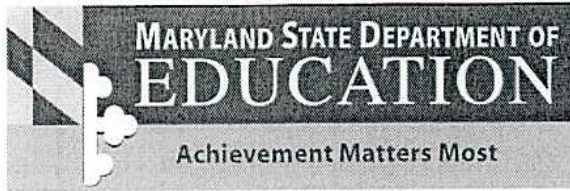


Attachment 8



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 7, 2006

Ms. Maryanne Ralls
Interim Student Support Services Officer
Baltimore City Public School System
200 East North Avenue
Baltimore, Maryland 21202

***RE: Enhanced Monitoring for Continuous Improvement
and Results (EMCIR) Volume Four***

Dear Ms. Ralls:

On February 3, 2006 the Maryland State Department of Education sent a copy of the EMCIR Four report for the Baltimore City Public School System (BCPSS) that was transmitted electronically on January 31, 2006. This document was the fourth in a series to update data and information gathered since the BCPSS EMCIR III of June 2005.

As noted, the Interruption of Service review and verification was pending. Attached is a copy of the EMCIR Four Addendum to address the 2005-2006 Interruption of Services. The audit results continue to identify a significant number of interruptions in the delivery of related services to students with disabilities in the BCPSS. Efforts to address this area of continuing noncompliance are to be incorporated into the Corrective Action Plan that is to be provided within 30 days and completed within one year of this date.

If you have any questions or require additional information about this correspondence, please contact Ms. Kimberly Lewis, Program Manager, at 410-767-0249. Thank you for your continuing efforts on behalf of students with disabilities served in the BCPSS.

Sincerely,

Carol Ann Baglin, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAB:las
Attachment

c: Nancy S. Grasmick
Amy Totenberg
Bonnie Copeland
Janice Hunter, Esq.
Donna Wulkan, Esq.
Luanne McKenna
Harry Fogle
Carol Rabin
Kimberly Lewis



BALTIMORE CITY PUBLIC SCHOOL SYSTEM

**ENHANCED MONITORING FOR
CONTINUOUS IMPROVEMENT
AND RESULTS**

Volume Four

**Prepared by:
The Maryland State Department of Education
Division of Special Education/
Early Intervention Services**

January 2006

Executive Summary

ENHANCED MONITORING FOR CONTINUOUS IMPROVEMENT AND RESULTS Volume Four

This document is the fourth in a series and serves to update data and information gathered since the Baltimore City Public School System (BCPSS) Enhanced Monitoring for Continuous Improvement and Results Process Report (EMCIR III) of June 2005. The Maryland State Department of Education (MSDE) audited, monitored, and investigated BCPSS' provision of special education and related services in elementary and secondary schools. Data was collected through the following methods:

- Data review/Desk audit
- Corrective Action Plan Progress
- State Test Performance and Achievement Profile
- Exit Audit
- SOPM Review and Policy Submission based on IDEA 2004

This overview summarizes the results of MSDE's Enhanced Monitoring Process for oversight of the special education and related services in the BCPSS. The first EMCIR report issued in June of 2004 contained three broad areas of study: Performance Results, General Administration and Supervision, and Compliance Management. EMCIR I identified areas of noncompliance (including exit count, least restrictive environment (LRE), discipline, and statewide assessments, e.g. Maryland Model for School Readiness Kindergarten Work Sampling System (MMSR/KWSS), and areas in need of improvement based on data analysis, monitoring, record reviews, interviews and other information gathered. Corrective action plans have been developed and are being implemented by BCPSS to address the areas of noncompliance. The status of corrective action activities was discussed in both EMCIR II and EMCIR III and continues in Section II of this report. Review and revision of policies in the Public Agency Standards Submission (PASS) and BCPSS Standard Operating Procedures Manual (SOPM) was addressed in EMCIR I, EMCIR II, and EMCIR III. As of the issuance of the final report from EMCIR III, the only incomplete area of policy revision, prior to the changes necessitated by IDEA 2004, was in the area of transition of students from early intervention services delivered under Part C to preschool special education services under Part B. The status of these revisions will be discussed in Section III of this report.

BCPSS (and the other local school systems) submitted a checklist of policies and procedures that will need to be revised in order to be consistent with IDEA 2004. Federal regulations have not yet been approved in final form. Once final regulations are promulgated, MSDE will take steps to review and revise applicable state requirements. Additional guidance will be given to BCPSS and other local school systems to ensure that policies and procedures meet the new requirements as soon as possible following action by the United States Department of Education.

Summarized below are MSDE's findings reflected in the multiple monitoring activities that took place between June 2005 and January 2006.

A. Corrective Action Plans and Progress from EMCIR I and III

BCPSS was required to develop and implement a corrective action plans for all of the areas of noncompliance identified in EMCIR I and EMCIR III. MSDE also identified expectations and consequences that could be imposed if progress is not achieved. Progress is reported and reviewed on a quarterly basis. BCPSS has provided quarterly progress reports to MSDE in a timely manner. Although BCPSS carried out the activities outlined in the corrective action plan developed as a result of EMCIR I, BCPSS did not achieve the desired results or progress anticipated through the completion of the corrective action plan. Accordingly MSDE required BCPSS to submit a new corrective action plan that addressed exit count, rates for attendance, graduation, and dropouts, least restrictive environment (LRE) for both preschool and school-age students, and suspension. The new corrective action plan was submitted on December 16, 2005 and will be reviewed in Section II of this report. A review of the status of the corrective action plan from the EMCIR III report will also be discussed within that section.

B. Public Agency Standards Submission (PASS)/Standard Operating Procedures Manual (SOPM) Review

A component of the MSDE monitoring in all three previous EMCIR Volumes was the review of BCPSS' written policy manual, SOPM. BCPSS' policy regarding transition of students from early intervention services delivered under Part C to preschool special education delivered under Part B of IDEA or other community services, if appropriate remained incomplete as of the issuance of EMCIR III in June 2005. BCPSS revised policy for the early intervention transition process was completed on July 31, 2005.

BCPSS submitted assurances to MSDE concerning review and revision of policies consistent with changes resulting from changes in IDEA 2004. BCPSS also submitted a checklist indicating which areas of the SOPM were in need of revision. Review of the revised policies and procedures will occur in a continuous manner and be discussed in detail in subsequent EMCIR volumes.

C. Data Review

MSDE's monitoring process includes review of data reported by BCPSS to the Department. This data was reported by BCPSS for the 2005 Maryland Performance Report and the October 2004 Census Count. Please note that discrepancies between the data reported by BCPSS and that verified during the Exit Audit will be discussed in detail in Section VI of the Report. Where possible, this report includes data as reported in previous EMCIR reports with comparable current information.

