

Department of Student Services

Division of Specialized Services

“Status Update & Next Steps:

Corrective Action Plans (CAPs)”

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The World of Special Education in Trenton Public Schools

- 2,409 Students with IEPs
 - 3 to 21 years of age; Preschool through 12th Grade (represents 18%)
 - 68% Male; 32% Female: 13% English Language Learners: 82% are with us 3+ years
 - Compliance Rate: 71% in April; 82% in July; 88% to date
- 500+ Students in total in over 100 Out-of-District (OOD) Placements
 - \$35.5 million in OOD Tuition spending
- 2019-2020 Special Education Programs/Classrooms
 - 42 Inclusion
 - 54 Resource
 - 30 Learning and/or Language Disabilities
 - 20 Autism
 - 8 Behavioral Disabilities
 - 13 Cognitive Mild
 - 5 Preschool Disabled
 - 8 Multiple Disabilities

Complaint to Corrective Action Plan

A complaint is a concern (allegation) that an education agency has violated federal or state special education law. A complaint may be initiated on behalf of an individual child or on behalf of a group of children. A complaint may be filed with the New Jersey Department of Education for an independent review of the alleged violation(s).

Parental Request in a form of a complaint can be a Mediation, a Due Process Hearing, or Expedited Due Process Hearing.

A corrective action plan (CAP) is a step by step plan of action that is developed to achieve targeted outcomes for resolution of identified errors in an effort to:

- Identify the most effective actions that can be implemented to correct error causes;
- Develop and implement a plan of action to improve processes or methods so that outcomes are more effective and efficient
- Achieve measurable improvement in the highest priority areas
- Eliminate repeated deficient practices

Complaints, Corrective Action Plans, Litigation...

- 200+ Complaints filed with NJDOE within 24 months resulting in 25 Corrective Action Plans (CAPs)
- Litigation which resulted into
 - Two dozen Settlement Agreements (double in OOD placements; still in research)
 - Two Summary Judgements against the District dating back to '16-'17SY
 - Ie., Charges for Extraordinary Services
- Ongoing U.S. Office of Civil Rights Investigation
 - Paraprofessional Placements
- 25 Corrective Action Plans (CAPs)
 - Looking back at the '16-'17SY, '17-'18SY, and '18-'19SY
 - To address Persistent Systemic and Individual Issues
 - Identified concerns at the District, Building, and Departmental Level
 - Interdepartmental dependency, coordination and cooperation.

Summary - Corrective Action Plans (CAPs)

- The multitude of Complaints filed with NJDOE, in conjunction with the inability to produce appropriate documentation or procedures resulted in:
 - 25 Open CAPs on record as of 4/1/19
 - Could result in (a potential) withholding of funds (ie., IDEA) or assignment of full-time NJDOE Monitor
 - Continued monthly NJDOE Oversight and Monitoring
- Closed 11 CAPs within the past 6 months through direct oversight, trainings, meetings, SOPs, and in collaboration with NJDOE Monitors and Investigators; along with Leadership and Building/Department Leaders
- 14 Open CAPs as of October 8, 2019
- ...with more CAPs to close!

Litigation: Direct and Indirect Costs & Consequences

- The costs (time, money, & effort) that goes into each response, complaint, etc...
- Settlements - Direct and Indirect Costs
- Extraordinary services - Paraprofessionals, Nursing, Compensatory, etc...
- FAPE & LRE - Registration, Access, Programs, etc...
- Goals and Objectives, PLAAFPs, & Progress Monitoring
- Staffing and Outsourcing

