed the same survey document approved by OSEP last year.   |
| 2. Increase parental responses to the survey   | PRDE implemented many activities and efforts in an attempt to increase the parental responses to / participation in the survey. PRDE central level staff worked directly with general supervisors who share the responsibility of informing selected parents of the survey and following up to ensure the surveys were received and returned. Parents have the option to return the completed surveys by mail or through the schools.<br><br>The percentage of parents who responded to and completed the survey increased significantly this year. Participation for FFY 2006 was 49% (188/384), the participation rate for FFY 2007 was 65% for FFY 2007 (248/383) and for FFY 2008 was 203/383. |
| 3. Disseminate the results of the parent survey to regions and central level and other interested parties. | The results of the survey are annually disseminated by the month of March through the general education supervisors who have the responsibility to keep the district supervisors, the school directors, teachers and parents informed. Several meetings are conducted through the regions with PRDE staff to inform of the overall APR   |

|   |   |
|---|---|
|   | <p>Results. These meetings include time for discussion of survey results, recommendations for improvement with this indicator, and some recommended activities to foster parent involvement.</p> <p>August is PRDE's back-to-school month and many meetings and trainings take place during the first days of school. This is a good opportunity for disseminating the information to schools and to reinforce through recommended activities the importance of parent and teacher collaboration. A memorandum is sent every year by that time to school directors addressing the importance and need of parental involvement in the school community and with the students.</p>  |
| <p>4. Training and technical assistance to school and district personnel on facilitating parental involvement</p> | <p>PRDE included training and technical assistance along with its report of the survey results to school and district personnel.</p>  |
| <p>5. Foster joint parent/teacher trainings</p>   | <p>PRDE has worked to ensure there are plenty of opportunities for parents to be involved not only in mandatory activities such as IEP revisions and other procedures but also to learn more from SAEE, learn new information, and collaborate and truly feel as fully participating and collaborating partners. In addition to OSEP requirements for parental participation, the State Legal Case of Rosa Lydia Vélez requests evidence of these efforts as well. Parents are invited to participate and to collaborate. Their perspectives and feedback are very much appreciated by PRDE as PRDE recognizes the value of parents' perspectives and the importance of their participation. The following are examples of joint parent/teacher trainings during FFY 2008.</p> <ul style="list-style-type: none"> <li>• The Segundo <i>Día Familiar y de Logros de Educación Especial</i> is a wonderful example of joint parent/teacher trainings and activities island wide. The Congress was held and sponsored by the PRDE SAEE, at Guillermo Angulo Coliseum in Carolina, PR.</li> <li>• In collaboration with APNI (Asociación de Padres de Niños con Impedimentos) (APNI, PR PTA) PRDE sponsored two annual island wide activities that are joint parent/teacher trainings. Each year a different topic is covered in those meetings and over 600 participants between parents and teachers participate and benefit from this activity. The meetings were held at Embassy Suites, Dorado, PR. and Caribe Hilton Hotel, San Juan.</li> <li>• PRDE celebrates the <i>Autism Family Day</i> in collaboration with Alianza de Autismo in Pabellón de la Paz, Parque Luis Muñoz Rivera, San Juan, Puerto Rico and Annual Congress of The Deaf and Blind parents lead by Deaf and Blind Parents Association in the Intercontinental Hotel, San Juan, Puerto Rico.</li> </ul> <p>Evaluations conducted and commentaries from the parents reflected parent satisfaction and willingness to support these kinds of efforts. As such, PRDE plans to continue with such activities and joint trainings.</p> |
| <p>6. Monitor the implementation of the established procedures for fostering parent</p>                           | <p>PRDE developed a district self-assessment instrument for monitoring the implementation of the established PRDE procedures and policies. This instrument was fully implemented in the 2007-2008 school year.</p>  |

|  |  |
|--|--|
| <p>Involvement.</p>  | <p>The theme of parent involvement is included in the monitoring.</p>  |
| <p>7. Administer the survey, collect data and measure progress on parent involvement</p> | <p>This year, PRDE has made the determination to adjust its child count period from December 1 to October 1. This gives PRDE a better timeline to revise and analyze data provide by the system and for validation activities.</p> <p>Indicator 8 depends on child count data to calculate the parents' representativeness, as soon as the official child count is submitted the process of defining and selecting the sample begins (February). PRDE expects to begin distribution of the next survey by April 2010.</p> <p>PRDE will analyze the results May 2010-July 2010 and disseminate the results for the prior school year in August. For FFY 2008- 2009, child count will be reported in February 2010 so PRDE anticipates that by September 2010 results for parental involvement will be disseminated.</p> |

**Revisions, with Justification. To Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

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

Part B State Annual Performance Report (APR) for FFY2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

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

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

**Measurement:**

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

Include State’s definition of “disproportionate representation.”