1. **Kindergarten Assessment:** Not all kindergarten students with disabilities who had Individualized Education Programs (IEPs) participated in the Maryland Model for School Readiness- Kindergarten Work Sampling System (MMSR-KWSS), in violation of the IDEA's requirement that all students with disabilities participate in district-wide standardized assessments. BCPSS rate of participation in the MMSR-KWSS by students with disabilities decreased by 13% between 2003-2004 and 2004-2005. This continues to be an area of concern. The results for 2005-2006 school year will be reported and addressed in a subsequent EMCIR Report to be issued in June 2006.
2. **Alternate Maryland School Assessment (ALT-MSA):** Scores for students with disabilities who took the ALT-MSA in 2005 were lower than the State average for reading and math. BCPSS showed improved results in 2005 when compared with 2004 in Reading for Grades 3, 4, and 5. BCPSS showed improved results in 2005 when compared with 2004 in Math for Grades 4 and 5. 2005 results slipped in Grades 6 through 8 for Reading and in Grades 3, 6, 7, and 8 for Math.
3. **Maryland School Assessments (MSAs):** Scores for students with disabilities who took the MSA standardized assessments were lower than the average MSA scores for students with disabilities across the State in all grades for reading and math. While the number of scores in the basic performance category for BCPSS has decreased in each grade level since 2004, progress has been slower than the rest of the State.
4. **High School Assessments (HSAs):** Scores for the students with disabilities who took the HSAs were significantly lower than the average HSA scores for students with disabilities across the State. Furthermore, performance of students with disabilities in BCPSS showed a decline in 2005 when compared with 2004. BCPSS HSA pass rates for Algebra and Biology are the lowest in the State for students with disabilities and their general education peers. BCPSS is the third lowest in both groupings for the Government HSA and that ranking is impacted by small sample sizes in the two lower-achieving districts.
5. **Graduation Rate:** The graduation rate for students with disabilities in BCPSS was 31.88% and has decreased in both 2004 and 2005. The required standard to achieve Adequate Yearly Progress (AYP) under the No Child Left Behind Act (NCLB) and Maryland Accountability Standards is 90%. BCPSS graduation rates are the lowest in the State for students with disabilities and their general education peers.
6. **Certificate Rate:** 4.8% of students with disabilities exited school with a certificate as of June 30, 2005. This represents a decrease of 2.7 % as compared to 2004.
7. **Dropout Rate Grades 9-12:** The 2005 dropout rate for students with disabilities in grades 9-12 was 16.95%, significantly higher than the 2005 State average dropout rate of 5.50%. The gap between students with disabilities and their General education peers with BCPSS is also growing. The dropout rate for general

education students decreased by 0.33% to 10.66%. The BCPSS dropout rate for students with disabilities increased by 1.75% this year. BCPSS dropout rates are the highest in the State for students with disabilities and their general education peers.

8. **Attendance:** Attendance rates for students with disabilities 2004-05 school year were 92.7% in elementary schools, 83.9% in middle schools to 73.7% in high schools. Each of these rates increased in comparison with the 2003-04 school year. However, none of the rates met the State performance standard of 94% and students with disabilities lagged behind their general education peers in all age groupings.
9. **LRE Ages 3-5:** BCPSS ranks 24th of 24 local school systems in LRE for preschool students. A corrective action plan has been developed regarding this issue.
11. **LRE Ages 6-21:** BCPSS ranks 23rd of 24 local school systems in LRE for school age students. A corrective action plan has been developed to address this issue.

D. LRE

BCPSS has developed a corrective action plan to address LRE for both preschool and school age students with disabilities within the district. A comprehensive review of the second LRE Audit was included in the EMCIR III report. MSDE will continue to provide technical assistance and support to BCPSS and monitor progress on corrective actions. Additionally, a third LRE audit will occur during the Spring of 2006 and the results will be shared in a subsequent volume of the EMCIR Process to be issued in June of 2006.

E. Long-Term Suspensions

BCPSS has developed a corrective action plan to address long-term suspensions and other discipline issues for students with disabilities within the district. MSDE will continue to provide technical assistance and support to BCPSS and monitor progress on corrective actions. Staff will continue to participate on the BCPSS Suspension Focus Group. Additionally, discipline issues will be included in a third LRE audit to occur during February 2006, and the results will be shared in a subsequent volume of the EMCIR Process to be issued in June of 2006.

F. Exit Audit

A key component of this monitoring included a third intensive Exit Audit to determine the accuracy of exit data BCPSS reported to the MSDE through the Exit Census Report Data. Of 1828 folders requested by MSDE to complete the audit, BCPSS produced 1564 records for review. Overall, BCPSS produced 85.6% of the records requested for review. The number requested in each phase is noted in parentheses. The Exit Audit was conducted in three phases:

- Phase I involved reviewing 370 individual student records (of 380 requested) of those students exiting special education who either graduated with a high school diploma or received a certificate during the 2004-05 academic year.
- Phase II focused on BCPSS students in 12th grade and beyond who exited special education during the 2004-05 academic year for any reason other than graduating with a high school diploma or receiving a certificate. Those reasons including the following: returned to general education; reached maximum age; deceased; moved, known to be continuing; moved, not known to be continuing; or dropped out. MSDE reviewed 189 individual student files (of 210 requested) for this phase.
- Phase III was a record review of 1005 individual student records (of 1238 requested) for those students between the ages of 14 and 21 in grade placements up to and including the 11th grade who exited special education during the 2003-04 academic year for any reason other than graduating with a high school diploma or receiving a certificate. Those reasons including the following: returned to general education; reached maximum age; deceased; moved, known to be continuing; moved, not known to be continuing; or dropped out.

There were several opportunities for BCPSS to submit corrected data, transcripts, test scores, and other information. Fewer files were available for review during this exit audit as compared with last year both in Phase III and overall. The third exit audit occurred between September 6, 2005 and November 3, 2005.

MSDE's exit audit verified the following information:

1. **Returned to General Education:** MSDE determined that 50 students returned to General Education. BCPSS reported that 140 students had returned to General Education. This constitutes a discrepancy of 90 students.
2. **Diploma:** 236 students exiting special education had received high school diplomas. BCPSS reported that 316 students had exited special education with a diploma. This constitutes a discrepancy of 80 students.
3. **Certificate:** MSDE found that 49 students exited special education in 2004-05 with a certificate. This compares to 90 students reported by BCPSS in its corrected census data. This constitutes a discrepancy of 41 students.
4. **Maximum Age:** MSDE determined that 29 students exited special education after reaching 21 years of age without graduating with a high school or receiving a certificate. This compares with BCPSS' report that 37 students exited special education after reaching maximum age. This constitutes a discrepancy of 8 students.
5. **Death:** MSDE audit data verified that 6 students receiving special education services died. BCPSS reported that 7 students receiving special education services died. The data demonstrates a discrepancy of one student.

6. **Moved, Known to be Continuing:** MSDE audit data identified 217 students who left BCPSS to enroll in another school system. BCPSS reported 442 students moved and enrolled in another school system. This constitutes a discrepancy of 225 students.
7. **Moved, Not Known to be Not Continuing:** MSDE audit data identified 27 students receiving special education that left BCPSS without any documentation to confirm or refute if they enrolled in new schools. BCPSS reported 92 students exited in this manner. This constitutes a discrepancy of 32 students.
8. **Dropout Ages 14-21:** MSDE audit data confirms that 408 BCPSS students aged 14-21 exited special education by dropping-out. BCPSS census data reported 704 students exited special education by dropping-out. This constitutes a discrepancy of 296 students.

G. Monitoring Self Assessment

BCPSS submitted its monitoring self-assessment to MSDE's Office of Quality Assurance and Monitoring on May 31, 2005. Revisions to this self-assessment were submitted to MSDE on January 18, 2006. BCPSS indicated that the MSDE Standard or Goal was not met in several areas. These areas included Dropout, graduation with a diploma, extended suspension, LRE, transition from Part C to Part B, Participation in Statewide Assessments (MMSR/ KWSS, MSA, Alt-MSA, and HSA), and special education records management. MSDE staff will be meeting with BCPSS to discuss these revisions on January 31, 2006 and continue planning for validation activities to occur later this year.

H. Local Application for Federal Funds and Increased State Technical Assistance

For Fiscal Year 2006, BCPSS did not submit an approvable local application for federal funds. In order to correct persistent areas of noncompliance with IDEA and to ensure all students with disabilities receive a free appropriate public education (FAPE), MSDE is placing certain restrictions and conditions on the use of these funds when released. Correspondence from MSDE to BCPSS dated January 23, 2006 describes these conditions in detail.

