

Family Voices Comments on IDEA Part B SPP & APR

Monitoring Priorities and Indicators

In Indicator 3.A. “state’s minimum ‘n’ size meeting...AYP” Data tracking can verify the need for revision and consistency needed across states. Some states have an n variable so high that it excludes a large number of children with disabilities, circumventing accountability under NCLB (No Child Left Behind) for students with disabilities. Further, under statewide assessments, LEA reporting requirements should indicate that districts should not specifically identify one subgroup as failing, resulting in discrimination, but rather report all subgroups. “Bundling” of scores should be tracked and then revised so that results are statistically significant for smaller LEAs.

Under “Percent of...children with IEPs”, in related requirements under IEP Provisions, we agree with the language regarding FAPE (Free, Appropriate Public Education) that states adopt NIMAS (National Instructional Materials Accessibility Standard). We would suggested the wording “blind” be changed to students with visual impairments or learning disabilities. SEAs must collaborate more with LEAs on implementation.

In Indicator 5.C. “separate schools, residential...homebound/hospital” we would like to see tracking/enforcement/sanctions particularly for homebound placements being used for children with challenging behaviors as opposed to medical reasons.

Under Indicator section 8 “percent of parents...report that schools facilitated parent involvement” we would like to see data tracking/enforcement/sanctions for districts that do not comply. For example, written into NJ Administrative Code, we have a requirement for Parent Advisory Councils exist in each district but there is no compliance. We also have districts not following the parental involvement requirements under NCLB.

In Indicators 9 & 10 regarding disproportionality, we need tracking/enforcement/sanctions because 10 years later, data indicates that this is still happening in our and other states with no accountability.

Under Indicator 12 regarding preschool transition, there is no mention of LRE (least restrictive environment). There needs to be data tracking, accountability, and information given to families who do not know their child has the right to attend the school they would’ve gone to had they not had a disability and alternate placement only occurs if supports and services are unsuccessful. Also under Child Find obligations, there needs to be data on underserved populations and sanctions if the state does not improve.

Regarding Indicator 18 for resolution sessions, there must be data tracking to ensure this is not be used by districts as a delaying tactic in conflict resolution. We would also like to see tracking on hearing outcomes now that the burden of proof may now fall on parents.