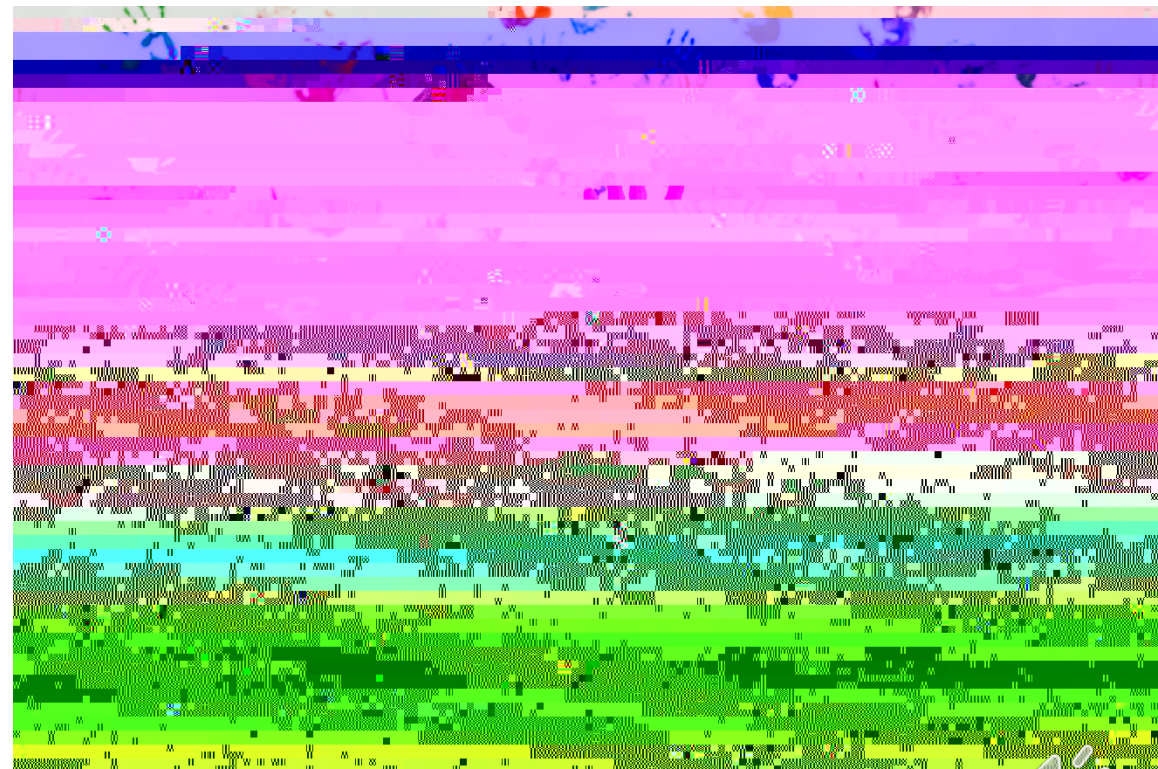


# State Performance Plan (SPP)/ Annual Performance Report (APR) 2020-2025

Individuals with Disabilities Education Act (IDEA)



## Indicator 15 Resolution Sessions





## INDICATOR 15

Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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# Agenda for SPP Indicator 15



# Thank you for participating today!

*Today participants will...*

1. Increase understanding of Indicator #15, and how NY State measures and collects this data.
2. Increase understanding of current information and trend data regarding NYS





# Introduction





# Key Information Regarding Impartial Hearings



*f*



## Requirements Regarding Resolution Sessions

*f* State regulations require that parent-requested due process impartial hearings include a resolution period where the parties try to resolve the complaint before moving to an actual impartial hearing. Within 15 days of receiving a due process complaint notice from the parent, the school district must convene a resolution meeting.

*f* This resolution meeting between the parent and district must occur during the 30-day resolution period unless waived by both parties in writing or they agree to use mediation to resolve the dispute.





# Requirements Regarding Resolution Sessions, (Continued)



*f*The resolution meeting must include the parents and the relevant members of the committee on special education (CSE) or committee on preschool special education (CPSE), as determined by the school district and the parent, who have specific knowledge of the facts in the complaint.

*f*The resolution meeting must also include a representative of the school district who has decision-making authority.

*f*A school district's attorney may not participate in the resolution meeting unless the parent is accompanied by an attorney.





## Resolution Period Data Collection

*f*While some districts do report the number of resolution sessions/meetings requested and/or held, the New York State Education Department does not currently require that districts report this information.

*f*Currently, some settlement agreements occur after the resolution period has ended and as a result, these settlement





## Goal #1:

$\frac{3}{4}$  Increase understanding of Indicator #15 and how New York State measures and collects this data.