Redirection of these funds occurs in conjunction with the assignment of the Intensive Management and Capacity Improvement (IMCI) team and other MSDE staff for on-site technical assistance, and their court-ordered responsibility to monitor and improve BCPSS' special education program. As described in the court order dated August 15, 2005, the State Superintendent's Designee and members of the IMCI team have been assigned to work with BCPSS counterparts in the targeted areas: 1) special education; 2) student services and guidance; 3) provision of related services; 4) human resources; 5) transportation of students with disabilities; 6) information technology; 7) special education finance; and 8) instruction for students with disabilities. Funds from the

Fiscal Year 2006 local Application will also be redirected for the purpose of delivering related services that were not provided to students with disabilities during the 2004-05 school year.

I. Future Audits

Other issues will be monitored and discussed further in future EMCIR reports, including:

- LRE
- Provision of Related Services
- Discipline
- Transition from Part C to Part B, continuity of services,
- Kindergarten Work Sampling System (Spring 2006)
- Secondary Transition (Part B to Post Secondary/ Adult Services/ World of Work)
- Policy Review and Revision consistent with the requirements of IDEA 2004

Several areas within the BCPSS system of special education need improvement or are noncompliant. MSDE staff and the IMCI team will continue to provide technical assistance to BCPSS to assist in the development of an improvement plan and/or a corrective action plan to address areas of need and noncompliance.

The Report

ENHANCED MONITORING FOR CONTINUOUS IMPROVEMENT AND RESULTS

Volume Four

I. INTRODUCTION AND HISTORICAL OVERVIEW

Since 1975, federal legislation has guaranteed that children with disabilities have access to a free and appropriate public education (FAPE), a specially designed educational program in the least restrictive environment (LRE), and protection of the rights of children and their families through procedural safeguards. Despite clear progress toward achieving these guarantees, more work remains to ensure that students with disabilities succeed in school and later in life. Many policymakers and citizens believe that the best way to ensure continued improvements is through systematic, long-term evaluation of how states, districts, and schools educate children with disabilities. The historical underpinnings of this process were detailed in the first Enhanced Monitoring for Continuous Improvement and Results report (EMCIR I).

That report, issued in June of 2004, contained three broad areas of study: Performance Results, General Administration and Supervision, and Compliance Management. EMCIR I identified areas of noncompliance including exit count, LRE, discipline, and state testing, e.g., Maryland Model for School Readiness Kindergarten Work Sampling System Assessment (MMSR/KWSS), and areas in need of improvement based on data analysis, monitoring, record reviews, interviews and other information gathered. Corrective action plans have been developed and are being implemented by BCPSS to address the areas of noncompliance. The status of corrective action activities was highlighted in EMCIR II issued in January 2005 and EMCIR III issued in June 2005. In EMCIR I, II and III, the Public Agency Standards Submission (PASS)/Standard Operating Procedures Manual (SOPM) was reviewed in the following areas: Consent for Reassessment, Dismissal from Special Education, LRE, Students Enrolled in Private Schools, Independent Educational Evaluations (IEE), Parent Initiated Evaluations, and Requests for Evaluations by Hearing Officers. MSDE continues to work with BCPSS to bring these and other procedures into compliance. BCPSS is in the process of revising its policies and procedures in accordance with IDEA 2004 as described in the assurance submitted to MSDE on September 15, 2005 along with the checklist of proposed areas of policy revision. The revised policies must address revisions to the IDEA 2004 statute, federal regulations (when issued in final form), and corresponding revisions to State requirements. This document is the fourth in a series and serves to update data and information gathered since the EMCIR III Report of June 2005.

In Maryland, the general supervision of local school systems by MSDE is supported through the Monitoring for Continuous Improvement and Results (MCIR) process. The

MCIR process and its core five principles were discussed in prior reports and have been omitted in this volume. The MCIR process is a tool to measure the extent to which children with disabilities are progressing toward Individualized Education Program (IEP) goals and State standards and to evaluate the effectiveness of the delivery of special education programs and services. The process encourages the district to remain focused and garner public input and support that are needed to be effective. The process, however, should not lose sight of the real challenge, which is to identify improved methods of assisting students with disabilities to meet higher expectations and perform at higher levels.

In order to complete EMCIR IV, staff has conducted record reviews, data analysis, and other information gathering. MSDE utilized 3305 hours of staff time to complete the fourth volume of the EMCIR process.

Although this monitoring activity and its report were not prepared specifically for the Court, in *Vaughn G. v. Mayor and City of Baltimore*, it provides additional information to the Court that may be helpful. The overarching goal of these reports is to describe and analyze the data generated by the EMCIR process. Specifically, this report will: 1) describe the data sources used to investigate the matters targeted by EMCIR; 2) describe the process MSDE used to investigate these issues; 3) outline and analyze the data collected through the EMCIR process; 4) delineate areas of noncompliance based on data collected by the EMCIR process across these areas of investigation; and 5) require corrective actions designed to achieve compliance.

II. SUMMARY OF CORRECTIVE ACTION PLANS

A. Discussion and Data

Since January 2004, MSDE increased its oversight and monitoring activities of BCPSS' special education programs. The EMCIR process is how MSDE exercises its general supervision function. MSDE is responsible for assuring that the requirements of IDEA are carried out. As a result of the findings from the EMCIR I, report a corrective action plan was developed. It was anticipated that the corrective actions would be completed by October 9, 2005, within one year of the negotiation that resulted in the approval of the corrective action plan. BCPSS did not complete the corrective actions by that date. Therefore, MSDE redirected Fiscal year 2004 carryover funds to address persistent areas of noncompliance. On November 18, 2005, MSDE determined that BCPSS would be required to continue to address unresolved issues in the areas of Exit Count (also addressing student attendance, graduation and dropout rate), LRE (Preschool and School Age), Participation in the MMSR-KWSS, and Discipline.

As a result of findings from the EMCIR III Report, corrective action plans were developed in the areas of Grants Management, Related Services, and Transportation. It is anticipated that the areas of noncompliance identified in EMCIR III will be adequately addressed by June 13, 2006. MSDE also redirected

funds from BCPSS' local application for Fiscal Year 2006 to address concerns in the area of Provision of Services and to support the work of the Intensive Management Capacity Improvement (IMCI) team. Additional information on this topic is included in Sections II and V of this report.

BCPSS continues to submit quarterly progress reports for EMCIR corrective action plans in a timely manner. BCPSS' quarterly reports for January 2006 will be addressed under separate correspondence, once it is received by MSDE.

B. Progress and Summary of Next Steps

1. Exit Count, Attendance, Graduation, and Dropout Rate

BCPSS acknowledges that Exit Count data has shown little or no improvement over this past year. The CAP in this area included several broad Goals. First, the percentage of students with disabilities receiving diplomas will increase until it meets or exceeds the standard for the implementation plan and AYP. Second, the attendance rate will increase until it meets or exceeds the standard for AYP. Third, the dropout rate will decrease until it falls at or below the state average.

Results from the internal audit conducted by BCPSS during the Summer of 2005 and the current MSDE Exit Audit support a finding that this area continues to be a concern. Detailed results of MSDE's Exit Audit findings will be included in Section VI of this report. Technical Assistance in addressing these issues is available through Dr. Harry T. Fogle, State Superintendent's Designee and Mr. Min Leong, IMCI Team member for Student Services. They are working with BCPSS staff to identify what new strategies can be utilized to improve accuracy of the underlying data and overall results in the exit count and other related issues.

BCPSS has begun implementing an incentive program for schools achieving the State standard in attendance. BCPSS is also expanding its reliance on Student Support Teams for students that are chronically absent.

2. Discipline

BCPSS has focused on aligning long-term suspensions between students with disabilities and their general education peers to their respective proportion in the student population. Recent data suggests that some progress has been made. In that category, the percentage of students with disabilities suspended is less than the identification rate within BCPSS (15.8% long term suspension rate versus 16.9% identification rate). BCPSS will continue to monitor long-term suspension data so that progress shown can be maintained.

