



*Looking in the Rearview Mirror:
Seven Years of APR/SPP Data*

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CADRE National Webinar
December 2, 2011



Session Agenda

- Overview CADRE web-published products: Data Drill Tool and the Part B National Longitudinal Dispute Resolution Database
- Limitations of the data & common reporting issues
- Part C National Longitudinal Dispute Resolution Database
- Describe trends in dispute resolution events across states from 2003-04 to 2009-10
- Finer grained looks at state performance (“drill downs”)



Use the Data Drill Tool to...

- Error Check Table 7 data
- Compare your state's performance to national norms (2008-09 & 2009-10)
- Identify areas of potential improvement
- Add data you have to "drill down" beyond the table 7 data to understand your system

Using 2010-11 Dispute Resolution Data for AFD Improvement Planning

SECTION A: ENTER TABLE 7 SIGNATURE, unless complaints data HERE
 DATA ENTRY CELLS: SEE NOTES FOR COMPLETION INSTRUCTIONS

10	Total number of written reports received	00
11	Reports with findings or recommendations	00
12	Reports with findings within 90 days	00
13	Reports with extended findings/recommendations	00
14	Reports pending	00
15	Reports pending in the process hearing	00
16	Complaints withdrawn or dismissed	00
17	Complaints pending	00
18	Complaints pending in the process hearing	00
19	Complaints withdrawn or dismissed	00
20	Complaints pending	00
21	Complaints pending in the process hearing	00
22	Complaints withdrawn or dismissed	00
23	Complaints pending	00
24	Complaints pending in the process hearing	00
25	Complaints withdrawn or dismissed	00
26	Complaints pending	00
27	Complaints pending in the process hearing	00
28	Complaints withdrawn or dismissed	00
29	Complaints pending	00
30	Complaints pending in the process hearing	00
31	Complaints withdrawn or dismissed	00
32	Complaints pending	00
33	Complaints pending in the process hearing	00
34	Complaints withdrawn or dismissed	00
35	Complaints pending	00
36	Complaints pending in the process hearing	00
37	Complaints withdrawn or dismissed	00
38	Complaints pending	00
39	Complaints pending in the process hearing	00
40	Complaints withdrawn or dismissed	00
41	Complaints pending	00
42	Complaints pending in the process hearing	00
43	Complaints withdrawn or dismissed	00
44	Complaints pending	00
45	Complaints pending in the process hearing	00
46	Complaints withdrawn or dismissed	00
47	Complaints pending	00
48	Complaints pending in the process hearing	00
49	Complaints withdrawn or dismissed	00
50	Complaints pending	00
51	Complaints pending in the process hearing	00
52	Complaints withdrawn or dismissed	00
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54	Complaints pending in the process hearing	00
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78	Complaints pending in the process hearing	00
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81	Complaints pending in the process hearing	00
82	Complaints withdrawn or dismissed	00
83	Complaints pending	00
84	Complaints pending in the process hearing	00
85	Complaints withdrawn or dismissed	00
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87	Complaints pending in the process hearing	00
88	Complaints withdrawn or dismissed	00
89	Complaints pending	00
90	Complaints pending in the process hearing	00
91	Complaints withdrawn or dismissed	00
92	Complaints pending	00
93	Complaints pending in the process hearing	00
94	Complaints withdrawn or dismissed	00
95	Complaints pending	00
96	Complaints pending in the process hearing	00
97	Complaints withdrawn or dismissed	00
98	Complaints pending	00
99	Complaints pending in the process hearing	00
100	Complaints withdrawn or dismissed	00

Press the "Enter" key on your keyboard after each data entry, including the total data element.
 (1) To Complete withdrawal or dismissed.

Available at:

www.directionservice.org/cadre/datasubmission.cfm



National Longitudinal Dispute Resolution Database

- Initiated in 2002-03 (first APR year)
- Source Data (APRs and 618 Reports):
 - 2003-04 through 2005-06: Attachment 1 and Table 7 to State APRs (Feb 1)
 - 2006-07 through 2009-10: Table 7/Section 618 November 1 reports to The DAC (Westat)
- Database products published annually:
 - Annual and multi-year state summaries
 - Annual national summaries
- Analyses/reports: at state request, presentations, for inclusion in annual APR summaries, other



Data Elements

WRITTEN, SIGNED COMPLAINTS

Total number of written, signed complaints filed
 Complaints with reports issued
 Complaint Reports with findings of noncompliance
 Complaint Reports within timeline
 Complaint Reports within extended timelines
 Complaints pending
 Complaints pending a due process hearing
 Complaints withdrawn or dismissed

MEDIATIONS

Total number of mediation requests received
 Mediations held
 Mediations held related to DP complaints
 Mediation agreements related to DP complaints
 Mediations held not related to DP complaints
 Mediation agreements not related to DP complaints
 Mediations pending
 Mediations withdrawn or not held

DUE PROCESS COMPLAINTS

Total number of due process complaints filed
 Resolution meetings held
 Written settlement agreements reached through resolution meetings
 Hearings fully adjudicated
 Decisions within timeline (include expedited)
 Decisions within extended timeline
 Due process complaints pending
 Due process complaints withdrawn or dismissed (including resolved without a hearing)

EXPEDITED DUE PROCESS COMPLAINTS

Total number of expedited DP complaints filed*
 Resolution meetings held*
 Written settlement agreements*
 Expedited hearings fully adjudicated*
 Change of placement ordered
 Expedited DP complaints pending*
 Expedited DP complaints withdrawn or dismissed*

* These are subsets of DP Complaint elements

National Five Year Summaries

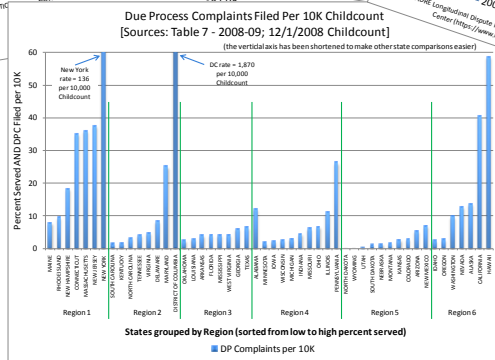
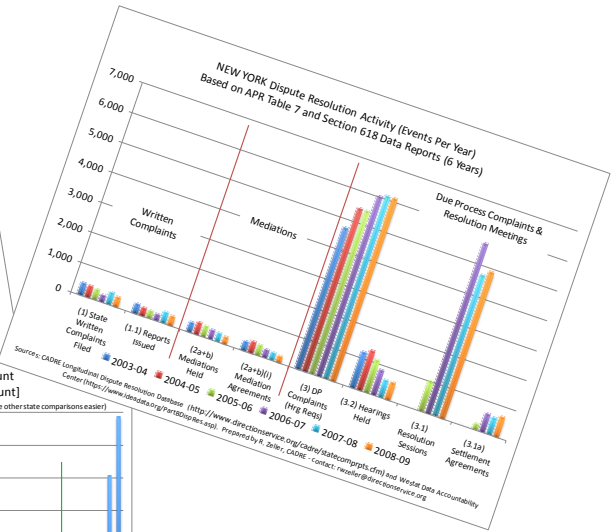
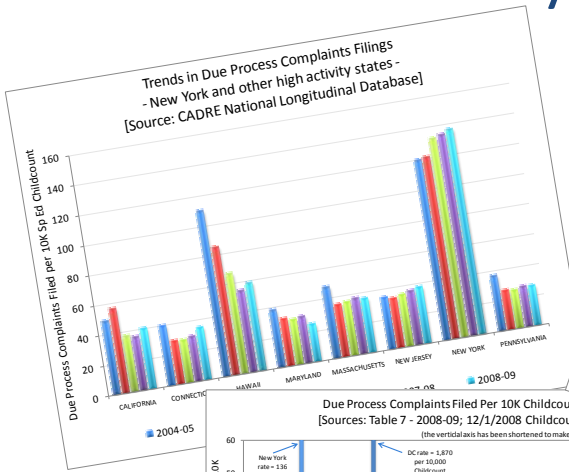
Summary of National Dispute Resolution Data - State Numbers Reported In Annual Performance Report

From APR, Table 7, Section A: Written, Signed State Complaints

Prepared by Center for Appropriate Dispute Resolution in Special Education - Updated 13 December 2010

Year	Data from Table 7 Annual Performance Reports or Section 618 Reports								
2004-05	Child Count (3to21)	(1) Written Complaints Filed	(1.1) Complaint Reports Issued	(1.1)(a) Reports with Findings	(1.1)(b) Reports Within 60 Days	(1.1)(c) Reports Within Extension	(1.2) Withdrawn or Dismissed	(1.3) Complaints Pending	(1.3)(a) Complaints Pending Hearing
ALABAMA	93,402	22	18	10	16	2	4	0	0
ALASKA	18,134	7	5	1	4	0	2	0	0
AMERICAN SAMOA	1,238	2	2	0	2	0	0	0	0
ARIZONA	119,841	128	117	25	66	19	10	1	0
ARKANSAS	68,088	35	28	25	28	0	7	0	0
BUR. OF INDIAN EDUCATION	7,795	12	11	11	11	0	1	0	0
CALIFORNIA	675,417	1,248	958	638	475	24	260	30	0
COLORADO	83,249	20	8	7	6	2	10	2	1
CONNECTICUT	73,028	101	76	56	63	13	25	0	0
DELAWARE	18,698	11	10	4	9	1	0	1	0
DISTRICT OF COLUMBIA	12,845	23	20	14	17	3	3	0	0
FLORIDA	400,001	83	26	19	16	9	53	4	4
GEORGIA	195,928	29	26	12	19	7	3	0	0
GUAM	2,485	7	6	6	6	0	1	0	0
HAWAII	22,679	10	9	9	9	0	1	0	0
IDAHO	28,880	30	30	18	27	3	0	0	0
ILLINOIS	322,982	115	76	53	57	15	39	0	0
INDIANA	175,205	116	104	79	93	11	10	2	0
IOWA	73,637	6	2	0	2	0	4	0	0

Custom Analyses on Request



To request custom summaries or analyses, contact: rwzeller@directionservice.org



Limitations of the data & common reporting issues

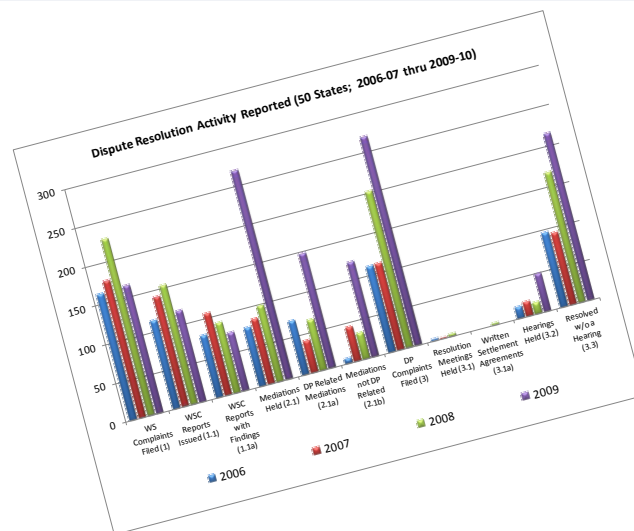
- Definitions of some data elements have evolved toward greater clarity
- Some data elements have been added and others removed from the table; some are now or have been in the past calculated based on other values
- Data errors (Zeller's votes for least trusted values):
 - Mediation requests (in some states, requests = mediations held; this may be a tracking problem – in some states there may not be a uniform way to track whether a mediation has been “requested”)
 - Complaint reports with *findings of non-compliance* (some states mistakenly count any report with “findings of law”)
 - Resolution meetings held (there is confusion in some states about the 15 day timeline requirement v. holding a resolution meeting)*
 - Written settlement agreements (there is some confusion about when an agreement can be counted)*
- National summaries/trends benefit from the “Law of Big Numbers” and as of the 2009-10 data, seven data points for most data elements

* More on resolution meetings: OSEP is working on the release of a resolution meeting Q&A. Stay tuned. We will let folks know when it comes out.