**Based on its review of the 618 data for FFY 2008, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and underrepresentation) of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d) (3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2008 reporting period, i.e., after June 30, 2009. If inappropriate identification is identified, report on corrective actions taken.**

| FFY                  | Measurable and Rigorous Target |
|----------------------|--------------------------------|
| FFY 2008 (2008-2009) | N/A                            |

**Actual Target Data for FFY 2008:**

As discussed in the SPP and reinforced by OSEP’s *Puerto Rico Part B SPP/APR Response Table* sent to PRDE on June 1, 2009 along with its APR Determination Letter, this indicator does not apply to Puerto Rico.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

N/A (see above).

**Revisions, with Justification. To Proposed Targets / improvement Activities / Timelines / Resources for FFY 2009:**

N/A (see above).

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

**2008 Overview of the Annual Performance Report Development:**

**Monitoring Priority: Disproportionality**

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

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

**Measurement:**

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

Include State’s definition of “disproportionate representation.”

Based on its review of the 618 data for FFY 2008, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and under representation) of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d) (3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2008, i.e., after June 30, 2009. If inappropriate identification is identified, report on corrective actions taken.

| <b>FFY</b>                  | <b>Measurable and Rigorous Target</b> |
|-----------------------------|---------------------------------------|
| <i>FFY 2008 (2008-2009)</i> | N/A                                   |

**Actual Target Data for FFY 2008:**

As discussed in the SPP and reinforced by OSEP’s *Puerto Rico Part B SPP/APR Response Table* sent to PRDE on June 1, 2009 along with its APR Determination Letter, this indicator does not apply to Puerto Rico.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

N/A (see above).

**Revisions, with Justification. To Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

N/A (see above).

**Overview of the Annual Performance Report Development:  
Monitoring Priority: Effective General Supervision Part B / Child Find**

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

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

**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.

| FFY                         | Measurable and Rigorous Target |
|-----------------------------|--------------------------------|
| <i>2008<br/>(2008-2009)</i> | 100%                           |

**Actual Target Data for FFY 2008:** 81.5% for timely evaluation (30 days).

Evaluations conducted within 30 days

| Date Year | a. # of children with parental consent to evaluate | d. # of evaluations held within 30 days | % evaluations held within PR timeline (a/d) |
|-----------|--|---|---|
| 2008-2009 | 21,652*  | 17,642                                  | 81.5%                                       |

\*A total of 21,816 children with parental consent to evaluate were initially received, however 164 parents missed their evaluation appointments and failed to re-schedule despite efforts from PRDE to do so, or left Puerto Rico or otherwise exited the registrar on process, and were adjusted during the process.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

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

PRDE was not able to meet the 100% mandatory target for this compliance indicator. During FFY 2008, a total of 21,652 were referred for and had parental consent to evaluate. Of that number, 17,642, which represents 81.5% of all students referred for initial evaluation with parental consent, received a timely initial evaluation (i.e., within 30 days). Please refer below to the table titled “FFY 2008 Data Re: Those Children Referred but Not Evaluated within Timeline.” While Puerto Rico recognizes there is still work to do to reach its 100% target with this timeline, Puerto Rico looks forward to continuing the efforts it has initiated in improving performance with this indicator.

The following table compares Puerto Rico’s improvement in complying with this timeline over the four most recent APR submissions:

| <b>Data Year</b>            | <b>30 Day Eligibility Determination</b> |
|-----------------------------|---|
| <b>FFY 2005 (2005-2006)</b> | 70.2%                                   |
| <b>FFY 2006 (2006-2007)</b> | 82.9%                                   |
| <b>FFY 2007 (2007-2008)</b> | 83.0%                                   |
| <b>FFY 2008 (2008-2009)</b> | 81.5%                                   |

After showing significant progress from FFY 2005 to 2006, since FFY 2006 there has not been much change.