There has been little or no progress made in reducing the discrepancy between students with disabilities and their general education counterparts overall. While the overall number of disciplinary removals has decreased, the relative percentage of students with disabilities subject to short-term suspensions and expulsions compared to the whole has increased. In response to MSDE's request that BCPSS identify additional discipline strategies to meet the needs of students with disabilities at the secondary level, BCPSS is increasing its utilization of Positive Behavior Interventions and Supports during 2005-2006. BCPSS has also targeted students at the secondary level in the categories of emotional disturbance, other health impairment, and specific learning disability through the implementation of the *Why Try Program* and the *Get Real About Violence Program*. Student Support Deans were assigned to neighborhood and innovation High Schools

3. Participation in Statewide Assessments- Maryland Model for School Readiness Kindergarten Work Sampling System (MMSR-KWSS)

The portion of the CAP concerning the MMSR-KWSS was not satisfactorily achieved as evidenced by the fact that participation by students with disabilities did not reach the stated goal of 100%. The rate of participation declined during the 2004-2005 school year (from 83% to 70%).

BCPSS reported that 48 Kindergarten and Pre-Kindergarten teachers that participated in pre-service and/or the data submission refresher training activities. This represents 100% of the staff accountable for implementing the MMSR-KWSS. BCPSS has advised MSDE as to a revised process for data collection and analysis during the 2005-2006 school year. It is expected that in its next progress report BCPSS will inform MSDE as to which schools show less than 100% participation and steps taken to remedy any identified concerns.

4. Least Restrictive Environment (Preschool and School-Age)

Improving services for students in the Least Restrictive Environment (LRE) is among the special conditions on the State of Maryland's federal grant under IDEA. Accordingly, MSDE is continuing its work with BCPSS and all of the other school systems in the State to improve access to the general education curriculum and environment, as well as achievement outcomes for students with disabilities.

With regard to LRE for Preschool students, the school system was to implement strategies that would result in a 7% increase in the number of three through five year olds receiving special education services in BCPSS and Head Start Early Childhood Programs. BCPSS reported that none of three anticipated service locations opened during the 2004-2005 school year. However, the Together at Five Program was initiated at School #217 for the 2005-2006 and includes 7 students as of October 2005. Additionally, BCPSS identified why the new program was unable to be opened at Grove Park Elementary School and

suggested that it may be considered for 2006-2007. The Together at Five Head Start Program will be opening at the Emily Price Jones Head Start Center during the 2005-2006 school year. An update as to the status of this program is expected in the next quarterly submission by BCPSS. There were also delays in completing the Preschool Inclusion Task Force Report and Collaborative Childhood Inclusion Plan.

LRE for school aged students with disabilities (Ages 6-21) represents a continuing concern. The CAP was designed to increase the number of elementary, middle and high school students receiving special education in LRE A & LRE B. The goal articulated in the CAP that 80% of students with disabilities will be served in LRE A and B was met only in the High School Area (using the adjusted formula). The revised corrective action plan places too great an emphasis on professional development without meaningful data driven outcomes to measure effectiveness of strategies attempted. BCPSS is encouraged to work with their counterparts on the IMCI team to enhance its approach to this persistent area of noncompliance. Students in the Middle School Area did not meet either standard. BCPSS still needs to identify new or revised strategies to improve services for Middle School Area students that will be implemented in the LRE during the 2005-2006 school year.

5. Related Services

With regard to Related Services, BCPSS issued a clarification to service providers concerning the definition of direct and indirect services. This memo was distributed on November 7, 2005. Additionally, BCPSS reported that all six Prevention Plan Associates had been hired and were receiving training as of the October 14, 2005, progress report.

BCPSS also provided caseload information for audiologists, psychologists, social workers, speech and language pathologists. Within the caseload information for speech and language pathologists, there were certain notations that caused a concern. In the comments section, there were notations such as "very ill" or "maternity leave" listed with certain providers. It was unclear from the information provided how these issues impacted provision of service and the steps that BCPSS took to ensure that all required services were being delivered in accordance with IEPs. BCPSS needs to clarify the steps taken to ensure uninterrupted service delivery (for each discipline) in future progress reports submitted for MSDE review. It would also be helpful to receive updated lists of providers by type and school assignment to identify potential gaps in service delivery.

In its most recent progress report, BCPSS indicated that services to 155 students were impacted by provider issues. MSDE is unable to verify this count based upon documentation provided by BCPSS. The difficulty is particularly acute in

Elementary Areas 1, 3, and 4 as well as the Middle School and High School areas.

Redirection of funds for the provision of related services is addressed in Section V of this report. BCPSS is reminded that the areas of noncompliance associated with the EMCIR III report (Related Services, Transportation, and Grants Management) issued on June 14, 2005 must be resolved by June 13, 2006.

6. Transportation

In its most recent progress report, BCPSS identified a concern with the identification of Transportation Coordinators at each school. Additional data provided by the IMCI team demonstrated that all but four schools now have an identified transportation coordinator. MSDE requests additional information about the responsibilities associated with the role of transportation coordinator and the manner in which completion of these responsibilities is evaluated.

Documentation provided by BCPSS identified fourteen instances of service delivery interruptions as a result of transportation problems as of September 30, 2005. MSDE requests that BCPSS provide an update as to the amount and type of services missed as well as any compensatory services provided to remedy the missed services. After reviewing BCPSS transportation complaint data, it appears that more than half of the complaints identified related to one bus contractor, First Student. Please report the specific steps taken to address the issues attributed to this bus contractor. Additionally, please provide an update regarding the status of the implementation of the "311" call center for transportation issues subsequent to October 15, 2005.

7. Grants Management

With regard to Grants Management issues identified in the EMCIR III Report, the Carryover funds from the IDEA Part B Pass-through Grant from Fiscal Year 2004 have been released. Two separate Notice of Grant Award were issued totaling \$4,267, 790. BCPSS Carryover funds from the IDEA Part B Pass-through Grant from Fiscal Year 2005 have not yet been fully resolved. Based upon information submitted, it was not clear whether or not the grants management meetings have included participation of a representative of the IMCI team. BCPSS is reminded to invite appropriate members of the IMCI team to these meetings and utilize their expertise to improve results in this area of noncompliance.

The Corrective Action Plan for Grants Management needs to be revised to incorporate the issues identified in correspondence from MSDE to BCPSS dated January 23, 2006. Additional information regarding Grants Management is included in Section V of this report.

III. POLICY REVIEW

A. Revisions to Existing Policy

BCPSS' policy regarding transition of students from early intervention services delivered under Part C to preschool special education delivered under Part B of IDEA or other community services, if appropriate, remained incomplete as of the issuance of EMCIR III in June 2005. MSDE representatives met with staff from the Baltimore City Health Department, the local lead agency for the Baltimore City Infant and Toddler Program, and BCPSS staff responsible for implementing Preschool services on June 30, 2005. BCPSS revised policy for the early intervention transition process was completed on July 31, 2005. Accordingly, all policy revisions identified in EMCIR Volumes One through Three have been satisfactorily addressed.

B. Policy Revisions Required by IDEA 2004

BCPSS submitted assurances to MSDE concerning review and revision of policies consistent with changes resulting from changes in IDEA 2004. BCPSS also submitted a checklist indicating which areas of the SOPM were in need of revision. BCPSS was advised to continue to implement existing policies that do not conflict with IDEA 2004 and to develop interim practices that address the requirements of the new statute while federal regulations are finalized by the United States Department of Education. Once federal regulations are adopted in final form, MSDE will provide additional guidance to BCPSS and the other local school systems and public agencies.