National Trends – 7 Year Retrospective

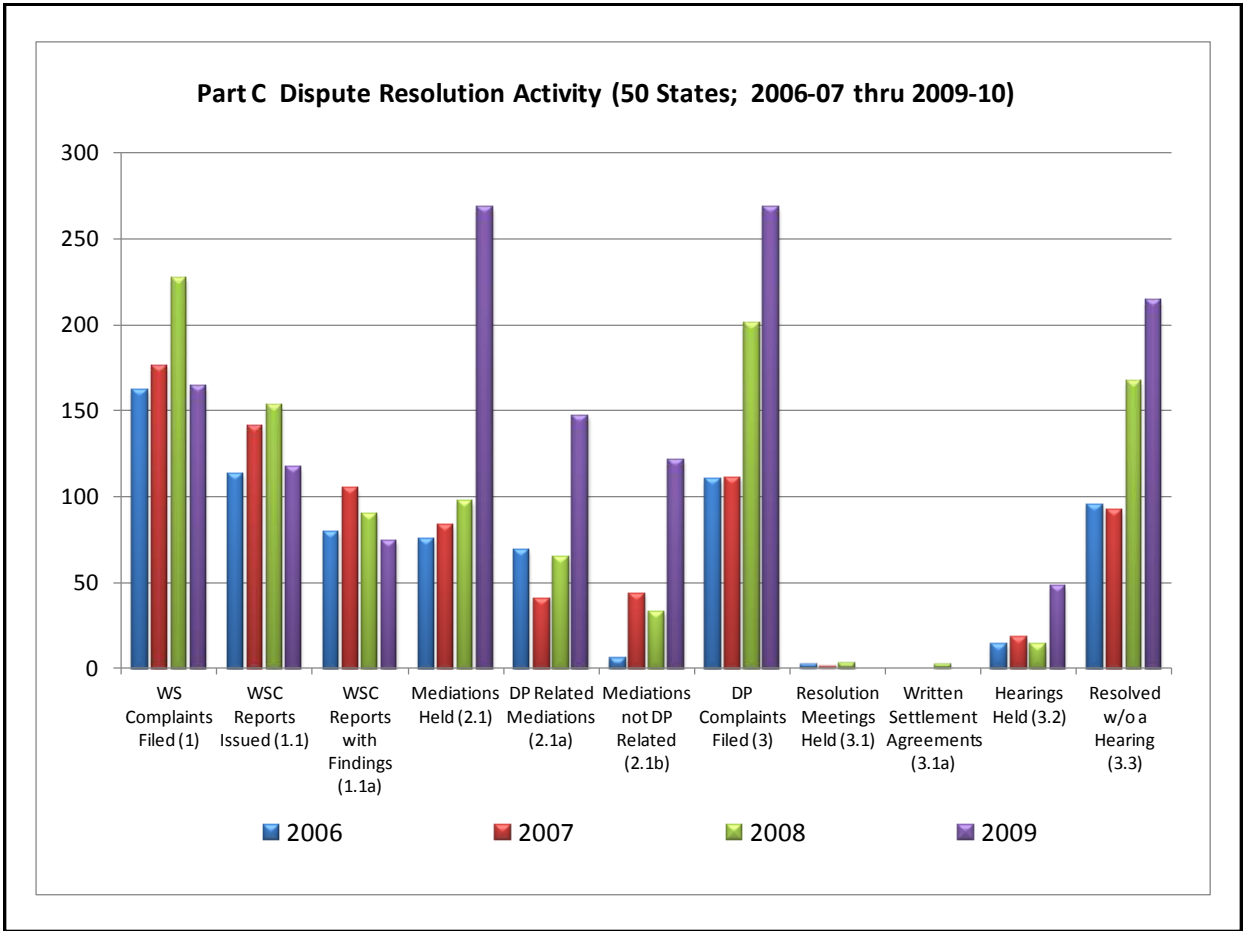
- Displays of selected data elements we feel reflect changes that are occurring
- For most “national” pictures we use total of numbers reported in *the 50 states*
- Some comparisons use “event rate per 10K”
- Analysis of changes across and among states:
 - Slope and R^2 to examine trends
 - Number of states meeting a condition (e.g., compliance)
- What CADRE doesn’t know that you might know