Our Partnership with ETS - Fishbone Activity

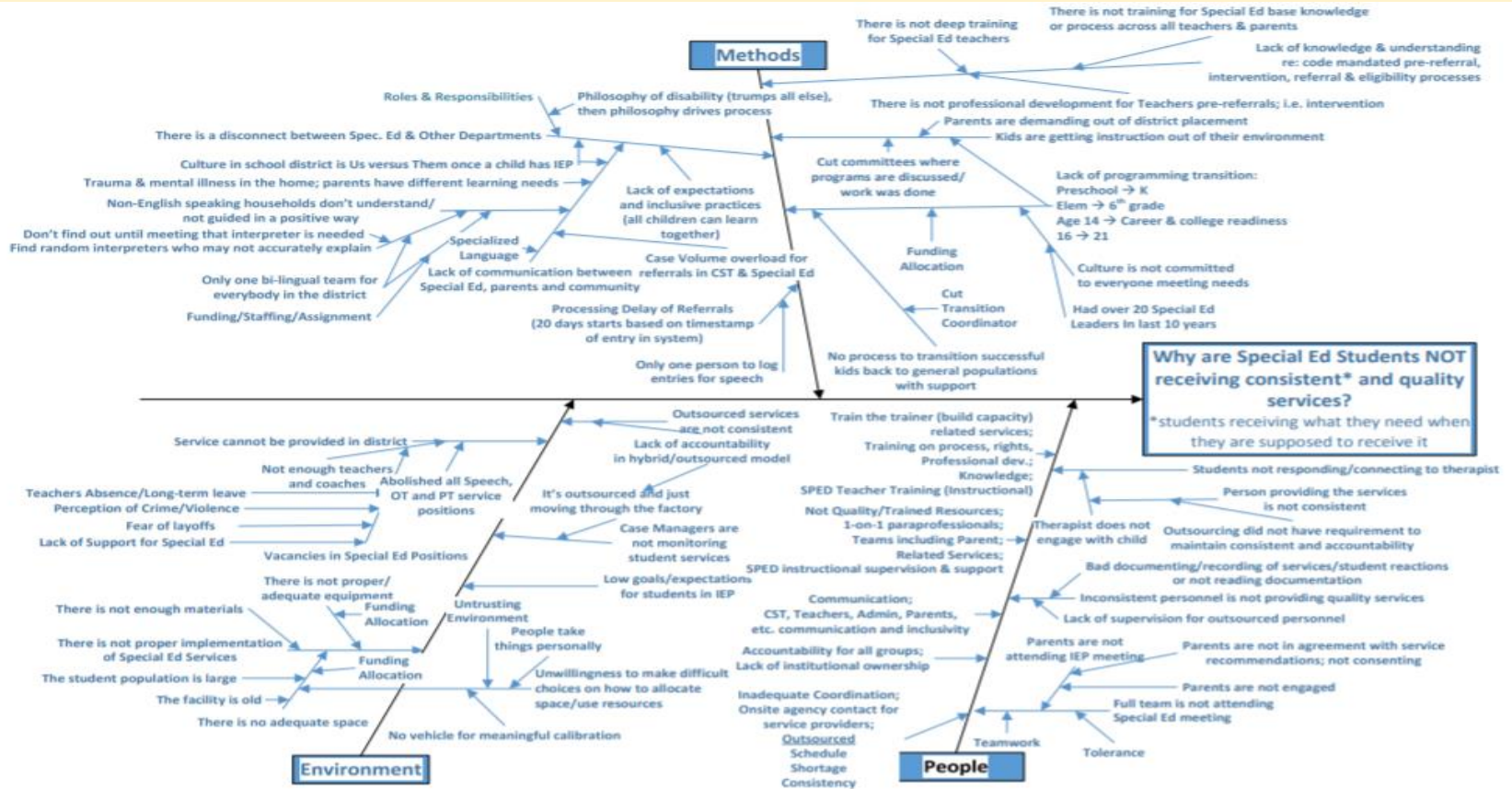
Multiple stakeholder meetings to discuss an identified problem:

“Why are Special Education students NOT receiving consistent and quality services?”

- Lack of programming options
- Inadequate training (Professional Development) and knowledge gaps on code, content, process across...

