



CADRE'S WRITTEN STATE COMPLAINT INTENSIVE TA WORKGROUP 1

SEPTEMBER 2019 - JUNE 2022

BUILDING STATES' CAPACITY TO IMPROVE WSC SYSTEMS

FORMATION OF THE WORKGROUP

In 2019, CADRE consulted with its national advisory board and conducted a State Education Agency (SEA) needs assessment with the National Association of State Directors of Special Education to determine where limited resources might best be invested toward dispute resolution system improvement. SEA responses were reviewed, along with listserv queries, TA requests, and the U.S. Department of Education Office of Special Education Program's interests. From this information, CADRE determined that an Intensive TA Workgroup focused on improving the administration of written State complaints was warranted.

In the spring of 2019, CADRE announced to SEAs the opportunity to participate in the Intensive TA Workgroup. Interest in participation was overwhelming, with 22 states submitting applications. CADRE reviewed each application and spoke with each State's Director of Special Education to confirm understanding and commitment, and ultimately determined the makeup of the workgroup. Due to the extraordinary level of interest and need expressed, CADRE opted to provide Intensive TA through two Written State Complaint (WSC) Workgroups.

EARLY IN THE JOURNEY

The kick-off call was held in September 2019 to introduce members of the first workgroup to each other and provide an overview of workgroup activities and expectations. Each state conducted a self-assessment of their written State complaint system, utilizing both [OSEP's Part B Dispute Resolution Self-assessment](#) and [CADRE's Written State Complaint Self-assessment](#). In December 2019, CADRE held a two-day face-to-face meeting in Eugene, OR to begin the process of establishing a community of learning. The two-day meeting consisted of peer-to-peer discussions, information sharing, and presentations from CADRE staff and Senior Consultants, Art Cernosia and Dr. Timothy Hedeem. Topics included: stakeholder engagement; professional development; timelines and efficiency; evaluation; compliance with federal regulations; and complaint process considerations. States reflected on their self-assessment and began to identify their priority areas of focus.

WORKGROUP 1 PARTICIPATING STATES

State	Priority Areas of Focus
Connecticut	Procedural Manuals, Timeliness
Delaware	Stakeholder Group Development, Corrective Action, Data Trends Analysis
North Carolina	Procedures, Model Form
Rhode Island	Accessibility of Tools/Resources, Streamlining WSC Process, Internal Protocol Document
Vermont	Stakeholder Engagement, Accessible/User-friendly Materials, Public Awareness/Outreach
Virginia	Written Policies and Procedures, Utilizing Data
Washington	Case Management/Data System & Process/Procedures, PD, TA to LEAs, Cultural & Linguistic Competency
West Virginia	Leadership (Internal Information Sharing), Stakeholder Engagement
Wisconsin	Internal Procedures and Messaging

IMPACT OF COVID 19 PANDEMIC

States reported a delayed start on their system improvement efforts due to the immediate and urgent need to provide COVID 19 guidance while trying to adjust to remote work. A few States experienced the additional challenge of receiving a significant increase in state complaint requests. During quarterly calls early in the pandemic, significant time was allocated to peer-to-peer problem solving around COVID 19. Topics included: State guidance to LEAs, consistent messaging to stakeholders, changes to policies and procedures due to the pandemic, and monitoring compliance during school closures.

Summary of States' Implementation Progress

ATTENDING TO THE FIVE FUNCTION MANAGEMENT AREAS

Following are selected highlights of implementation progress from the Written State Complaint Intensive TA Workgroup. The highlights are organized around the major areas of an effective written State complaint system.

SYSTEMWIDE OVERSIGHT, INFRASTRUCTURE & ORGANIZATION

Successful State complaint systems have strong oversight, infrastructure, and organizational mechanisms in place. Leadership is committed to continuous system improvement and allocates sufficient resources to implement and monitor State complaint activities. Stakeholder engagement, operational data systems, cultural and linguistic competency, along with policies and procedures that align with State and Federal regulations, all contribute to the effective functioning of this management area.

All participating States (9) focused on this foundational function area to some extent, with a majority of them attending to their States **policies and procedures** to ensure alignment with Federal and State regulations, improve efficiencies, and incorporate revisions to their intake process as a result of remote work. A few States made concerted efforts to improve **stakeholder engagement** as part of their system improvement efforts. Activities implemented included:

- development of a stakeholder group for continuous improvement of dispute resolution processes; and
- solicitation of input and feedback from stakeholders to create a more family friendly process and complaint form.

One State completely changed their approach to stakeholder engagement and began including stakeholders in the creation process. "We really started listening more."

"CADRE helped drive home relationship as a [key component of a] fully functioning integrative system."



"Best thing [about our experience] was the relationships built [with stakeholders]."

Several States also attended to their **case management/data systems**. One State was further along in the implementation of their new software solution than the other States, and was able to provide valuable information on their development process, system features, and lessons learned to those still in the exploration and design phase. Due to significant interest on this topic from States in both workgroups and the field as a whole, CADRE invited three WSC Workgroup States (WA, OH, AR) to present on their case management/data systems during a combined optional workgroup call in which 11 out of the 17 States participated. The call was recorded and with permission shared with other States through the State Complaint listserv. This optional workgroup call and recording was highly regarded.

"The resources we have received from CADRE and the other workgroup members have been so helpful."

Two States also prioritized **cultural and linguistic competency (CLC)** and are currently participating in the piloting of CADRE's CLC Self-assessment Tool. One of the states now has demographic data as an optional element on their State complaint form and embedded into their case management system.