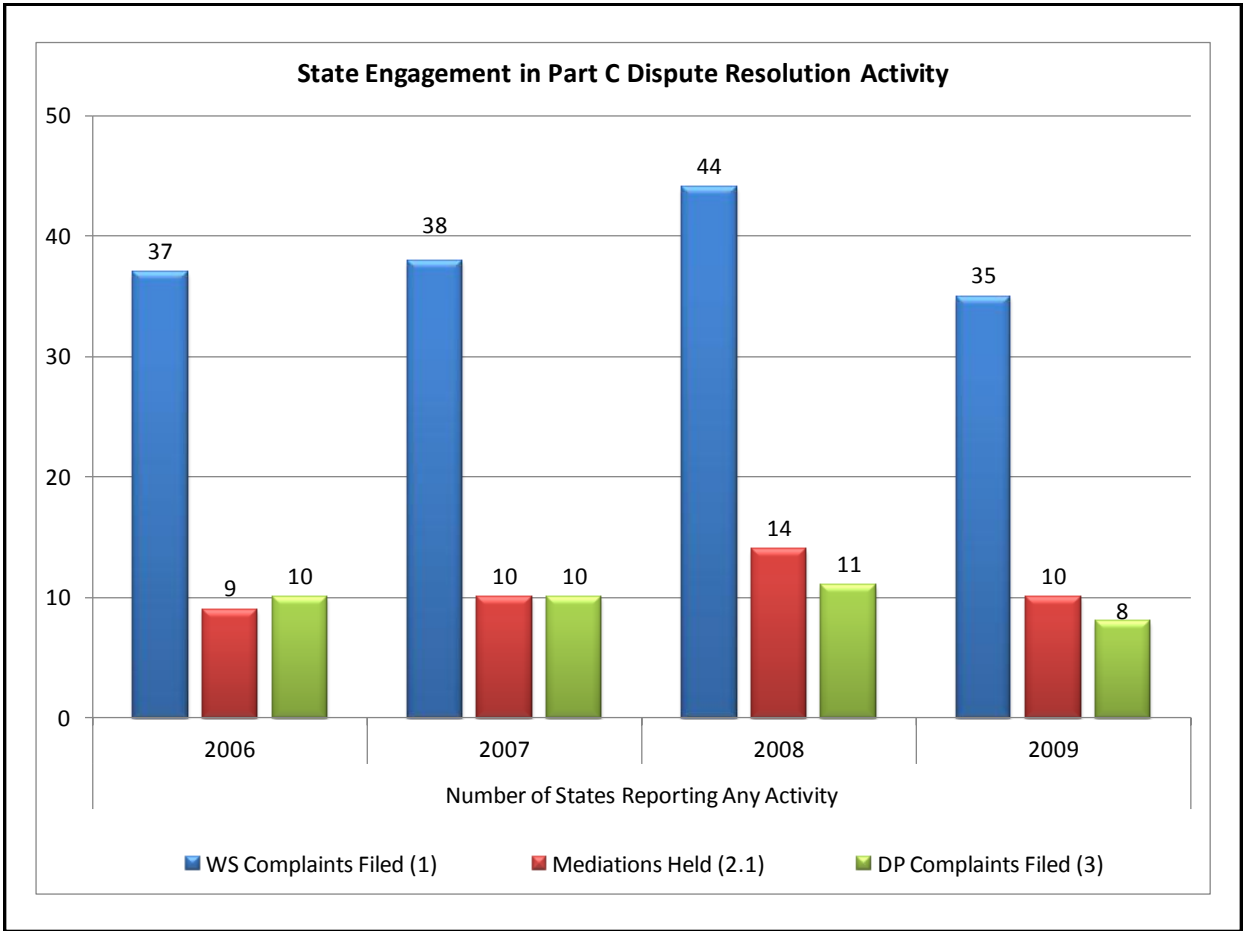


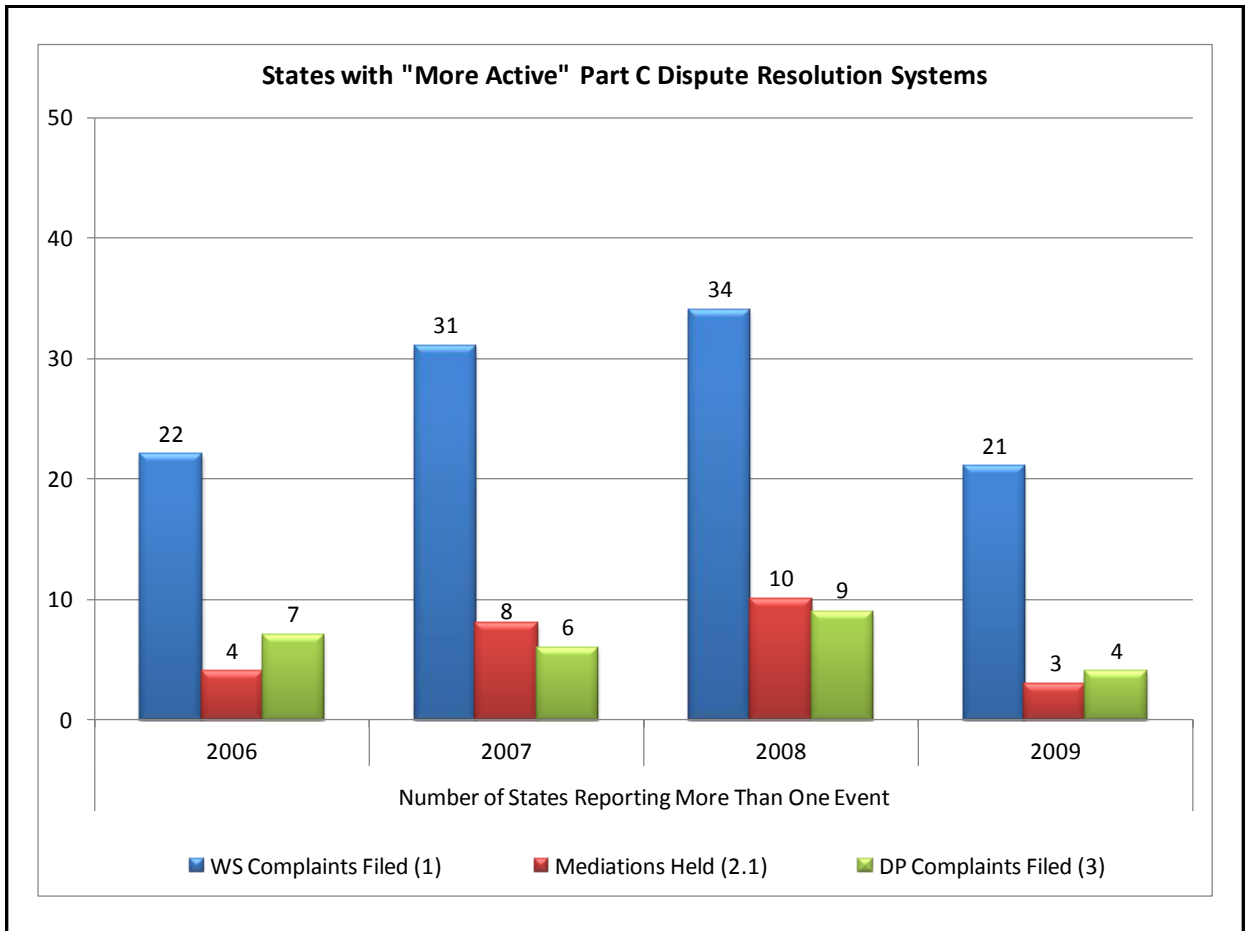
A Quick Look At Four Years

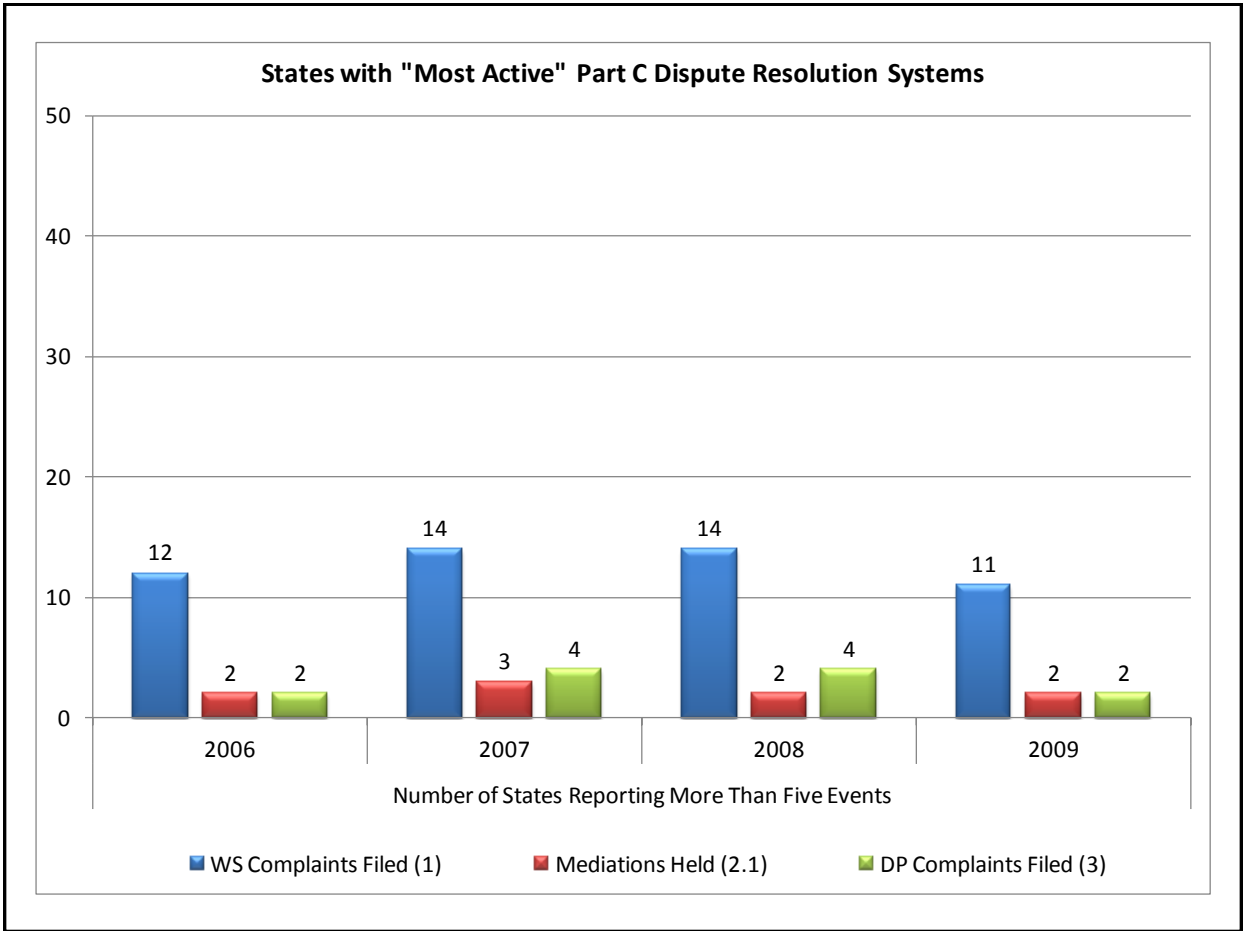
Part C

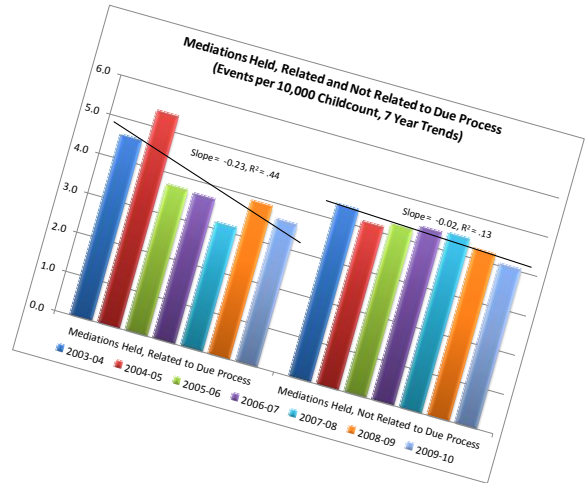
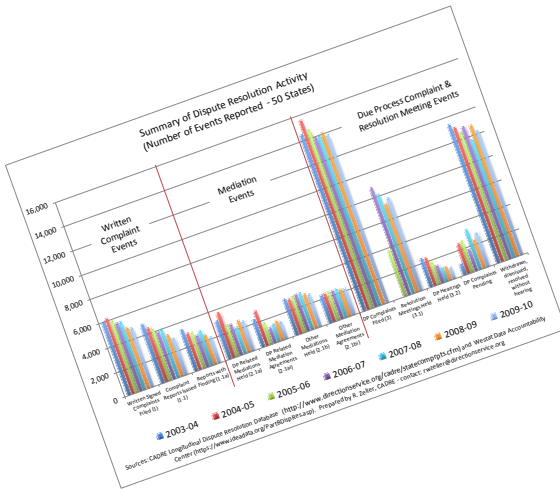
Dispute Resolution Activity





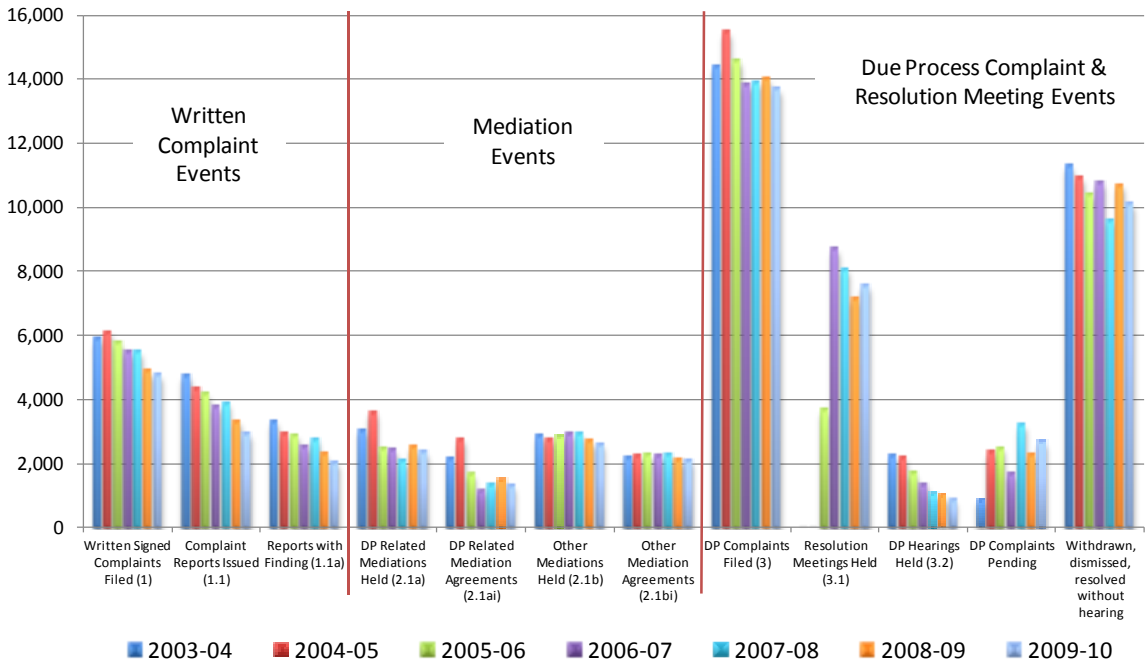






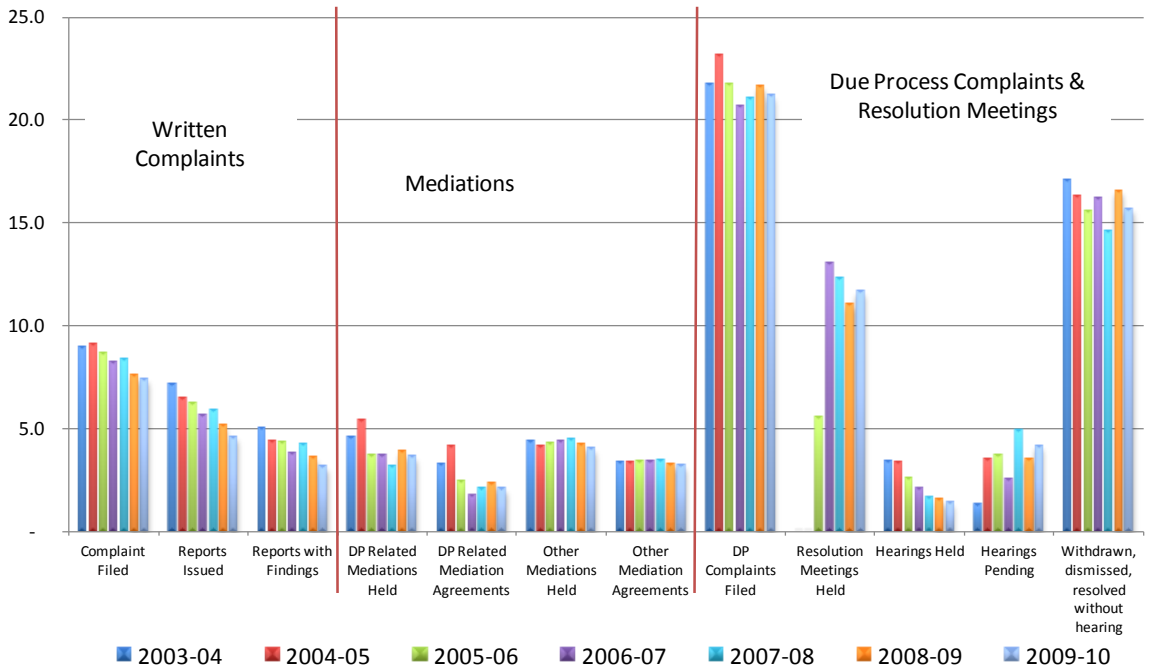
Seven Years of Part B Dispute Resolution Activity