MSDE will work with BCPSS to ensure timely completion of policy revisions consistent with new federal requirements and any changes to state law and regulation resulting thereto. Review of the revised policies and procedures will occur in a continuous manner and be discussed in detail in subsequent EMCIR volumes.

IV. DATA REVIEW

The data contained in this section of the report was obtained from data submitted by each local school system to MSDE. The data appears on the MSDE web site www.marylandpublicschools.org and the Maryland School Performance Report.

A. State Test Performance

The following charts and data statements report the performance of students receiving special education in BCPSS as compared to both their general education peers and students with disabilities Statewide. In almost all instances, BCPSS students receiving special education lag significantly behind their general education peers and other students with disabilities in the State.

1. Kindergarten Work Sampling System – An Area of Noncompliance

IDEA requires that students with disabilities be included in general Statewide and district-wide assessments. All BCPSS kindergarten students with disabilities must participate in the Maryland Model for School Readiness, Kindergarten Work Sampling System. MSDE will report on the administration of this assessment for the 2005-2006 school year in a subsequent volume of the EMCIR process.

2. Alternate Maryland School Assessment (ALT-MSA): Proficiency Levels

The ALT-MSA is the Maryland assessment in which students with disabilities participate if the IEP team determines they cannot participate in the Maryland State Assessment (MSA), even with accommodations. The ALT-MSA assesses and reports student mastery of individually selected indicators and objectives from the reading and mathematics content standards or appropriate access skills. A portfolio is constructed of evidence that documents individual student mastery of the assessed reading and mathematics objectives. In 2004-05, eligible students participated in the ALT-MSA in grades 3-8 and 10. ALT-MSA data was reported in Grades 4, 6, 7, and 10 for the first time in 2004.

In all grades tested, students with disabilities across the State outperformed students with disabilities in BCPSS in Reading and Math for 2005. BCPSS showed improved results in 2005, when compared with 2004, in Reading for Grades 3, 4, and 5. A lower percentage of students in Grades 6, 7, 8, and 10 demonstrated proficiency in Reading when compared with 2004 results. BCPSS showed improved results in 2005, when compared with 2004, in Math for Grades 4 and 5. A lower percentage of students demonstrated proficiency for Math in Grades 3, 6, 7, 8, and 10.

ALT-MSA Data

Grade 3 Reading

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	43.0	38.8	41.3	15.5
Proficient	28.9	22.4	17.4	22.5
Basic	28.1	38.8	41.3	62.1

Grade 4 Reading

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	43.3	34.1	39.8
Proficient	29.4	34.1	20.4
Basic	27.4	31.8	39.8

ALT-MSA Data (Continued)

Grade 5 Reading

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	41.8	36.1	35.5	20.9
Proficient	32.4	30.3	24.0	23.9
Basic	25.8	33.6	40.5	55.2

Grade 6 Reading

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	36.3	24.2	38.2
Proficient	32.7	23.3	19.7
Basic	31.0	52.5	42.0

Grade 7 Reading

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	38.8	29.5	40.5
Proficient	29.0	21.7	17.8
Basic	32.2	48.8	41.7

Grade 8 Reading

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	37.6	29.9	45.3	14.1
Proficient	30.8	24.7	24.7	23.7
Basic	31.6	45.5	30.0	62.2

Grade 10 Reading

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	37.8	28.8	20.7
Proficient	28.2	23.1	30.4
Basic	34.0	48.1	48.9

Grade 3 Math

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	40.7	32.7	33.7	15.5
Proficient	33.1	29.6	30.4	27.2
Basic	26.2	37.8	35.9	57.3

Grade 4 Math

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	39.6	34.1	35.4
Proficient	31.2	28.2	21.2
Basic	29.2	37.6	43.4

Grade 5 Math

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	38.9	38.7	33.1	47.0
Proficient	33.2	29.4	27.3	29.9
Basic	27.8	31.9	39.7	23.1

ALT-MSA Data (Continued)

Grade 6 Math

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	38.2	27.5	29.9
Proficient	28.6	23.3	26.8
Basic	33.2	49.2	43.3

Grade 7 Math

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	33.6	21.1	34.4
Proficient	31.4	27.7	23.3
Basic	34.9	51.2	42.3

Grade 8 Math

SWD	STATE	BCPSS	BCPSS	BCPSS
%	2005	2005	2004	2003
Advanced	37.4	34.4	39.3	18.6
Proficient	29.9	20.8	29.3	23.1
Basic	32.7	44.8	31.3	58.3

Grade 10 Math

SWD	STATE	BCPSS	BCPSS
%	2005	2005	2004
Advanced	33.4	23.8	23.7
Proficient	29.1	21.9	23.0
Basic	37.5	54.4	53.3

3. Maryland School Assessment (MSA) – An Area in Need of Improvement

The MSA assesses reading and math skills for students in grades 3 through 8. The test produces a score that describes how well a student masters the reading and math content specified in the Maryland Content Standards. Each child receives a score in each content area that categorizes his or her performance as basic, proficient, or advanced. The MSA gathered data for grades 4, 6, and 7 for the first time in 2004. Therefore trend data is presented from the 2004 and 2005 Maryland School Performance Report for all grades of the MSA. Data from 2003 MSA Performance was analyzed in EMCIR II.

BCPSS students receiving special education did not perform as well as their general education peers in the school system or other students with disabilities in the State. As you are well aware, the No Child Left Behind Act (NCLB) mandates improved student performance and progress over time. Low achievement has been particularly troubling for this subgroup of students over time. Materials, strategies and pacing that are applicable to general education may have only limited potential for effectiveness with students with disabilities. BCPSS must identify specific strategies to support students with disabilities as they work to meet each student's IEP goals and objectives, and to make adequate yearly progress (AYP). These strategies should be aligned with the Voluntary State Curriculum (VSC) to the greatest extent possible. It will be

important for BCPSS to work with all of the requisite divisions within MSDE to identify sufficient strategies to eliminate the achievement gap for this sub-group.

BCPSS showed progress for Reading in Grades 3 through 8. BCPSS showed progress in Math in Grades three through 8 and Geometry. However, the degree of progress and the achievement gap require additional action to improve results for students with disabilities.

MSA Data

Reading Grade 3

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	3.3	3.6	0.4	5.9	5.9	1.3
Proficient	39.6	55.4	28.3	45.5	59.1	36.6
Basic	57.1	41.0	71.3	48.6	35.1	62.2

Reading Grade 4

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	4.1	3.4	0.5	5.1	5.2	0.8
Proficient	43.2	61.8	32.4	51.0	64.6	38.4
Basic	52.7	34.8	67.1	43.9	30.2	60.8

Reading Grade 5

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	8.5	11.1	1.8	8.9	12.0	3.8
Proficient	29.2	43.7	20.8	35.4	50.9	25.8
Basic	62.3	45.2	77.4	55.7	37.1	70.3

Reading Grade 6

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	5.8	9.4	1.1	7.0	11.1	1.0
Proficient	23.4	40.6	10.7	25.8	40.2	13.4
Basic	70.8	50.0	88.3	67.2	48.6	85.5

Reading Grade 7

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	4.5	7.7	0.4	5.1	8.3	1.2
Proficient	21.8	42.0	7.7	23.2	37.3	9.6
Basic	73.8	50.3	91.9	71.8	54.4	89.2

Reading Grade 8

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	2.6	6.8	0.1	4.4	6.9	0.3
Proficient	18.1	43.6	5.3	23.1	39.8	7.1
Basic	79.3	49.6	94.6	72.5	53.3	92.5

MSA Data (cont.)