In school year 2006-2007 PRDE SAEE conceived the idea of establishing a pilot program involving a special team at the service centers devoted to work on completing student eligibility determinations following initial evaluation with parental consent. Because the pilot demonstrated progress and improved performance with meeting timelines for new students requesting special education services and lowering the then-existing backlogs, the pilot program was expanded to every service center.

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

PRDE SAEE strongly believes that finally having the eligibility determination component at all of the service centers will help ensure children will be evaluated and receive their eligibility determinations within the mandatory timelines.

The following chart reports the performance with this indicator for FFY 2008 by educational region.

**FFY 2008 Data by Region**

**Evaluation**      **Regionwithin 30**

|                 | <b>days</b> |
|-----------------|-------------|
| <b>Arecibo</b>  | 72%         |
| <b>Bayamón</b>  | 77%         |
| <b>Caguas</b>   | 95%         |
| <b>Humacao</b>  | 92%         |
| <b>Mayagüez</b> | 91%         |
| <b>Ponce</b>    | 82%         |
| <b>San Juan</b> | 65%         |

FFY 2008 Data Re: Those Children Referred but Not Evaluated -within Timeline

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

| <b>Evaluated Students for FFY 2008 (2008-2009)</b>           |                                     |                             |                             |                              |  |                                  |
|--|-------------------------------------|-----------------------------|-----------------------------|------------------------------|--|----------------------------------|
| <b>Total # of children with parental consent to evaluate</b> | <b>Eval. within 30 days or less</b> | <b>Eval. within 60 days</b> | <b>Eval. within 90 days</b> | <b>Eval. within 120 days</b> | <b>Eval., possibly in more than 120 days</b> | <b>Not Yet Able to Determine</b> |
| 21,652   | 17,642                              | 1,515                       | 365                         | 176                          | 882  | 1,072                            |
|  | 81.5%                               | 7%                          | 1.7%                        | 0.8%                         | 4.1%   | 4.9%                             |

As reflected above, PRDE completed 88.5% of FFY 2008 initial evaluations within 60 days. PRDE is continuing efforts to work with the remaining 1,072 FFY 2008 for which it has not yet been able to validate as completed.

A total of 9 Service Centers are currently operating for the seven educational regions. The initial evaluations and eligibility determinations are coordinated through the Service Centers. Trainings were held for special education general and district supervisors that include the importance and impact of ensuring timely managing of the evaluation and determination process.

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

The PRDE held meetings with the Directors of the Centros de Servicios, developed new documents and the staff was trained. Also preliminary data was given for the update of Indicator 11 in the data system.

SEASWEB was fully operational in FFY 2008. The fields for creating the report for this indicator were developed in order to obtain information directly from the service centers. Once the service centers receive the parental consent, the information of the children is loaded into the system and the follow up is given electronically. PRDE SAE central level staff monitors and tracks the timelines for those specific children. PRDE still uses an alert system that notifies the respective districts and service centers about the children approaching their due date for initial evaluation and other related timelines. Under the technical assistance received from DAC this year, PRDE has continued to retrieve information and present reports from the system for validation purposes. During the DAC TA visit in December 2008, a data run was conducted to get data for B11 indicator for proper calculations. At that time SAE PRDE was getting close to being able to generate the report needed in a valid form directly from the system without extensive manual validation efforts. By the end of the period for FFY 08 APR, PRDE is reporting data for this indicator directly from the system for the first time.

Correction of Noncompliance and Implementation of Requirements

Activities held during the year for noncompliance correction included extensions to the extended working hours and weekends clinics that included the specific task to cover initial evaluations results analysis and eligibility determinations. This extended hours effort continued through December 2008.

According to OSEP Memo 09-02. PRDE describes how verification of correction of noncompliance was conducted and how PRDE is ensuring correct implementation of CFR §300.301 (c) (1). The Directors of the Service Centers were provided with a list of students who did not have complete information in SEASWEB by name to review whether there were difficulties with the information they submitted. Also they completed the data that was missing in the fields for initial evaluations by checking the students' files and verifying that they have an evaluation report.