Summary of Dispute Resolution Activity (Number of Events Reported - 50 States)



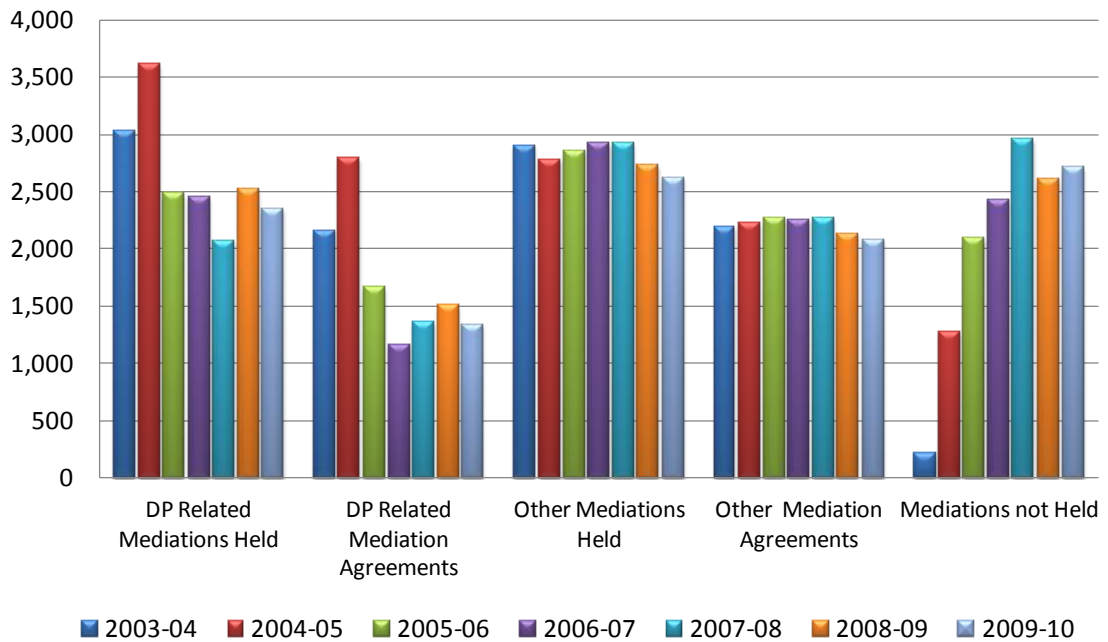
Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprts.cfm>) and Westat Data Accountability Center (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

Summary of Dispute Resolution Activity
(Rates per 10,000 Special Education Childcount - 50 States)

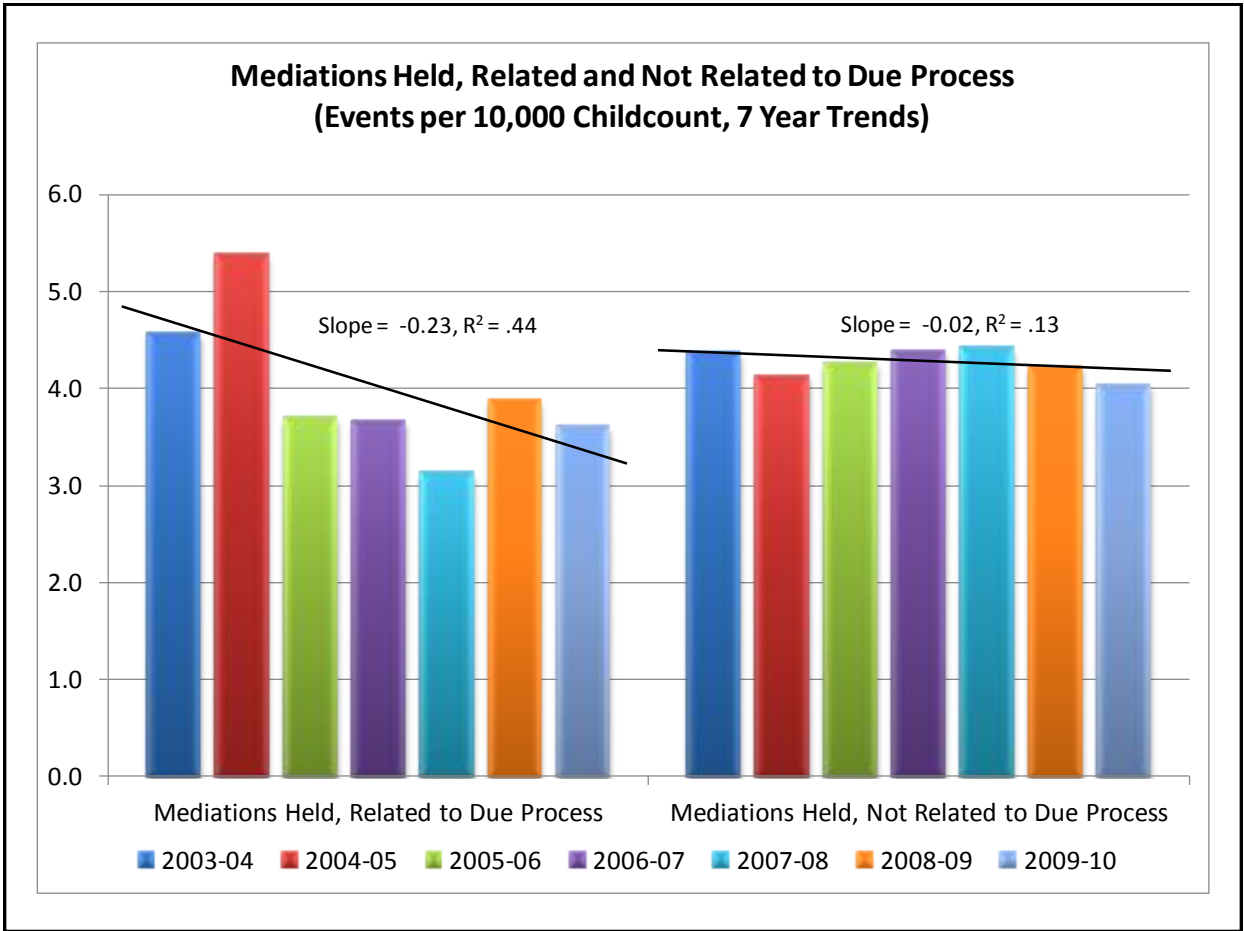


Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and Westat Data Accountability Center (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

Mediation Activity (Events Reported - 50 States Total)



Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org





Mediation - Trends in States Use

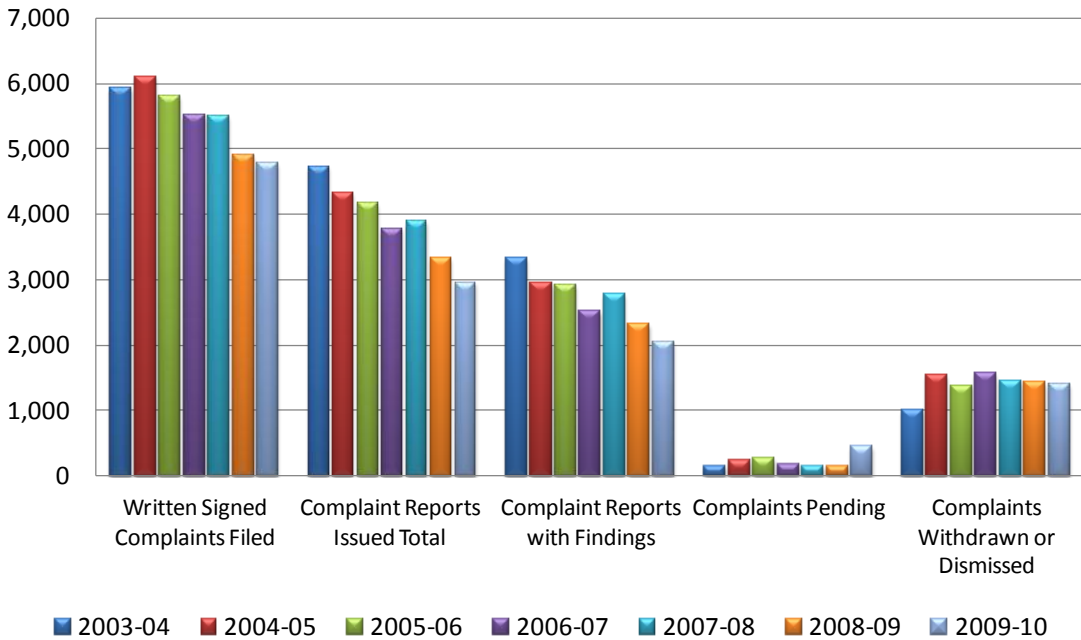
	# States
All Mediations - Pos. Slope ($>.2$)	20
All Mediations - Neg. Slope ($<-.2$)	32
DP-Related Mediations - Pos. Slope ($>.2$)	4
DP-Related Mediations - Neg. Slope ($<-.2$)	20
Not DP-Related Mediations - Pos. Slope ($>.2$)	20
Not DP-Related Mediations - Neg. Slope ($<-.2$)	32



Trends Differ for Type of Mediation Activity in States

- A significant group of states have moved away from mediation to resolve conflicts, especially mediation related to due process complaints
- 36 states held ≥ 10 “**Not** DP-related” mediations in 2009-10:
 - 17 had positive slopes (more mediation use)
 - 19 had negative slopes (less mediation use)
- 21 states that ≥ 10 “DP-related” mediations in 2009-10:
 - 5 had positive slopes (more mediation use)
 - 16 had negative slopes (less mediation use)

Written, Signed State Complaints Activity (Events Reported - 50 States Total)



Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

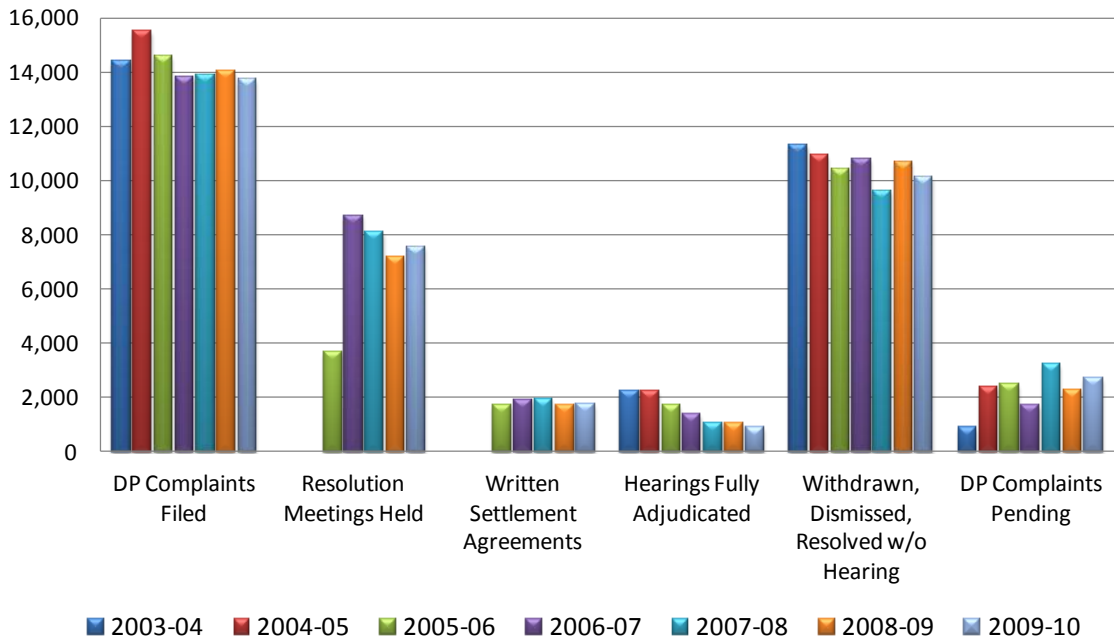


Written State Complaints

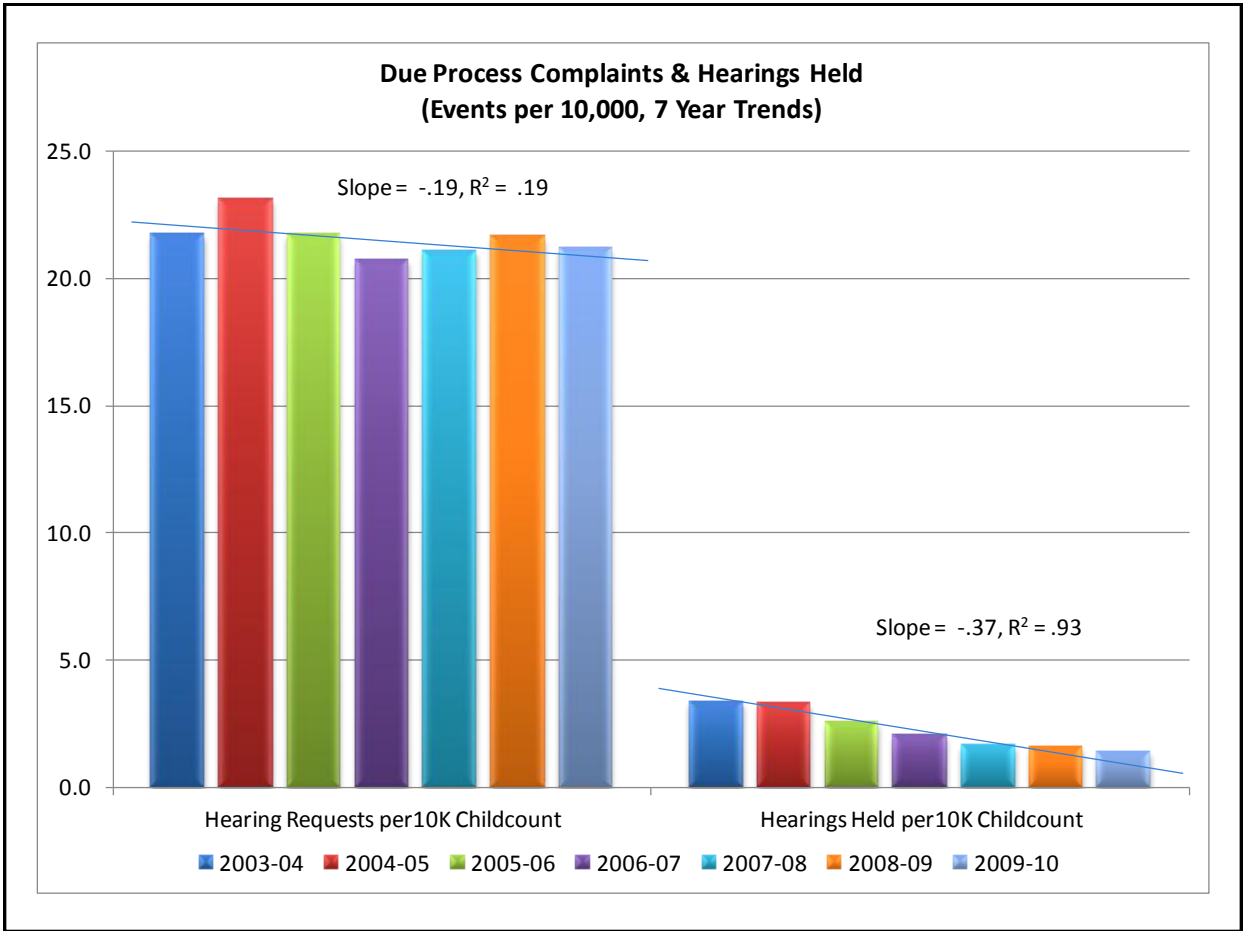
Trends in States	Slope Value	# of States
Positive Slope (Increasing use)	>0	19
Negative Slope (Decreasing use)	<0	38
Meaningful Positive Slope	>+.2	14
Minimal/No Effective Change	>-.2 & <+.2	14
Meaningful Negative Slope	<-.2	29

Decreasing slopes in 19 of 28 states where $R^2 > .25$

Due Process Complaint Activity (Events Reported - 50 States)



Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

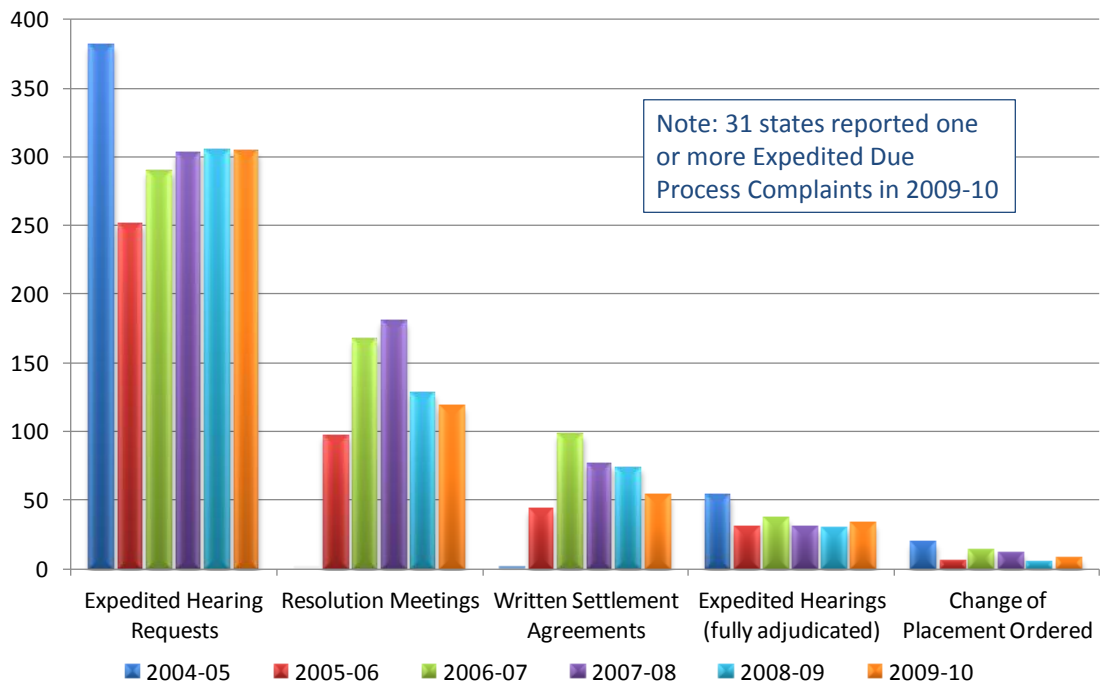




Due Process Complaints

Trends in States	Slope Value	# of States
Positive Slope (Increasing use)	>0	12
Negative Slope (Decreasing use)	<0	45
Meaningful Positive Slope	$>+.20$	10
Minimal/No Effective Change	$>-.20 \text{ \& } <+.20$	7
Meaningful Negative Slope	$<-.20$	40

Expedited Due Process Complaint Activity Events Reported (50 States)



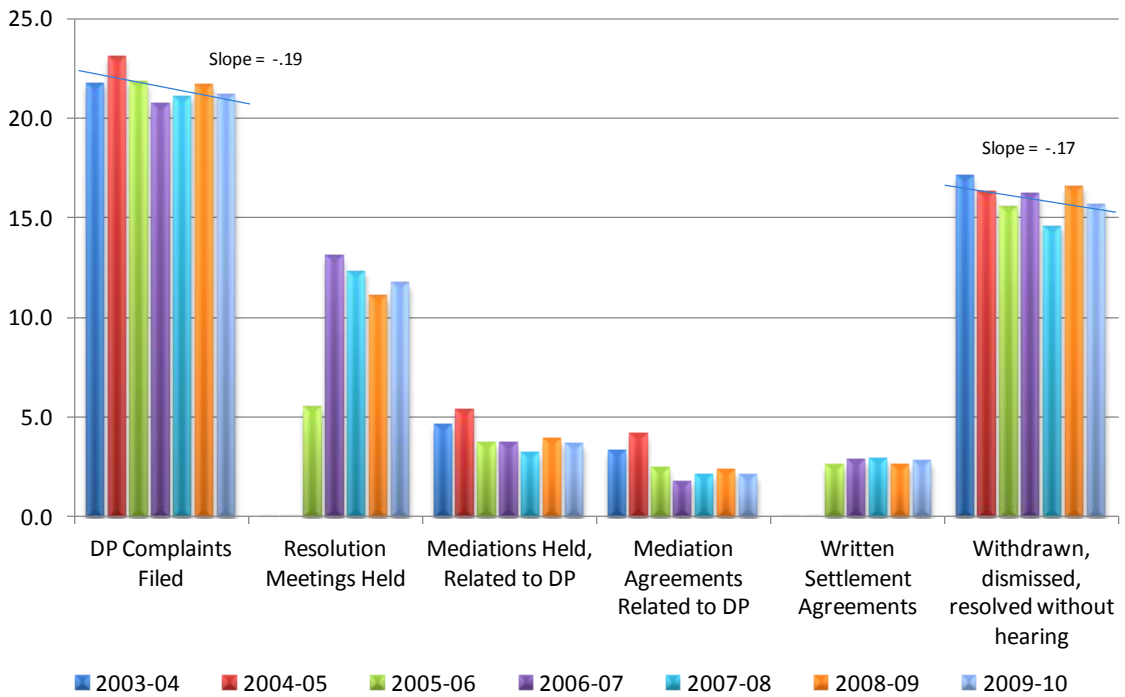
Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org