Math Grade 3

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	6.7	7.2	1.4	9.6	8.9	2.4
Proficient	35.3	52.1	23.1	40.0	51.8	28.5
Basic	57.9	40.7	75.5	50.5	39.2	69.1

Math Grade 4

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	5.8	5.4	0.7	8.9	9.6	1.4
Proficient	32.7	47.1	18.9	38.4	49.1	24.7
Basic	61.5	47.6	80.4	52.7	41.3	73.9

Math Grade 5

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	2.8	3.0	0.3	4.3	4.7	1.0
Proficient	26.9	45.5	16.7	31.7	48.5	22.6
Basic	70.4	51.5	83.1	64.0	46.8	76.4

Math Grade 6

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	1.6	1.3	0.1	2.5	2.1	0.1
Proficient	12.5	21.8	3.6	19.1	30.1	6.6
Basic	85.9	76.9	96.4	78.4	67.7	93.3

Math Grade 7

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	1.3	0.6	0.1	1.9	1.3	0.2
Proficient	13.2	20.5	2.5	16.0	20.3	3.2
Basic	85.5	78.9	97.5	82.1	78.4	96.7

Math Grade 8

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	2.2	3.6	0.1	3.1	3.2	0.5
Proficient	8.5	19.1	1.6	13.9	19.6	2.3
Basic	89.2	77.3	98.3	83.0	77.1	97.2

Geometry All Grades

	State SWD 2004	BCPSS Gen. 2004	BCPSS SWD 2004	State SWD 2005	BCPSS Gen 2005	BCPSS SWD 2005
Advanced	2.2	2.7	0.0	3.0	3.1	0.0
Proficient	13.7	16.0	0.9	13.9	17.4	1.1
Basic	84.1	81.3	99.1	83.1	79.5	98.9

4. High School Assessments (HSAs)

The Maryland HSAs are end-of-course tests that students take as they complete the appropriate high school level course. All students, including middle school students taking any one of four high school level courses, must take the HSA after they complete the appropriate course. The courses are as follows: English II, Government, Algebra/data analysis, and Biology. Testing for English I has been discontinued as of the 2005 Maryland School Performance Report. All students receive a score for each test they take. Scores are also reported for the state, local school systems, and individual schools. Passing scale scores have been established for each content area. They are as follows: Algebra (412), Biology (400), English II (396), and Government (394). The State requires that local school systems print scores for English II, Government, Algebra/data analysis, and Biology on transcripts for students who entered grade 9 in or after Fall 2001. Students entering high school in the 2005-2006 school year will be required to achieve passing scores on the High School Assessments in order to receive a Maryland High School Diploma.

When the data regarding student performance on these assessments is reviewed, students with disabilities in BCPSS lag behind students with disabilities across the State, as well as their non-disabled peers in BCPSS who took the assessments in each subject matter. Although there were some increases in participation rate and the percentage passing for students with disabilities decreased for all three tests with available trend data (Biology, Algebra, and Government) and the achievement gap continues to grow. BCPSS pass rates for the Algebra and Biology HSA are the lowest in the State for students with disabilities and their general education peers. BCPSS is the third lowest in both groupings for the Government HSA and that ranking is impacted by small sample sizes in the two lower-achieving districts.

2003 High School Assessment Performance					
Percent Passing					
	State	BCPSS			
	Sp Ed	Gen Ed	Special Education		
	Percent Passing	Percent Passing	Number Participating	Number Passing	Percent Passing
English I	7.4	19.9	571	3	0.5
Biology	19.9	29.4	473	12	2.5
Government	22.1	45.7	406	14	3.4
Algebra	19.7	24.7	541	8	1.5

2004 High School Assessment Performance Percent Passing					
	State	BCPSS			
	Sp Ed	Gen Ed	Special Education		
	Percent Passing	Percent Passing	Number Participating	Number Passing	Percent Passing
English I	12.3	38.2	743	13	1.7
Biology	22.7	40.9	542	18	3.3
Government	25.4	55.0	438	30	6.8
Algebra	19.0	34.7	751	14	1.9

2005 High School Assessment Performance Percent Passing					
	State	BCPSS			
	Sp Ed	Gen Ed	Special Education		
	Percent Passing	Percent Passing	Number Participating	Number Passing	Percent Passing
English II	15.8	38.8	588	12	2.0
Biology	18.9	31.8	343	4	1.2
Government	25.2	45.3	393	18	4.6
Algebra	16.3	24.7	857	10	1.2

B. Exit Data, Attendance, and Dropout Rates – An Area in Need of Improvement

The EMCIR process included the collection and analysis of information for several factors necessary to complete a report of attendance and exit data. These factors included graduation rate, dropout rate, and attendance. The following section describes the different types of data collected and the procedures used to collect this data.

1. Graduation Rate

The graduation rate is the percentage of all students who received a Maryland High School Diploma during the reported school year. This is an estimated cohort rate of high school graduates for grades 9 through 12. The performance standard for graduation rate for AYP is 90%. Of particular concern is that while graduation rate shows a slight improvement for general education students, the graduation rate for students with disabilities is declining across the most recent three-year trend. BCPSS graduation rates are the lowest in the State for students with disabilities and their general education peers.

Graduation Rate: Grades 12 (2003)

State	BCPSS			
Sp Ed	Gen Ed	Gen Ed	Sp Ed	Sp Ed
Percent	Number	Percent	Number	Percent
78.35	$\frac{3552}{6379}$	55.68	$\frac{217}{578}$	37.45

Data from 2003 Maryland Performance Report. AYP is 90%.

Graduation Rate: Grades 12 (2004)

State	BCPSS			
Sp Ed	Gen Ed	Gen Ed	Sp Ed	Sp Ed
Percent	Number	Percent	Number	Percent
77.56	$\frac{3347}{5856}$	57.16	$\frac{296}{853}$	34.70

Data from 2004 Maryland Performance Report. AYP is 90%.

Graduation Rate: Grades 12 (2005)

State	BCPSS			
Sp Ed	Gen Ed	Gen Ed	Sp Ed	Sp Ed
Percent	Number	Percent	Number	Percent
74.80	$\frac{3762}{5967}$	63.05	$\frac{285}{894}$	31.88

Data from 2005 Maryland Performance Report. AYP is 90%

Census Count data regarding students with disabilities graduating with a diploma is discussed in detail in the Exit Audit section of this report and information submitted by BCPSS is compared with information verified by MSDE. That information is not presented as a rate, but as a count of students with disabilities, ages 14-21, who exited special education by earning a high school diploma during the period covered from July through June of each school year.

2. Dropout Rate

The State formula for the dropout rate is the percentage of students dropping out of school in grades 9 through 12 in a single year. It is the number and percentage of students who leave school for any reason, except death, before graduation or completion of a Maryland approved educational program and who are not known to enroll in another school or state-approved program during the current school year. The years are defined as July 2002 through June 2003, July 2003 through June 2004, and July 2004 through June 2005 and include students dropping out over the summer and students dropping out of evening high school and other alternative programs. The dropout rate is computed by dividing the number of dropouts by the total number of students in grades 9 - 12 served. BCPSS dropout rates are the highest in the State for students with disabilities and their general education peers.

Students Who Dropped Out: Grades 9-12

	State	BCPSS			
	Percent	Gen Ed		Sp Ed	
	Sp Ed	Number	Percent	Number	Percent
2003	4.11	<u>2309</u> 23628	9.77	<u>629</u> 4442	14.16
2004	4.12	<u>2581</u> 23475	10.99	<u>662</u> 4345	15.20
2005	5.50	<u>2543</u> 23013	10.66	<u>761</u> 4489	16.95

Data from 2003, 2004, and 2005 Maryland Performance Report

Pursuant to the federal reporting requirements, the census count for students receiving special education calculates dropouts differently than the State formula. It is discussed in the Exit Audit section of this report and information submitted by BCPSS is compared with information verified by MSDE.