- Inadequate resources
- Awareness, brand, and marketing concerns
- Cultural and policy concerns
- Special Education services were outsourced and the current outsourced/hybrid model has inadequate structure for accountability, coordination,, communication and have several gaps that result in problems.

ETS - Fishbone Activity



Public Consulting Group (PCG) Summary of Findings

The recommendations were created based on the limited data PCG was able to ascertain from Trenton Public Schools.

PCG identified five priority areas for process improvement related to:

1. Support for Struggling Learners
2. Accountability
3. Data Quality, Access, and Training
4. High Quality IEPs; and
5. Professional Development and Support.

Each of these areas is critical components to ensure TPS has the proper understanding, support and resources to best manage the school's special education program and improve its compliance status and instructional outcomes. These process improvements will be critical to creating a foundation for long term success.

Public Consulting Group (PCG) Priority Areas

	Priority Area	Priority Goal
Priority Area 1	Support for Struggling Learners	TPS will develop a robust MTSS structure for ALL students and implement interventions with fidelity.
Priority Area 2	Accountability	The District will develop policies and procedures and create mechanisms for monitoring their implementation.
Priority Area 3	High Quality IEPs	The District will adopt protocols and conduct training for all staff, with the most intensive trainings for CST and special education case managers, on the development of high quality IEPs.
Priority Area 4	Data Quality, Access, and Training	TPS will develop protocols to ensure data in all systems are accurate and aligned. Data will be up to date, easy to access, easy to understand, and routinely monitored.
Priority Area 5	Professional Development & Support	Special education personnel will receive training and support essential to strengthen their expertise in procedural compliance and on instructional strategies that help accelerate their students' academic and social/emotional growth.

ETS / PCG Crosswalk

In an effort to effectively merge the product and scope of the information covered by ETS and PCG, in conjunction with our Corrective Action Plans, a crosswalk (visual) is being developed to assist us going forward and picking up where we left off with our stakeholders.