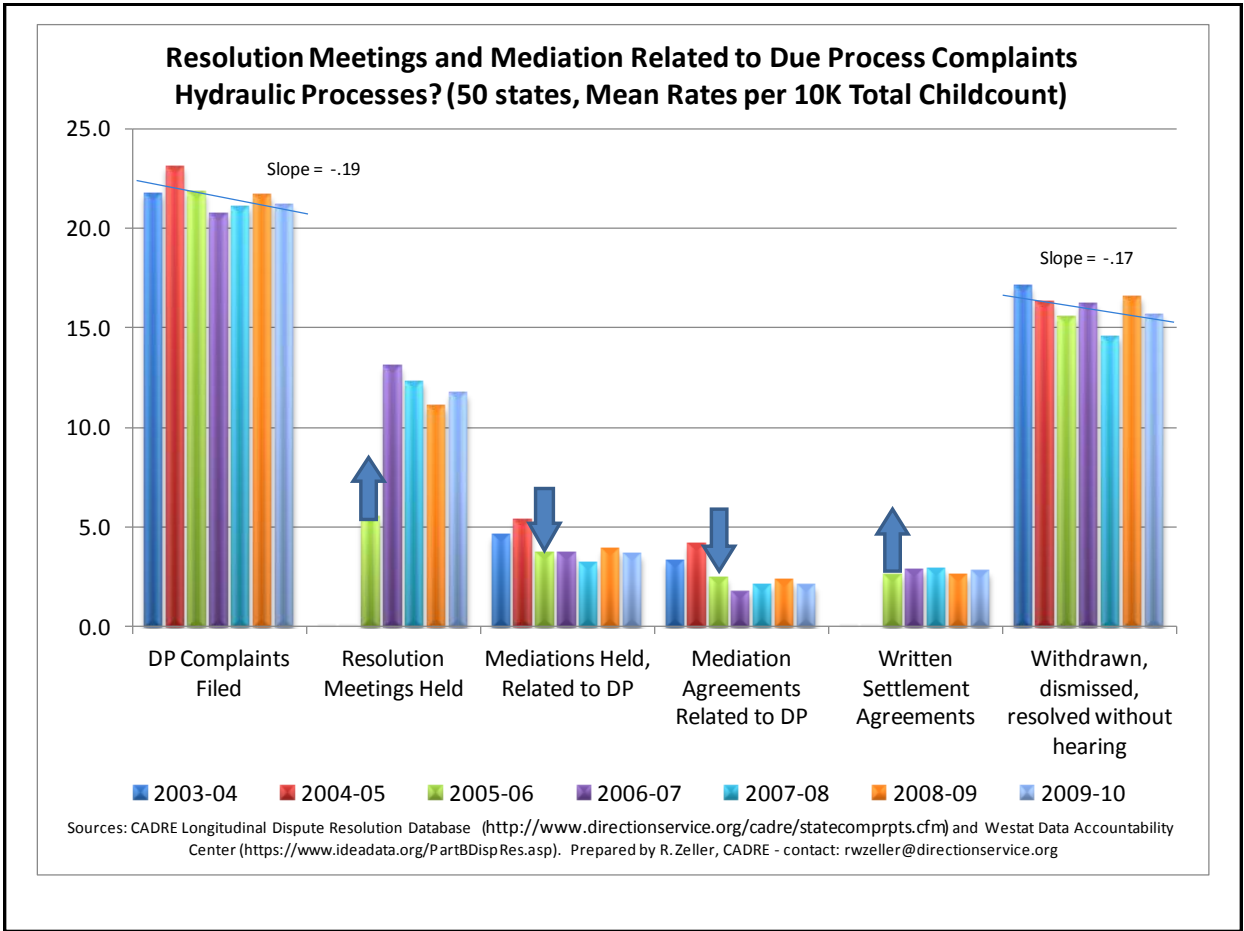
National Trends – Big Findings

- Use of formal dispute resolution procedures (written, signed complaints; mediation under IDEA; due process complaints/hearings) has generally decreased over the past 7 years
- More states follow the national trends than not (that is, the trends are not simply the impact a few large states)
- Mediation is a mixed picture – generally less activity, but states with more mediation activity (especially not-DP related) are increasing use more than states with less mediation activity

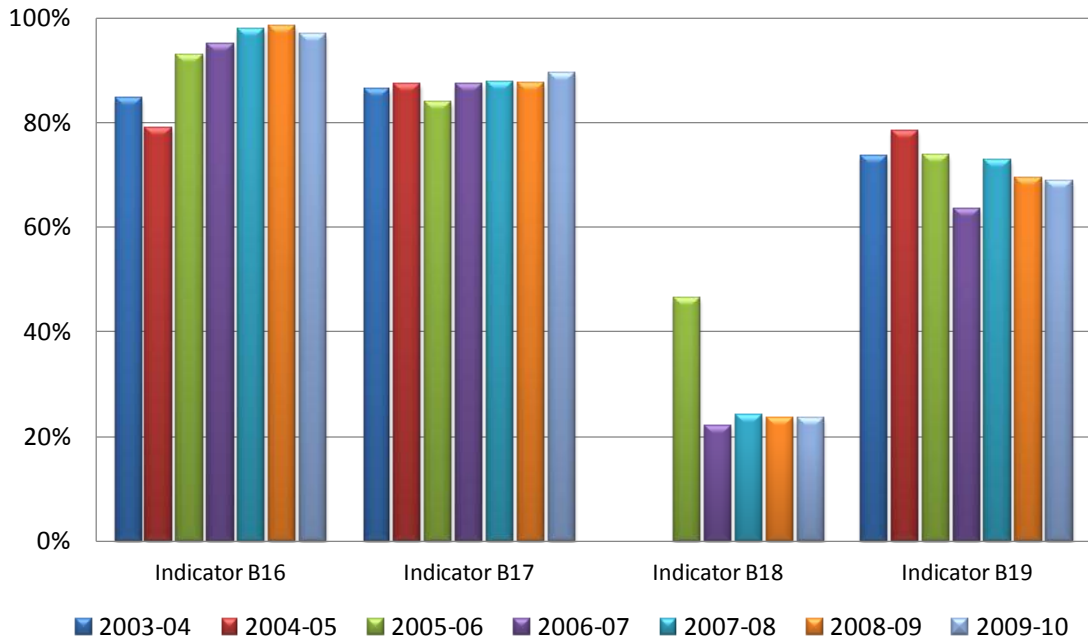
Resolution Meetings and Mediation Related to Due Process Complaints Hydraulic Processes? (50 states, Mean Rates per 10K Total Childcount)



Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and Westat Data Accountability Center (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

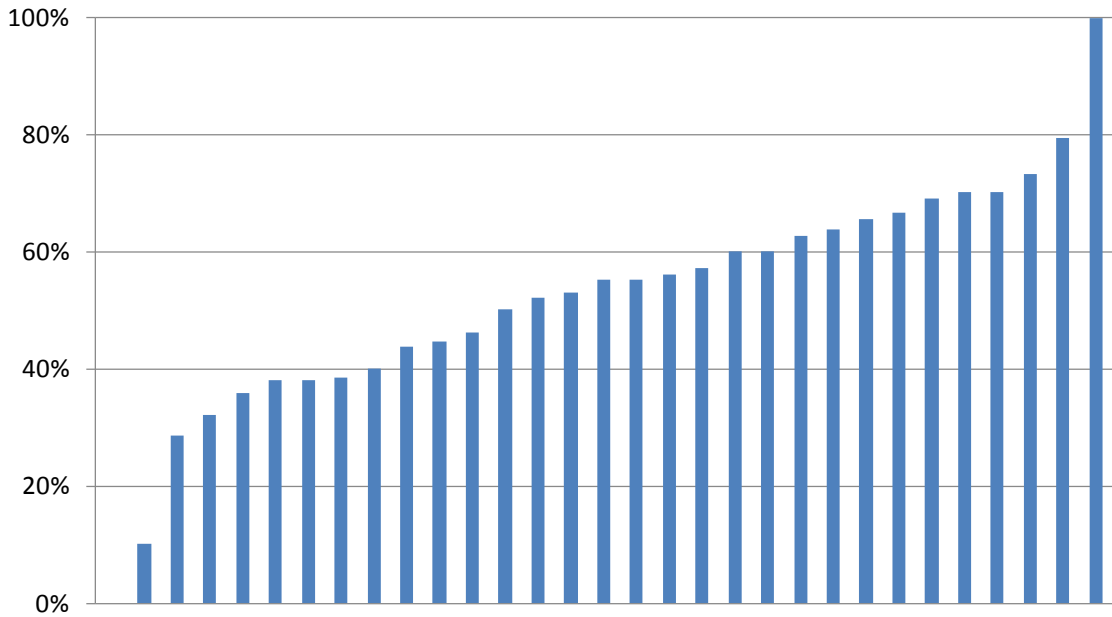


Indicator Trends Part B - 50 State "National" Values



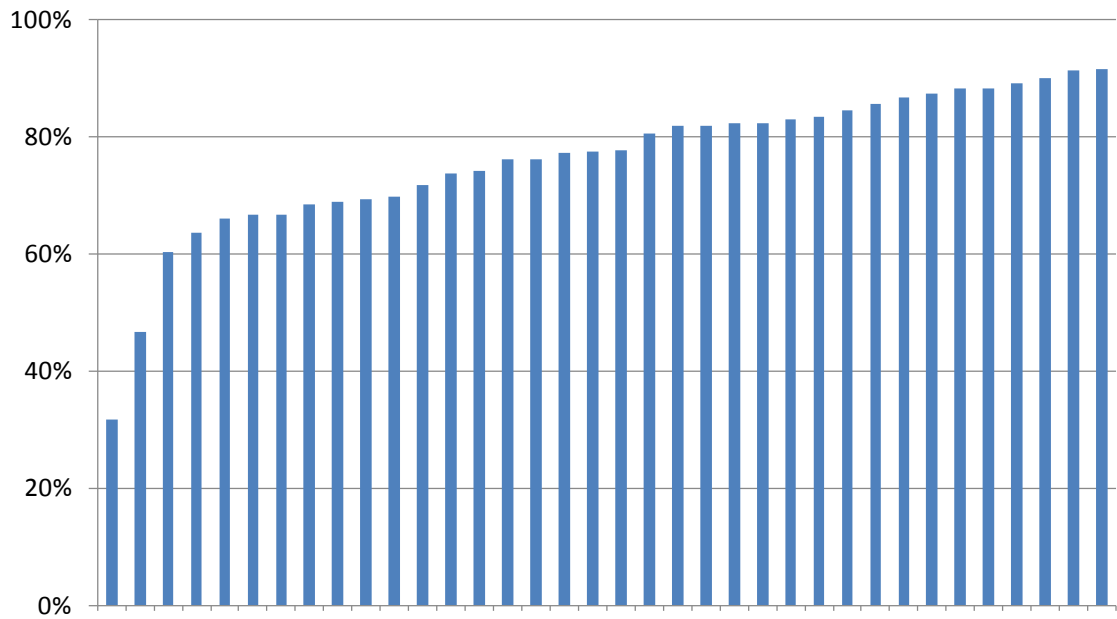
Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

**Written Settlement Agreement Rates (Indicator B18) Reported By States
With 10 or More Resoultion Meetings Held (2009-10, n = 31)**