3. Attendance

The average daily attendance for a given year is based on the aggregate number of enrolled students who are present in school each day of the September to June school year. The average daily attendance percentage is calculated by dividing the aggregate number of students in attendance by the aggregate number of students in membership for the September 2002 to June 2003, September 2003 to June 2004, and September 2004 to June 2005 school years. Students are counted present only if actually at school or if at another place at a school sponsored activity supervised by a school staff member.

School Year	BCPSS					
	Elementary		Middle		High	
	Gen Ed	Sp Ed	Gen Ed	Sp Ed	Gen Ed	Sp Ed
2002 - 2003	93.7%	92.2%	87.4%	83.3%	81.8%	72.5%
2003 - 2004	93.9%	91.9%	87.4%	82.8%	81.4%	71.5%
2004-2005	94.4%	92.7%	88.4%	83.9%	83.9%	73.7%

Data from 2003, 2004, and 2005 Maryland Performance Report. The State Standard is 94%.

Graduation rate, percentage of students with disabilities receiving a diploma, dropout, and attendance are all areas in need of improvement. All areas need immediate attention, with an effort directed at improving attendance and instruction, keeping students from dropping out of school, and graduating at least 90% of the students with a diploma. Efforts in these areas are also addressed in the BCPSS Master Plan and should be monitored, reviewed and revised as the data changes in accordance with federal and State accountability requirements.

V. Local Application for Federal Funds

For Fiscal Year 2006, BCPSS did not submit an approvable local application for federal funds. In order to correct persistent areas of noncompliance with IDEA and to ensure all students with disabilities receive a free appropriate public education (FAPE), MSDE placed certain restrictions and conditions on the use of these funds when released. The portion of grant funding released through the limited Notice of Grant Award must be allocated to implement the corrective actions identified by MSDE through the Enhanced Monitoring for Continuous Improvement and Results Process (Volumes One through Three) and to remedy the identified noncompliance related to the court order of August 15, 2005 and subsequent court orders through January 2006. Correspondence from MSDE to BCPSS dated January 23, 2006 describes these conditions in further detail.

Redirection of these funds occurs in conjunction with the assignment of the Intensive Management and Capacity Improvement (IMCI) team and other MSDE staff for on-site technical assistance, and their court-ordered responsibility to monitor and improve BCPSS' special education program. As described in the court order dated August 15, 2005, the State Superintendent's Designee and members of the IMCI team have been assigned to work with BCPSS counterparts in targeted areas including: 1) special education; 2) student services and guidance; 3) provision of related services; 4) human resources; 5) transportation of students with disabilities; 6) information technology; 7) special education finance; and 8) instruction for students with disabilities. MSDE is redirecting up to \$2,000,000 for the court-ordered IMCI team to ensure that funding is available for the team through June 2006 and through the upcoming 2006-07 school year.

Funds from the Fiscal Year 2006 local Application will also be redirected in the amount of \$5,000,000 for the purpose of delivering related services that were not provided to students with disabilities during the 2004-05 school year. These funds are intended for students with disabilities identified as missing in excess of twenty (20) hours of related services during the 2004-2005 school year and for whom IEP meetings were held prior to January 15, 2006. MSDE has identified an appropriate coordinator for vendors that are willing and able to provide services immediately. These services are to be determined and carried out consistent with the requirements described in the Supplemental Order issued by United States District Court Judge Marvin J. Garbis on December 28, 2005.

The limited Notice of Grant Award will release funds in the amount of \$7,000,000. BCPSS must submit a revised local application for federal funds that demonstrates the redirection of the Pass-through budget in this manner. The remaining \$16,898,301 of BCPSS' allocation will be released upon receipt of an approvable local application. BCPSS is also responsible for completing all progress and financial reports in accordance with timelines and MSDE requirements. The amount of funds redirected

by MSDE will be impacted by unspent funds from the Fiscal Year 2005 Part B grant once remaining issues surrounding the Carryover funds can be satisfactorily resolved.

VI. EXIT AUDIT

Currently, students can exit from special education in any one of seven categories. Prior to the 2004-05 school year, there were eight categories in which students could exit special education.¹ The local school systems are required to report to MSDE the name of each student within their agency who exited special education during the previous school year, as well as the reason why the student exited.

From this data, MSDE creates its annual Exit Census Report in which the number of exiting students are broken down by jurisdiction and exit code. When a student has exited more than once in a given school year, only the most recent exit is included in the report. For example, if a student dropped out of school, reentered, and then received a certificate, only the certificate exit would be included in the report. Likewise, if a student transferred from one jurisdiction, then dropped out of another, only the drop-out would be included in the report.

A key component of MSDE's monitoring process is an evaluation of BCPSS's procedural compliance in exiting students, as well as BCPSS's compliance in accurately reporting exit data. The evaluation is conducted by means of an exit audit. During this exit audit, the educational record for each BCPSS student aged 14 or older who exited special education during the previous school year, as reported by BCPSS in its exit data and included in MSDE's Exit Census Report, is reviewed to verify the procedural and reporting accuracy.

The exit audit is conducted in three distinct phases. Phase I focuses on students who exited special education by virtue of receiving a Maryland high school diploma or certificate. Phase II focuses on 12th graders who exited special education for any reason other than a diploma or certificate. Phase III focuses on students aged 14 or over, in grade placements up to and including the 11th grade, who exited special education for any reason.

In EMCIR-IV, MSDE reviewed the folders of 1564 BCPSS students who exited special education during the 2004-05 school year, defined as 7/1/04 through 6/30/05. This

¹ Prior to the 2004-05 school year, students could exit special education in any one of the following categories: (1) return to general education because they no longer have a disability that effects their ability to learn (Code A); (2) graduate with a Maryland high school diploma (Code B); (3) receive a Maryland high school certificate (Code C); (4) reach 21 years of age (Code D); (5) die (Code E); (6) move, but be known to be continuing in an educational program (Code F); (7) move, but *not* be known to be continuing in an educational program (Code G); or (8) drop out (Code H). (Special Services Information System Manual of Instruction, revised April 2004). As of the 2004-05 school year, local school systems must aggregate Exit Codes G and H, and report the combined total as Code H. (Office of Special Education Programs (OSEP), Memo 04-11 – Instructions for Census Reports, 2005 Part B Data Forms, Instructions for Table 4; Special Services Information System Manual of Instruction, revised March 2005).

represents 85.6% of the 1828 folders requested.² The remaining 14.4% of students' records either were not produced for review, or were only portions of records that contained insufficient information for adequate monitoring. The breakdown of the number of files reviewed in each Phase is as follows:

- Phase I – 12th grade students exiting during the 2004-05 school year with a diploma or a certificate. MSDE reviewed 370 of the 380 identified students' records for this phase, or 97.4%.
- Phase II – 12th grade students exiting during the 2004-05 school year for any reason other than a diploma or a certificate. MSDE reviewed 189 of the 210 identified students' records for this phase, or 90.0%.
- Phase III – students 14 years of age or older, and in grade placements up to and including the 11th grade, exiting during the 2004-05 school year. MSDE reviewed 1005 of the 1238 identified students' records for this phase, or 81.2%.

Records Reviewed

Phase	Number of Records Requested	Number of Records Provided	Percentage of Records Requested That Were Provided
Phase I	380	370	97.4%
Phase II	210	189	90.0%
Phase III	1238	1005	81.2%
Total	1828	1564	85.6%

A. Discussion of Exit Audit

In continuation of MSDE's responsibility for ensuring compliance with and implementation of State and federal laws and regulations concerning special education, MSDE completed a third exit audit for all students age 14 and older who exited special education during the 2004-05 school year. This exit audit collected and analyzed data concerning the reasons for exit. This report will describe the data collected through the audit and will compare the audit data to census data received from BCPSS.