The Monitoring Unit administered the monitoring guide developed for the Service Centers. In this guide they have documents that help to review compliance on Indicator 11. They use forms designed for the compilation of data such as revision of the students' files. Then they analyze the data collected and send a report to the Service Center. These monitoring visits of the Service Centers will be continued in 2009-2010.

During the month of August 2009, instructions were given to the Service Center Directors, general and district supervisors, to update the information system based in five priority areas: children registration, initial evaluations, eligibility determination, IEP meetings and Placement for the 2008-2009 school year. This effort is a continuous activity to concentrate personnel efforts in loading incomplete or missing children's information in the system, giving personnel the opportunity to not only update but also look over those timelines as well. Monthly meetings with Service Center Directors were held during the year for follow up on data loading and for sharing strategies and ideas to keep us moving and showing progress. A unit was developed at Central level with personnel devoted only to data entry follow up with the Services Centers. A person from each region was responsible for monitoring data loading, data validity checks and providing direct support to the user at the service Centers. This was part of the efforts to guarantee data quality, maintenance and continuous data entry.

| ACTIVITY   | Discussion of Progress of activities completed....  |
|--|---|
| 1. Implement the eligibility determination pilot in the remaining Service Centers. | See discussion above and in prior APR submissions.<br><br>The Determination of Eligibility Unit is in place at all Service Center. The teams are responsible for initial evaluation coordination and analysis, including the eligibility determination and through to the final IEP meeting coordination with school as needed by the children. |
| 2. Evaluated options and develop guidelines for                                    | One of PRDE major concerns for this indicator is reporting on those children that continuously miss their appointments for initial evaluation. Once the   |

|   |  |
|---|--|
| <p>dealing with parents who miss their appointments</p>   | <p>Parents' consent, PRDE has a 30 day timeline to conclude with the initial evaluation and 30 more days for the eligibility determination. The parents get their appointment at the Service Centers mostly the same day they request for the special education services. The Centers maintain an appointment log from the Corporations and can book appointments for parents right away. Parents miss or delay the appointments made, which negatively impacts the timelines required by PR state law and OSEP. Some parents may notify of any inconvenience for not attending their appointments and personnel from the Service centers at the call center address a new date for the evaluation but timelines continue running. Most of the parents simply do not notify, so PRDE has to wait for Corporations to notify PRDE of the parent's absence in order to proceed for another appointment.</p> <p>Directors at the Service Centers agreed on sending letters to the parents, calls and even social worker visits to the address provided with their documentation. PRDE has determined that parents that missed their appointment for three consecutive times may be excluded in accordance with 34 CFR 300.301 d. Because of RLV court case, it is very difficult to convey this procedure in a memorandum, but the concern has been shared with the plaintiff class in order to provide the Service as requested and to get some responsibility from the parents to comply with the timelines.</p> <p>PRDE keeps working with PR PTA to train and inform the parents of this requirement, which would be helpful to this procedure.</p> |
| <p>keep up working to implement the alert system in SEASWEB</p>   | <p>PRDE will continue with this effort. Difficulties with the vendor contract negotiations have resulted in a delay of the implementation of the feature in the system. Monthly reports are requested from the Service Centers for monitoring.</p>   |
| <p>4. Use the information system to generate monthly report or the cases registered for better monitoring compliance</p>                      | <p>PRDE will continue with this activity. Monthly reports per Service Center are retrieved from the system in order to monitor and provide technical assistance and support as needed. This increases the awareness of the importance of data entry.</p>   |
| <p>5. Implement a new protocol for Eligibility Determination as proposed.</p>   | <p>The Eligibility protocol is in place and used by all Services Centers in 100% of the cases to determine the eligibility for Special Education Services.</p>   |
| <p>5 Coordinate Coordinate e with P.R. P.T.A. (APNI) for parents orientation on procedures and timelines for services provision (B11.B12)</p> | <p>A meeting was held with APNI to discuss this concern. The new appointed Director agreed on collaborating with this effort and training APNI parent leader's island wide in order to inform the parents and disseminate the information regarding parent's responsibility.</p>   |

**Revisions with Justification to Proposed Targets / improvement Activities / Timelines / Resources for FFY 2009:**

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

Part B State Annual Performance Report (APR) for FFY 2008

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose 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.
- e. # of children who were referred to Part B less than 90 days before their third birthdays.