ETS / PCG Crosswalk

ETS Fishbone & PCG Report CROSS WALK

	Special Ed services were outsourced and the current outsourced/hybrid model has an inadequate structure for accountability, coordination, communication and has several gaps that result in problems. (ETS)	Lack of programming transitions (ETS)	Inadequate training (professional development) and knowledge gaps in code, content, and process. (ETS)	Inadequate resources (ETS)	Cultural and policy concerns (ETS)	Awareness, brand and marketing concerns (ETS)
Data Quality, Access, and Training (PCG)	<p>TPS will develop protocols to ensure data in all systems are accurate and aligned. Data will be up to date, easy to access, easy to understand, and routinely monitored. 1. Conduct an internal audit of special education data across all systems so that all data elements (such as IEP dates) match the hardcopy documentation available in the student's special education cumulative record. 2. Monitor all data systems and run reports weekly to verify data and ensure they are accurately entered across systems and that they reflect the active student population receiving special education services at each school. 3. Regularly review EasyIEP TM/service tracker reports for students receiving related services to ensure that a provider has been assigned, services are being provided in the frequency delineated in the IEP, and documented in the system. Missed sessions should also be tracked, reviewed, and readdressed to decrease the inherent vulnerability to provide compensatory services as a result of a complaint resolution process. Determine if/where bottlenecks exist between service delivery and logging services. Adopt logging practices by which the related service provider has limited access to EasyIEPTM and can log services immediately</p>	<p>Special education personnel will receive training and support essential to strengthen their expertise in procedural compliance and on instructional strategies that help accelerate their students' academic and social/emotional growth.</p> <ol style="list-style-type: none"> 1. Hold routine Special Education Department meetings to ensure that procedures are clearly articulated, expectations set forth, and processes are in place and monitored. 2. Provide training for special education staff that includes progress monitoring, maintaining documentation, and initiating the data entry required for the electronic systems used (e.g., EasyIEP, etc.) as well as for the maintenance of the special education cumulative records for the students on their caseloads. 3. Offer basic IDEA training for all staff so that general educators, principals, and other staff are aware of the requirements and how their areas of work relate to them. 4. Provide training for all District teachers on the use and application of UDL practices used in the development of curriculum, instruction and assessment. 5. Monitor the discipline and suspension rates of students with IEPs in a racial/ethnic subgroup to ensure that it is not at least two times more likely than peers to be identified as being over-identified. (i.e., risk ratios). Analyze longitudinal data to determine which schools may be suspending students with IEPs at a higher rate and provide training on alternative methods (such as Restorative Justice). Benchmark suspension rates by race/ethnicity in the areas of concern. 	<p>Develop a robust MTSS structure for ALL students and implement interventions with fidelity. Build on the New Jersey Tiered System of Support (NJTSS) and Intervention and Referral Services (I&RS) process and curricular frameworks to develop/implement a unified and clear structure of Multi-Tiered System of Supports (MTSS) for academic achievement, positive behavior, and social/emotional growth (including enrichment) for all students.</p>	<p>The District will adopt protocols and conduct training for all staff, with the most intensive training for CST and special education case managers, on the development of high-quality IEPs.</p>	<p>Develop policies and procedures and create mechanisms for monitoring their implementation.</p>	
Professional Development & Support. (PCG)						
Support for Struggling Learners (PCG)	<ol style="list-style-type: none"> a. Establish a framework for the implementation of MTSS, including a written description and guidelines b. Create a user-friendly and accessible MTSS manual for school teams and for parents to understand the MTSS process. c. Create a district-level MTSS leadership team, including the District's central leadership staff, school principals, the Director of Special Education, d. Establish standards for district-wide and school-based instructional leadership teams regarding the use of problem-solving and data-based decision making at all tiers to match instructional (academic and behavior) resources for supporting academic advancement and positive behavior; and supplement teams as needed to support teachers. e. Establish standards for the use of MTSS for referring students for I&RS, referring students for special education evaluations f. Consider the financial implications of enabling schools to retain special education staff to provide interventions for all students if the need for these teachers is reduced because of lower incidence rates for students with IEPs. g. Develop an expedited two-to-three-year MTSS district-wide implementation plan. As part of this planning process, consider how each school will have access to sufficient evidence-based interventions to meet the needs of most students and access to additional interventions for students with additional needs. 					
High-Quality IEPs (PCG)	<p>The District will adopt protocols and conduct training for all staff, with the most intensive training for CST and special education case managers, on the development of high-quality IEPs. Focus on PLAAPF Statements, IEP Goals, Adaptive PE Goals, Assistive Technology, etc...</p>					
Accountability (PCG)	<ol style="list-style-type: none"> 1. Develop a comprehensive, web-based special education manual to support current and user-friendly access to procedures/practices relevant to the management/operation of special education. Develop a manual specific to parents and post on the District's website. 2. Conduct training for all staff on compliance timelines and document issuance of documents, such as meeting notices, translated documents, etc.; conduct ongoing, blended (online and in-person), job-embedded trainings for CST members and special education supervisors. 3. Develop and communicate clearly defined roles and responsibilities for staff with regards to initial evaluation, reevaluation, and IEP development. 					

Moving from “Noncompliance to Compliance” towards “Best Practices”

- From Compliance and Monitoring Officers **to Educational Leaders**
- Summary of Complaints and CAPs can be summed up into three actionable areas/levels:
 - **District**
 - **School**
 - **Department**
- Multiple SOPs (Standard Operating Procedures) to address CAPs in one of the three areas
- Again, an Interdepartmental dependency, coordination, and cooperation effort
- Multiple CAPs that address:
 - FAPE & LRE; Registration, Access, Placement, I&RS, NJTSS...
 - Goals & Objectives; Present Levels of Academic Achievement and Functional Performance (PLAAFPs); Progress Monitoring (Progress Reports)
 - Staffing, Substitutes, & Paraprofessionals
 - Timelines
 - Compensatory Services
 - Transportation
 - Programs and Services