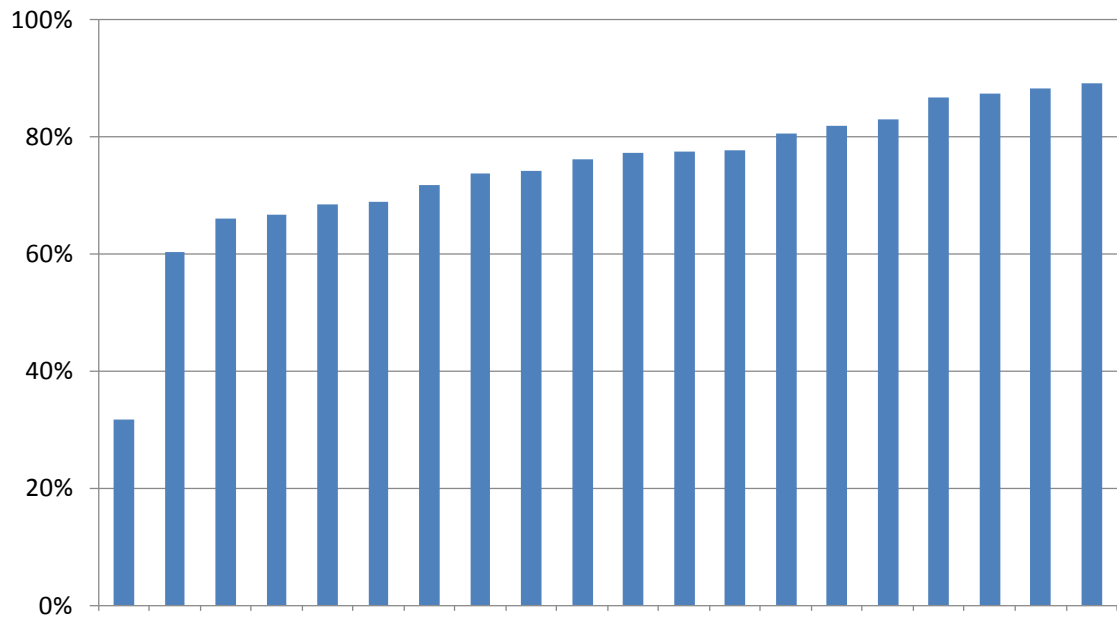
States are having widely differing experiences with the implementation of the Resolution Meeting process and reaching "Written Settlement Agreements."

Mediation Agreement Rates (Indicator B19) Reported By States With 10 or More Mediations Held (2009-10, n = 36)



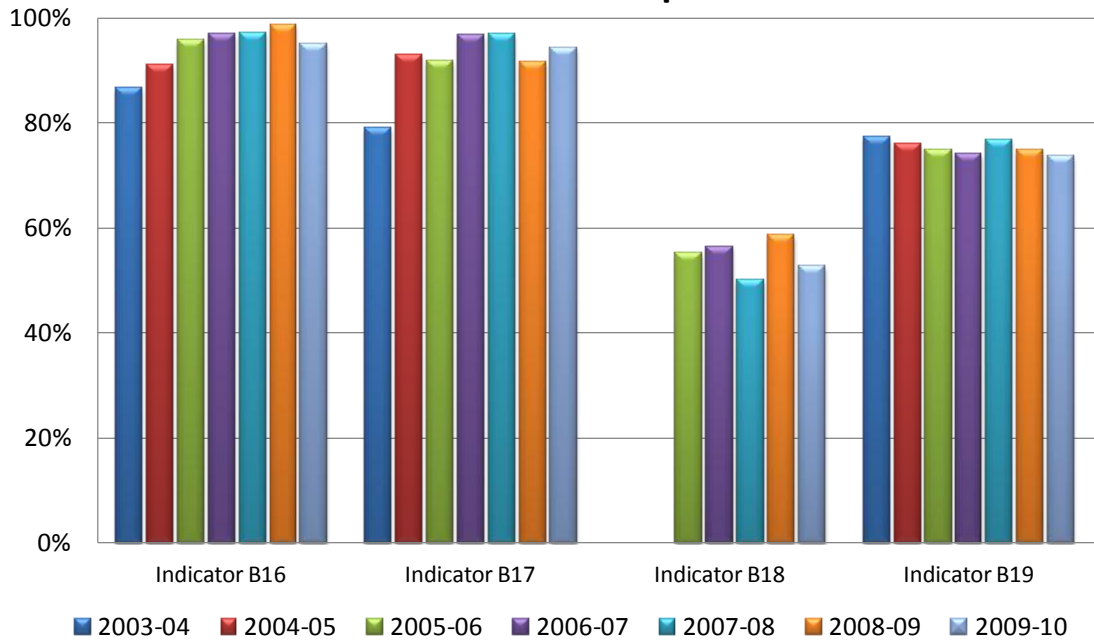
While there is a range in performance, States holding ten or more mediations generally have mediation agreement rates between 60% and 90%.

**Mediation Agreement Rates (Indicator B19) Reported By States With
10 or More Due Process Related Mediations Held (2009-10, n = 20)**



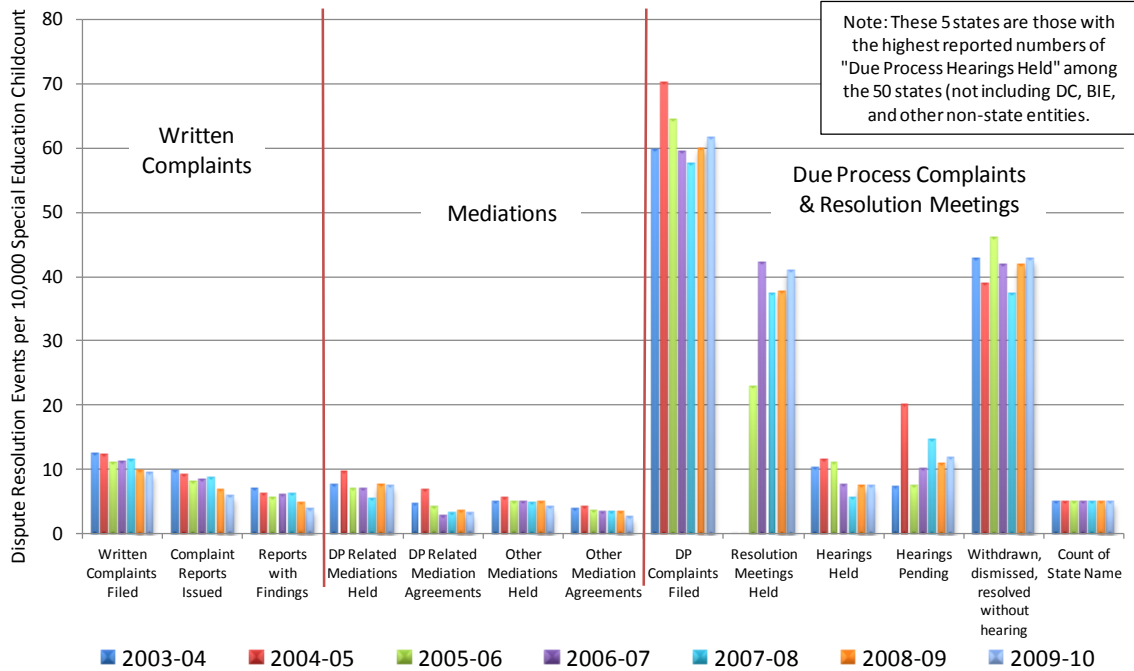
While fewer states hold ten or more *due process related mediations*, the range in performance (agreement rate) is still between 60% and 90%.

Indicator Trends Part B - Mean of State Reported Values



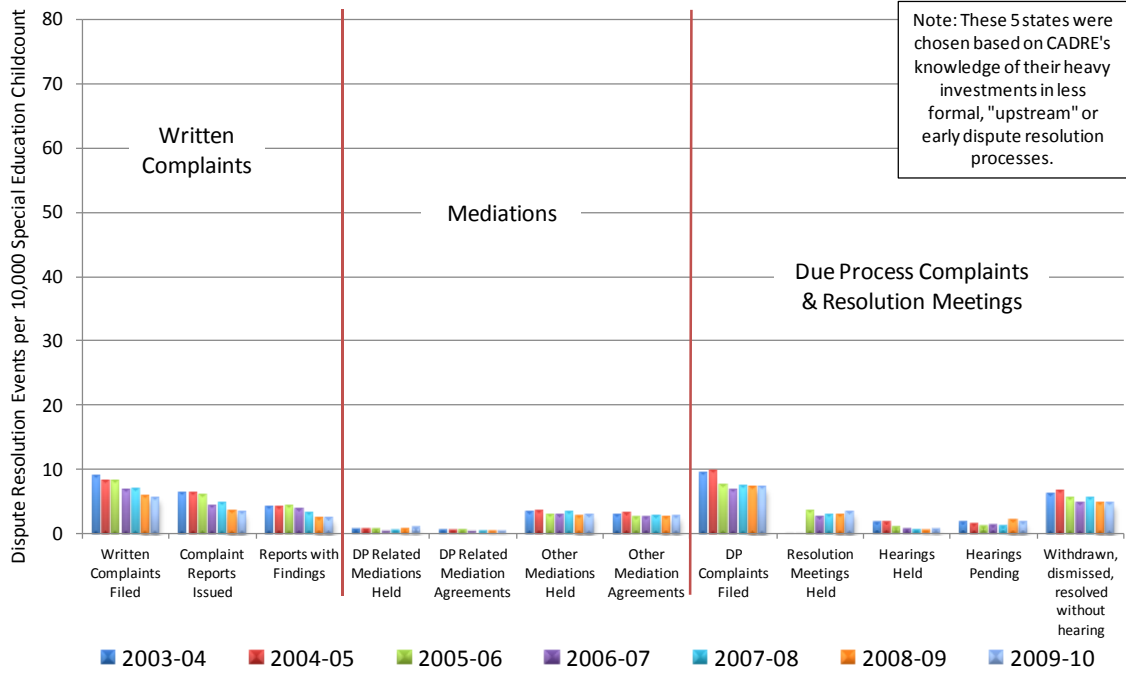
Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and the Data Accountability Center state level cvs files (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

Means of State Reported Dispute Resolution Events In 5 States with Highest Numbers of Due Process Hearings



Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and Westat Data Accountability Center (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

Means of State Reported Dispute Resolution Events In 5 States with the Most Upstream Activity