# Source of Data

*f* Data is collected from NYSED's Impartial Hearing Reporting System (IHRS):

<sup>3</sup>Data is entered



# How we measure Indicator 15

*f* **Measurement:** Percent = (3.1-a) divided by 3.1) times 100

*f* **Data Included**









## Goal #2:

$\frac{3}{4}$  Increase understanding of current information and trend data regarding New York State's progress in meeting SPP 15 targets

$\frac{3}{4}$  Review state and national comparisons





# Explanation Indicator 15 FFY Data in the Annual Performance Report (APR)

Data years presented will reflect the data NYSED submits to the federal Office of Special Education Programs (OSEP) in the APR which covers the federal fiscal year (FFY) period

The Indicator 15 data is collected on a school year basis

The FFY 2020 APR is submitted to OSEP



The 2020-21 School Year Data is included in the FFY 2020 APR





## NYS Due Process Complaints Increase 6 Year Trend

New York State	SY 2015-16	SY 2016-17	SY 2017-18	SY 2018-19	SY 2019-20	SY 2020-21 To be reported to OSEP in Fall 2021.
# DPC Requests	5464	6282	7635	10,189	11,267	14,618







# Trend data of due process complaints filed

In School Year 2020-21, 98% of all due process complaints filed in the State involve the New York City Department of Education (NYCDOE)

	15-16	16-17	17-18	18-19	19-20	20-21 data (to be reported fall 2021)
All NY State # Requests	5,464	6,282	7,635	10,189	11,267	14,624
# Requests NYCDOE	5,026	5,779	7,144	9,694	10,797	14,266
% requests NYCDOE	92%	92%	94%	95%	96%	98%
# Requests Rest of State	438	503	491	495	470	358
% requests Rest of State	8%	8%	6%			



# Data Used to Calculate Indicator 15 Resolution Settlement Agreements



Baseline	2006	10.63%
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## 5-year trend of reported statewide data:

	2015-16	2016-17	2017-18	2018-19	2019-20
<b># Due Process Complaints Filed</b>	<b>5305</b>	<b>6027</b>	<b>7601</b>	<b>10,071</b>	<b>11,058</b>
<b>• # Resolution Meetings Held</b>	<b>5036</b>	<b>5785</b>	<b>7288</b>	<b>9702</b>	<b>10,777</b>
<b>Resolution Meeting Settlement Agreements</b>	<b>161</b>	<b>164</b>	<b>132</b>	<b>130</b>	<b>110</b>
<b>Rate of Resolution Settlement Agreements</b>	<b>3.1%</b>	<b>2.8%</b>	<b>1.8%</b>	<b>1.3%</b>	<b>1.02%</b>









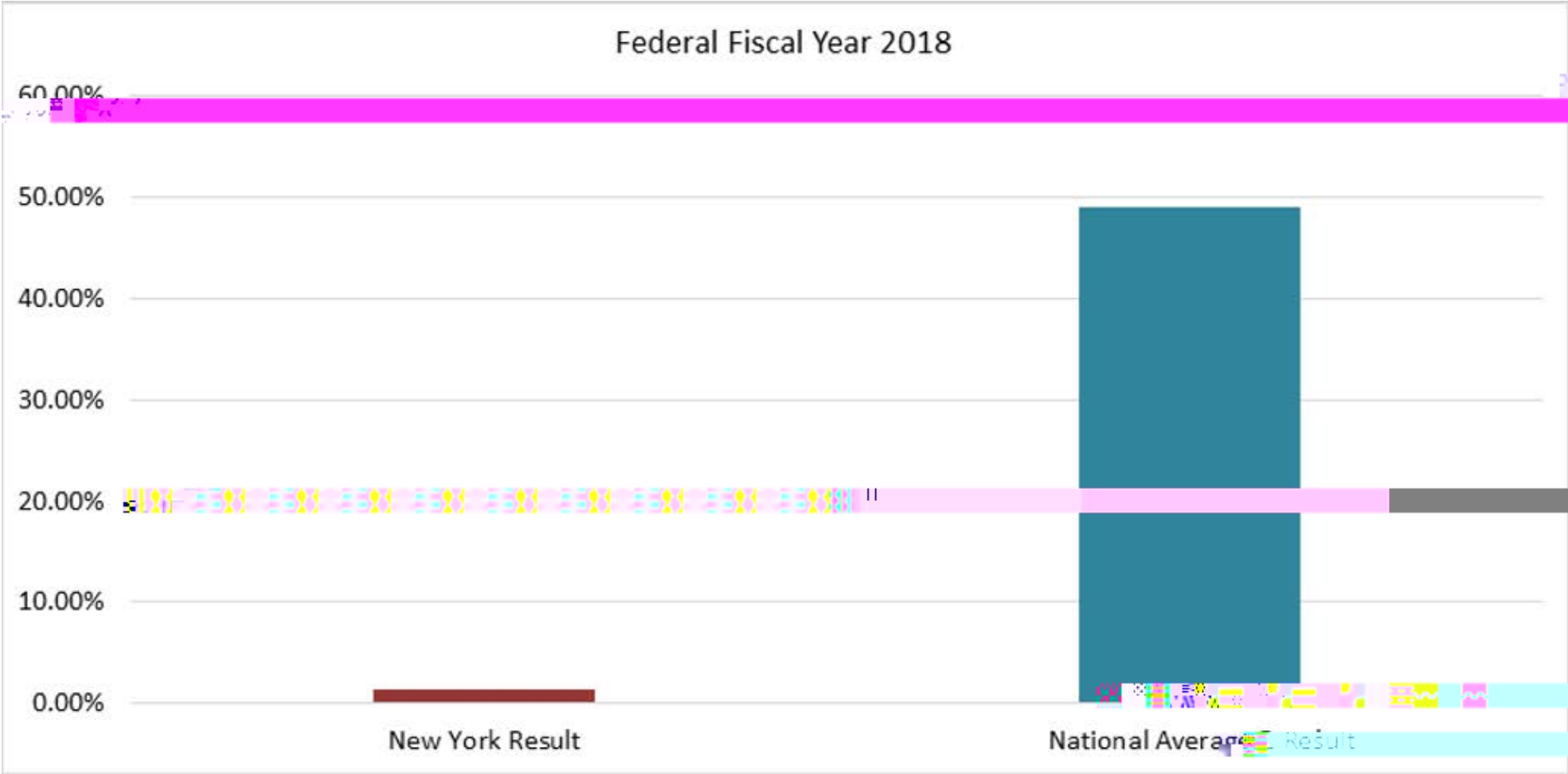
# FFY2014-2018 NYS Results Compared to 7-PAK States