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

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

| FFY                  | Measurable and Rigorous Target |
|----------------------|--------------------------------|
| FFY 2008 (2008-2009) | 100%                           |

Actual Target Data for FFY 2007: 69.0%

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

Table A - Data

| a- # of children served in Part C referred to Part B for eligibility determination | b. # of children determined not eligible whose evaluations were conducted prior to their third birthday | c. # of children found eligible with IEP's developed and implemented by their third birthday | d. # of children for whom parental refusal to consent to evaluation caused delay in evaluation or initial services | e.# of children who were referred to Part B less than 90 days before their third Birthdays. |
|--|---|--|--|---|
| 1631   | 44  | 614  | 0  | 0   |

As directed by the measurement instructions for this indicator, children included in a (from Table A above) but not included in b, c or d must be accounted for. In applying the measurement formula to the data for FFY 2008, there is a subgroup of children included in a (children served in Part C referred to Part B for eligibility determination) that are not included in b, c, or d. A significant number of those children [a-(b+c+d)] at the end of the 2008-2009 reporting period had not yet reached age three. Also, there is a very small subgroup of students referred from Part C to Part B who exited PRDE and thus are not included in a (g). ~~The remaining children are children who were referred to Part B but had not received their eligibility determination by age three (h).~~ Note: Children previously noted in "h" are included in "a" and should not have been reported in a separate category.

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

|  |   |   |
|--|---|---|
| f. # of children who had been referred to Part B and that at the end of the 2008-2009 reporting period had not yet reached age three and were still receiving services by Part C | g. # of children who had been referred to Part B from Part C but subsequently exited PRDE | h. # of children who had been referred to Part B from Part C that did not receive their |
|  |   | By the date they turned aged three.   |
| 663  | 34  | -276  |

**Based on FFY 2008 data, the range of days elapsed beyond the third birthday of children whose eligibility and services were not in place by the third birthday is 1 - 468 days. The majority of the children were receiving services within 60 days. When a child's IEP was completed prior to the child's third birthday, services were provided. Reasons for the delays include the following: data entry errors. New staff. Parents failed to keep scheduled appointments. Part C failed to send transition meeting notices in a timely manner. And supervisors failed to attend transition meetings.**

Category f from Table B represents the subgroup of children within "a" that have been referred to Part B, but that by the end of FFY 2008 had not yet reached the age of three in order to be eligible to begin receiving Part B services.

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

Without considering the students accounted for in Table B:

| Data Year | (a - b - d)        | C Divided by (a-b-d) | Times 100       | = Percent |
|-----------|--------------------|----------------------|-----------------|-----------|
| 2008-2009 | (1631-44-0) = 1587 | 614/1587 = 0.387     | 0.387X100= 38.7 | 38.7%     |

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

| Data Year | (a - minus students accounted for in Table B, columns f and g) | Minus (b + d)     | C divided into prior column | Times 100          | = Percent |
|-----------|--|-------------------|-----------------------------|--------------------|-----------|
| 2008-2009 | (1631 -663-34) = 934   | 934 -(44+0) = 890 | 614/890 = 0.6899            | 0.6899X100 = 68.99 | 69.0%     |

The second measurement more accurately reports Puerto Rico’s performance with the indicator and complies with the Secretary’s directions to account for the subgroup of students included in a but not included in b, c, or d, making Puerto Rico’s actual Indicator 12 target data for FFY 2008 69.0%. Both measurements are included nonetheless.

**Discussion of improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

The table below compares Puerto Rico’s performance over the past two years based on the two calculations.

| Demonstrated Progress with Indicator 12 Over Time           |          |          |          |          |
|---|----------|----------|----------|----------|
|   | FFY 2005 | FFY 2006 | FFY 2007 | FFY 2008 |
| Measurement without accounting for Table 2, columns f and g | 9.7%     | 21.9%    | 31.1%    | 38.7%    |
| Measurement that accounts for Table 2, columns f and g      | 13.2%    | 30.3%    | 42.4%    | 69.0%    |

The steps that PRDE is taking for the improvement of the services through the Special Education Service Centers, as well as the intensive training, guidance, and follow up provided to personnel in charge of the transition process is resulting in increasing the compliance with this requirement. Although the percentage fell below PRDE’s goals and OSEP’s target, PRDE has learned much about the transition process and has begun steps that will lead to improved compliance.