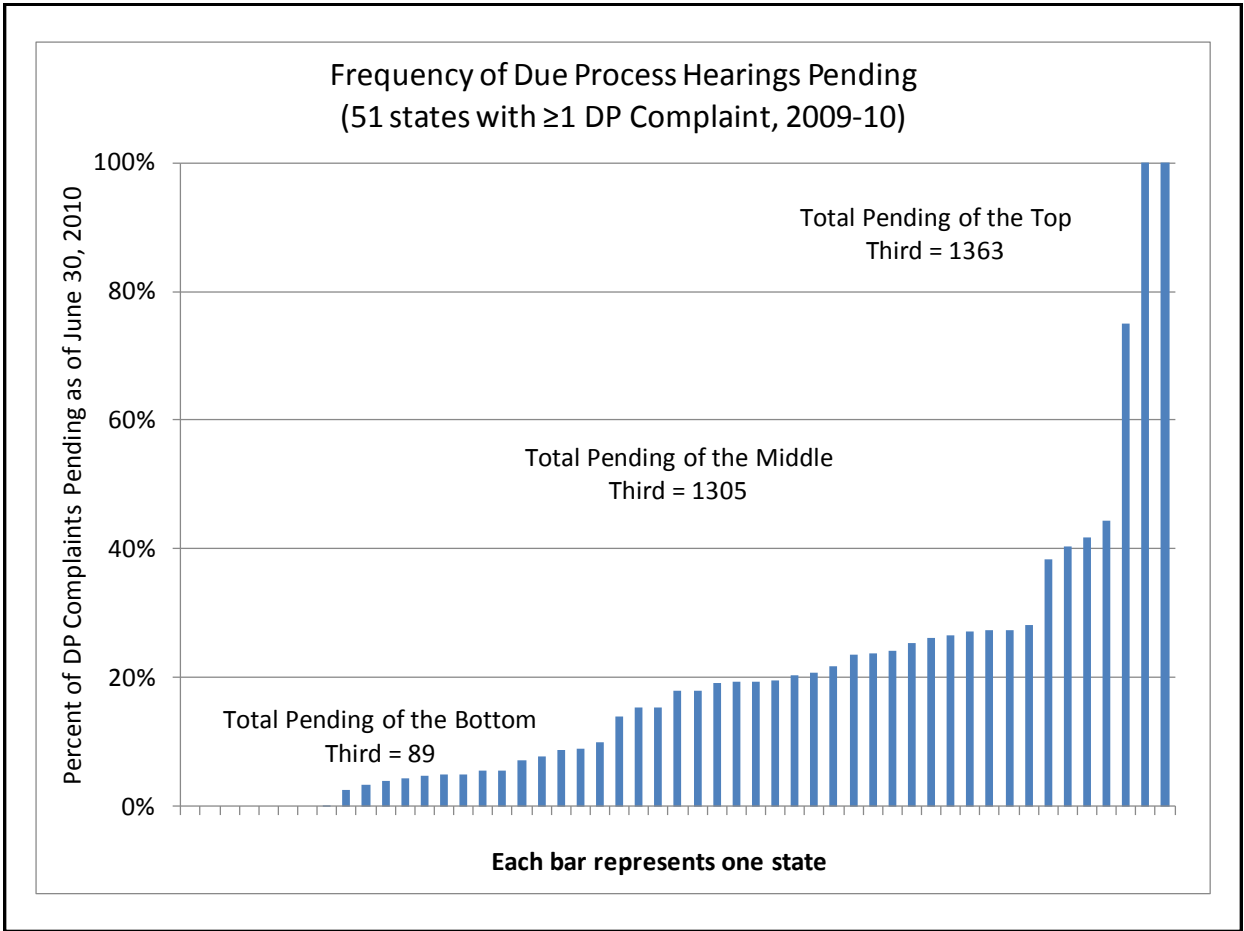
Sources: CADRE Longitudinal Dispute Resolution Database (<http://www.directionservice.org/cadre/statecomprpts.cfm>) and Westat Data Accountability Center (<https://www.ideadata.org/PartBDispRes.asp>). Prepared by R. Zeller, CADRE - contact: rwzeller@directionservice.org

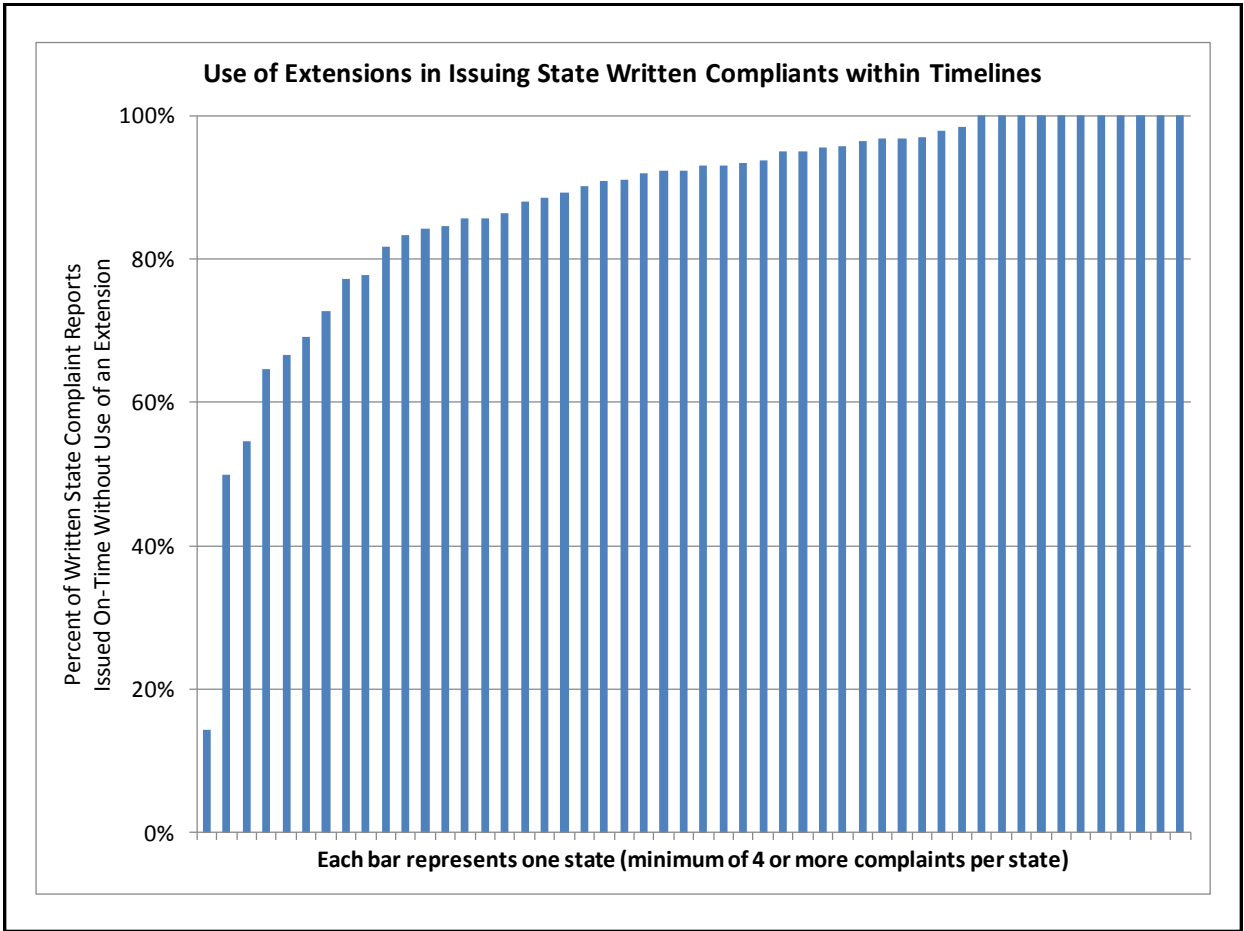


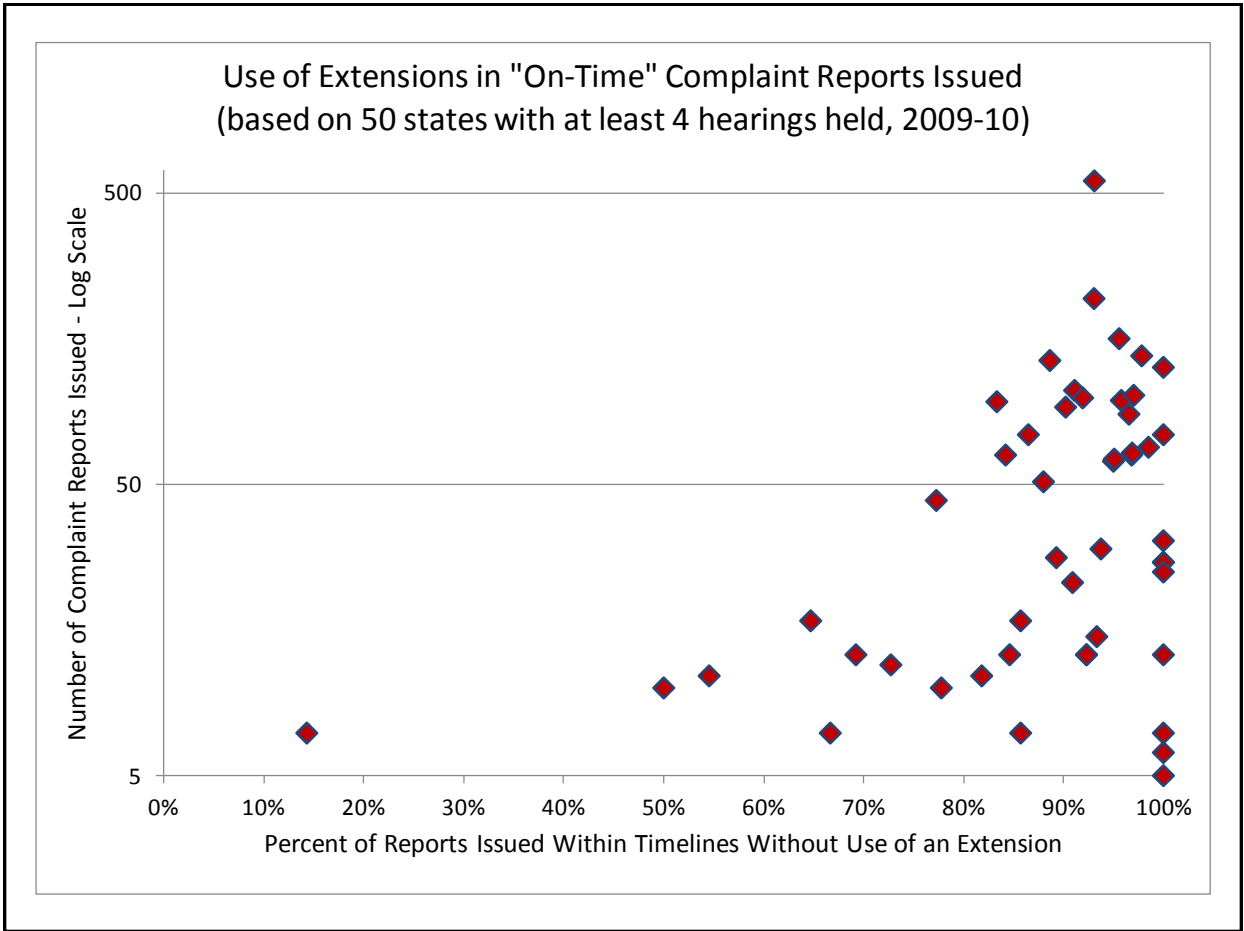
Drill Downs – How can states use what lies below the Indicators to improve performance?

- Use of extensions in hearing decisions issued “on time”
- **Percent of DP hearings pending**
- **Use of extensions in issuing “on-time” state written complaint reports**

...as comparative performance measures









Why does the Performance of Part B Dispute Resolution Systems Vary?

- State/local culture with respect to contention
- State level DR system organization & leadership
- SEA oversight (staffing, tracking, support)
- Accessibility of informal, early DR options
- LEA/school/staff capacity to respond to parent concerns – RELATIONSHIPS & COMMUNICATION
- Personnel development (LEA staff, complaint investigators, hearing officers, mediators, others)
- Quality of educational programs
- Accessibility of advocacy and legal representation
- PTI/SEA relationships



Discussion
Comments
Q & A
Evaluation of this Session