STATES	2014	2015	2016	2017	2018
New York	4.82%	3.20%	2.83%	1.81%	1.34%
California	30.18%	32.18%	31.24%	24.15%	21.92%
Florida	70.59%	79.66%	29.63%	97.22%	92.59%
Illinois	37.84%	36.36%	42.50%	32.43%	37.04%
Ohio	43.04%	50.00%	41.07%	54.17%	36.07%
Pennsylvania	33.20%	43.75%	32.21%	36.31%	35.06%
Texas	46.85%	47.89%	35.63%	31.78%	31.65%



# New York Compared to National Resolution Agreement Rate





# Stakeholder Discussion



**TM** What did you find interesting about the SPP data?

**TM** What NYS data components surprised you?





# Improvement Activities





## Goal #3:

Increase understanding of current and suggested improvement strategies for indicator 15.



# Current Improvement Activities



- May 2019 Comprehensive Compliance Assurance Plan



## Proposed Improvement Activities, Con't.



### $\frac{3}{4}$ Recommendations:

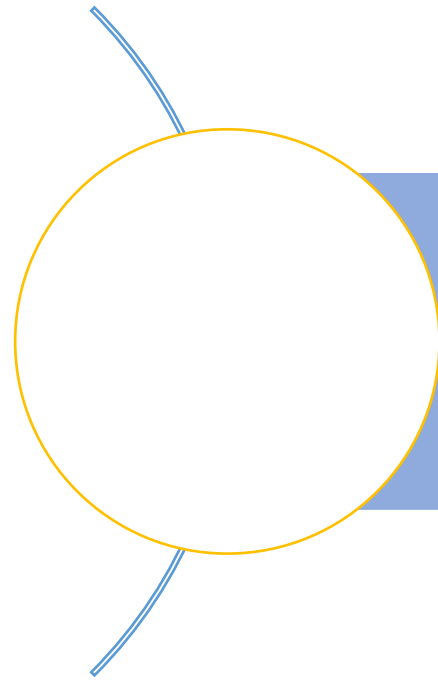
- NYSED will require NYCDOE to develop and implement new procedures to initiate a resolution session upon the parent's filing of an impartial hearing request.
- NYSED will revise its' electronic data collection and monitoring system to obtain and monitor pertinent data from districts on resolution sessions.
- NYSED will provide guidance on conducting effective resolution sessions.







What activities could be considered, maintained, or strengthened to address improvements in this area?



# Target Setting





## Goal #4:

Review proposed SPP Indicator 15 targets for the FFY 2020-2025 SPP/APR.







# Stakeholder Discussion



Are the targets achievable and rigorous?

Are the targets too high, too low or just right?





# Share Your Voice in our Online Survey



Each SPP Indicator has an online survey to collect input on NYS's target-setting and/or improvement activities

The online surveys are intended to collect feedback from interested stakeholders. They are available for those who are not attending a virtual meeting or for



# THANK YOU FOR YOUR CONTRIBUTION

Your Voice is Important to  
New York State's Efforts to  
Improve Outcomes for our  
Students with Disabilities