STAFFING CAPACITY

Numerous States reported staffing capacity issues throughout the duration of the workgroup, with some reporting the pandemic compounded the problem. For example, one State was temporarily able to increase capacity by assigning a part-time consultant to the complaint investigator rotation, only to experience two complaint investigators leaving the SEA. Several other States also experienced investigator turn over, as well as change in leadership. One State was able to hire a part-time investigator to assist with their significant increase in complaint activity, but report they are still understaffed to handle their current caseload. One small State's staffing capacity issue had a significant impact on their ability to engage in improvement activities.

“The best part is working with the other states. I often feel alone in my state so having the ability to talk to people from other states doing the same thing is a gift.”

“CADRE supported us in keeping focus without stressing [us out] during the pandemic.”

Only one State was able to make significant improvements in their staffing capacity. They were able to hire two new investigators and institute a monthly case staffing meeting to discuss more complicated issues and to make sure that caseloads are equitable. They also cross-trained staff to expand their capacity as needed.

PROGRAM ACCESS & DELIVERY

Key to an effective State complaint system are mechanisms that ensure access, as well as the delivery of high-quality services in a timely manner. Consideration is given to the intake process, case management, technical assistance, participant preparation, and diversity and inclusion to enable more equitable access.

Most States participating in this workgroup allocated time and resources to improving the accessibility of their State complaint process. A few States reviewed and revised their **intake process**, with one State making changes to allow for electronic filings of complaints. Publicly available information and materials on websites, including model forms, were



reviewed and revised with input from stakeholders to ensure a more user-friendly and accessible process. A couple of States also attended to **diversity and inclusion** to enable more equitable access. These States had translated their model forms into at least one other language. One State conducted a comprehensive audit related to language access. This State identified gaps and began to translate their State Complaint materials, such as their newly revised flow chart, into 12 other languages.

Three States had self-identified performance targets related to improving efficiencies, with one State seeing a significant improvement with timeliness of complaint reports. A couple of States reported that this process helped them create a vision for a more integrated monitoring system and improve coordination and communication between their General Supervision and Monitoring System and written State complaints.

Five States examined and refined their **case management** process. Activities included:

- staffing changes or increasing the number of complaint investigators to better manage caseloads;
- more equitable distribution of investigations; and
- development of a case management software solution to help streamline efforts.

A few States also implemented improvement activities related to **technical assistance** (TA). One State developed an LEA consultation form to improve response time and documentation collection. Another State developed TA briefs and modules for LEAs to address common complaint issues.



“This process is so great. All SEAs should be able to do it.”

STANDARDS & PROFESSIONAL DEVELOPMENT

The performance of personnel and practitioners is a critical driver of how a State complaint system functions. To ensure high-quality and consistent services, attention is given to the qualifications and selection of personnel and practitioners, standards of practice, and the training and support provided in alignment with those standards.

Four States developed or revised their internal State complaint manuals to assist with consistent implementation of procedures and onboarding of new staff. Many reported the significant amount of time needed to complete this activity.

“The release of CADRE’s [WSC] manual helped a lot [with our manual revisions].”

Other activities States engaged in to secure qualified investigators and enhance their performance included:

- revisions to a State’s complaint investigator job description;
- development of a self-assessment tool;
- participation in professional development opportunities; and
- creation of a findings letter checklist.

“This [process] has helped me to self-reflect and better understand where to improve.”

PUBLIC AWARENESS & OUTREACH

To ensure that clear and consistent information on the written State complaint process is provided to stakeholders, attention must be given to messaging, understanding target audiences, accessibility, and delivery mechanisms.

States attended to this function area in a variety of ways. Many States reviewed and revised materials on their website to ensure procedures were communicated clearly. One State identified public awareness and outreach as a priority area of focus and delivered 27 presentations to various internal and external stakeholders throughout their State to increase awareness and understanding of the written State complaint process.

EVALUATION & CQI

Effective written State complaint systems are evaluated and continually improved. All States attended to this critical function area by conducting a comprehensive needs assessment, identifying priority areas of focus, setting measurable performance targets, implementing improvement activities, and monitoring their progress. A majority of States engaged in new data collection and analysis efforts to better understand their WSC system use and outcome data. Activities included: developing and administering stakeholder surveys, collecting demographic data, and utilizing CADRE’s Data Drill Down Tool.

Several States also spent considerable time developing or improving software solutions allowing them to collect and monitor data in a more useful way. Generating useful reports through software solutions continues to be a challenge for many States.

RESULTS

LESSONS LEARNED, NEXT STEPS, AND OUTCOMES

LESSONS LEARNED

At the conclusion of the WSC Intensive Workgroup, participants reflected on lessons learned. States offered insights on staffing capacity, time allocation, prioritization, and flexibility.

Allocate Sufficient Time and Human Capital

The time investment to engage in a comprehensive system improvement process was significant. This was especially challenging for a number of States that struggled to manage WSC activity at current staffing levels. The pandemic and staff turn-over exacerbated the situation. Several States would benefit significantly from an increase in the number of FTE dedicated to written State complaints.

Focus on Fewer Priorities

Although CADRE encouraged States to limit or reduce the number of priority areas on which to focus, a few States found that they identified too many. One State thought focusing on one priority at a time would have been helpful.

Adjust as Needed

Life is unpredictable! Circumstances related to staffing and leadership changes, shifts to remote work, audits, supporting the field during a pandemic, etc. required States to be flexible and adjust their plans accordingly.

NEXT STEPS

Although the Written State Complaint Intensive TA Workgroup 1 has concluded, States plan to continue using CADRE's framework and system improvement process to implement any remaining activities and achieve all of their self-identified targets. CADRE and peer-to-peer support will continue to be available as needed.



OUTCOMES	
100%	of States reported increased capacity to improve their State's WSC system as a result of CADRE and peer-to-peer support
100%	of States reported improvement in at least one self-identified target

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