One step began after the 2008-2009 year, yet is an important step in the smooth transition. This step is routine Communications through face to face meetings between Part C and Part B. These Communications have identified challenges that both agencies can begin to address. Continued meeting and revision to the Memorandum of Agreement will continue during 2009-2010.

A special education supervisor at each one of the island’s Special Education Service Centers is assigned the responsibility of ensuring an agile process for transitioning children. These supervisors, along with the preschool coordinators, are in charge of the follow up and coordination needed to evaluate, determine eligibility, develop the IEPs, and the coordinate services. This initiative was implemented in February 2007, and has aided in the increased performance under this indicator. PRDE also expects the full implementation of the special education information system (SEASWEB) to better manage data. Additionally, the Monitoring and Compliance Unit began activities to monitor the Special Education Service Centers compliance with IDEA requirements related to this indicator.

OSEP’s Response Table B to PRDE’s FFY 2007 APR asks PRDE to address the previously identified noncompliance under this indicator. PRDE monitored outstanding evaluations from past years as they were pending to ensure all children transitioning from Part C to Part B were evaluated, received eligibility determinations, and—where determined eligible—had an IEP developed and implemented. As discussed under the narrative for Indicator 15 of this APR submission, Puerto Rico has assured the correction of previously identified noncompliance under Indicator 12. As of the FFY 2007 APR, PRDE had outstanding individual student cases from FFYs 2005, 2006, and 2007 in which it had to assure children referred from Part C to Part B had been evaluated, received eligibility determinations and—where determined eligible—had an IEP developed and implemented.

|                      | Students referred from Part C to Part B for whom PRDE had not been able to confirm eligibility determinations and provision of services, where appropriate, as of FFY 2007 APR Clarification | Outstanding cases PRDE has confirmed completion of eligibility determinations and provision of services where appropriate | Percent of overdue re-evaluations that have been verified as complete |
|----------------------|--|---|---|
| FFY 2005 (2005-2006) | 69*  | 69  | 100%  |
| FFY 2006 (2006-2007) | 104*   | 104   | 100%  |
| FFY 2007 (2007-2008) | 218  | 218   | 100%  |

\*This data reflects the amount of Part C to Part B referrals for which PRDE was unable to verify whether the student had received their eligibility determination and when appropriate was receiving services as of the FFY 2005 APR submission (dated February 1, 2007). Since that time, PRDE has provided data updates to OSEP reflecting lower numbers of cases pending validation.

FFY 2005. FFY 2006 Correction of Noncompliance and Verification the delay in Puerto Rico’s ability to confirm every single case from FFY 2005 and FFY 2006 was due to the manual nature of the files. FFY 2007 was the first year PRDE was able to use its new information system, SEAS Web, to assist with gathering and reporting of data for this indicator. The manual nature of the Part C to Part B transition files prior to FFY 2007 made it very burdensome for PRDE to address the specific information regarding the correction of all previously identified noncompliance under this indicator. Doing so required an exorbitant amount of resources, including a complete review of the files of all students transitioning from Part C to Part B during those years. Nonetheless, PRDE completed this activity and is now able to report all referred students in the system received their determinations and when determined eligible are receiving services.

PRDE’s efforts to ensure correction of the noncompliance previously identified for FFY 2005 and FFY 2006 included several steps. First, significant resources were dedicated to ensuring the CSEEs entered all data relating to the students at issue. PRDE conducted further data validation activities to ensure accurate data for all of these students. All remaining students fell into one of two categories, (i) students who were evaluated, determined eligible, have an IEP and are receiving services and (ii) students who have exited the PRDE special education system registration process. The table below reflects the breakdown into these two groups from both years at issue:

|   | Determined Eligible and are Receiving Services | Exited the PRDE Special Education System Registration Process |
|---|--|---|
| <b>FFY 2005</b><br><i>(Total = 69)</i>  | 53   | 16  |
| <b>FFY 2006</b><br><i>(Total = 104)</i> | 85   | 19  |

The second group, those students that have exited the PRDE special education system registration process, may have exited the PRDE school system entirely or may have been determined ineligible or otherwise declined to receive special education services, etc.