This report will respond to the following questions:

- Did BCPSS provide accurate and consistent data to MSDE for use in the exit audit?
- What reasons for dismissals are documented in the students' records?

² There were 1879 students whose most recent exit from special education took place in BCPSS during the 2004-05 school year; however, not included in this audit are the 51 BCPSS students who exited from School No. 884 – the school number designated for students in adult prison.

- Are the reasons for dismissal consistent with the data provided by BCPSS and reported in the Census data?
- Was there documentation to justify the designated exit codes?
- Was there documentation to support a change from diploma to certificate track? When does this take place?
- Were students dismissed from special education due to non-attendance?
- Was there documentation of efforts by school staff to follow-through on attendance issues prior to suspending a student's services?
- Did students' records include High School Assessment ("HSA") data?
- Are accurate and signed high school transcripts kept in cumulative folders?
- Was attendance data available and accurate in the cumulative folder?
- Are short-term and long-term suspensions recorded and tracked appropriately?

B. Census Data as Reported by BCPSS

As of the 2004-05 school year, Code G (moved, *not* known to be continuing in an educational program) is no longer in use as an exit code. Local school systems are now required to use Code H for any student exiting special education that would previously have been identified as exiting under Code G. In other words, if the school system does not know whether the student is continuing in an educational program, the school system must classify the student as having dropped out of school. In order to achieve an historical perspective concerning the number of special education students in BCPSS who have dropped out, MSDE has combined Codes G and H for both the 2002-03 and 2003-04 school years.

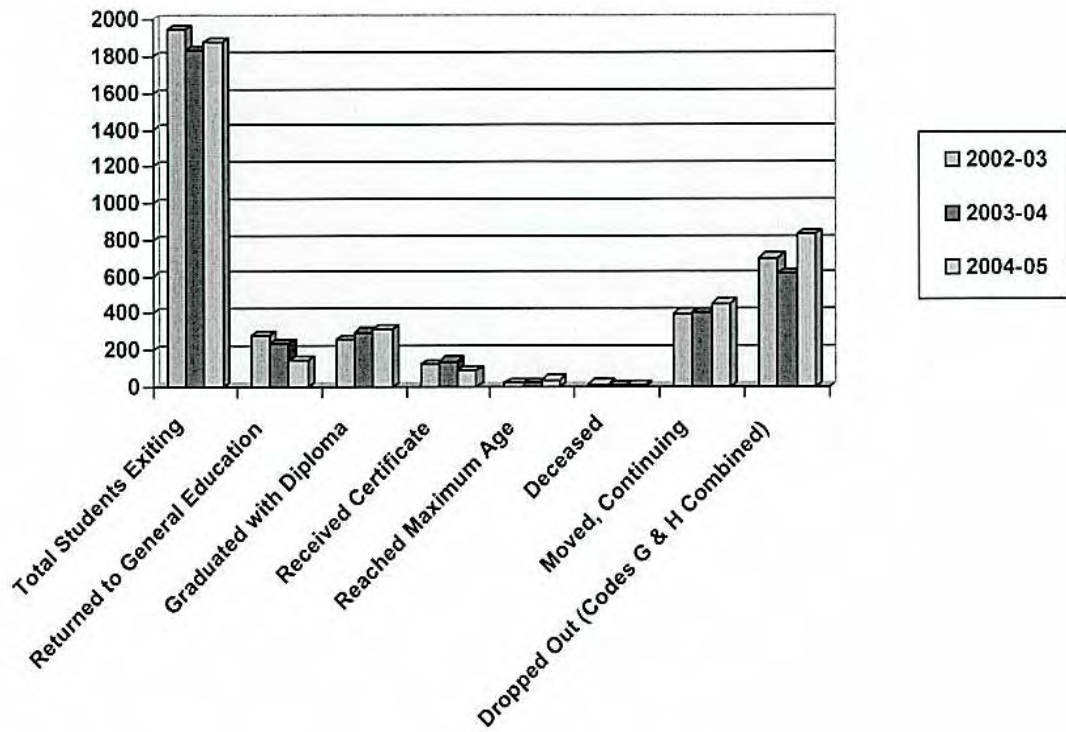
The following table and graphs contain the numbers of BCPSS students between the ages of 14 and 21 years receiving special education who exited BCPSS during the 2002-03, 2003-04 and 2004-05 school years by exit reason, as reported to MSDE by BCPSS, and illustrate the difference between the school years, captured as a percentage, by exit reason.

A. BCPSS Students 14-21 Exiting Special Education

Exit Reason	School Year			Percentage Change		
	2002-03	2003-04	2004-05	2002-03 to 2003-04	2003-04 to 2004-05	2002-03 to 2004-05
Total Students Exiting Special Education	1948	1833	1879	(5.9)	2.5	(3.5)
Returned to General Education (A)	278	237	141	(14.7)	(40.5)	(49.3)
Graduated with Diploma (B)	255	295	316	15.7	7.1	23.9
Received high school certificate (C)	119	137	90	15.1	(34.3)	(24.4)
Reached 21 years of age (D)	23	21	37	(8.7)	76.2	60.9
Deceased (E)	13	7	8	(46.2)	14.3	(38.5)
Moved, known to be continuing (F)	396	402	456	1.5	13.4	15.2
Dropped out (Codes G & H combined)	864	734	831	(15.0)	13.2	(3.8)

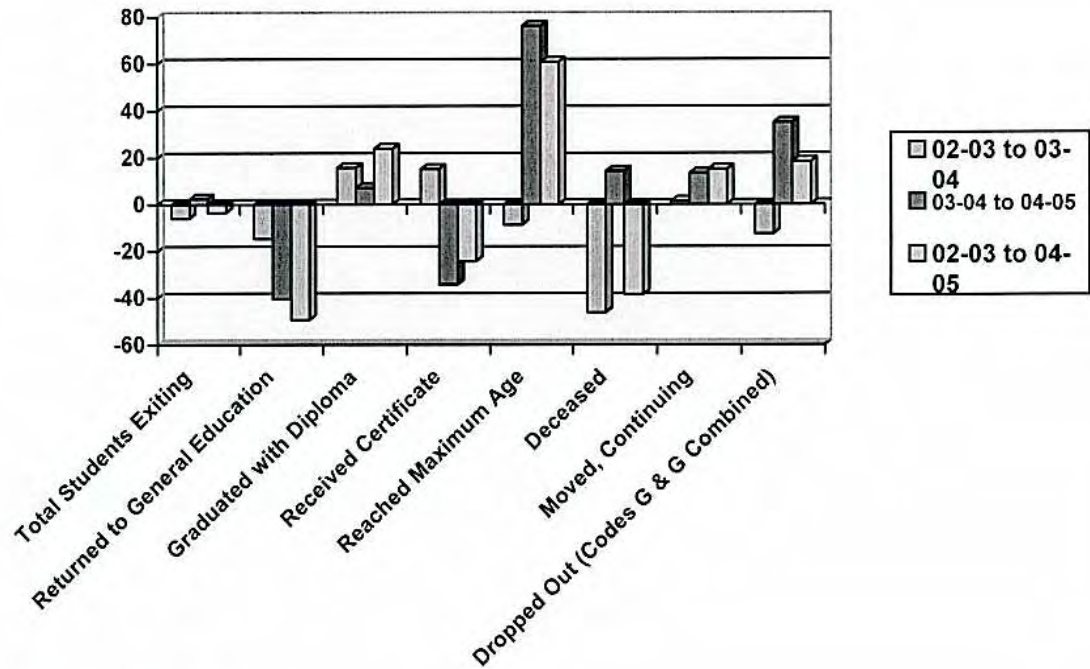
Source: 2003, 2004 and 2005 Census Data

BCPSS Students 14-21 Exiting Special Education



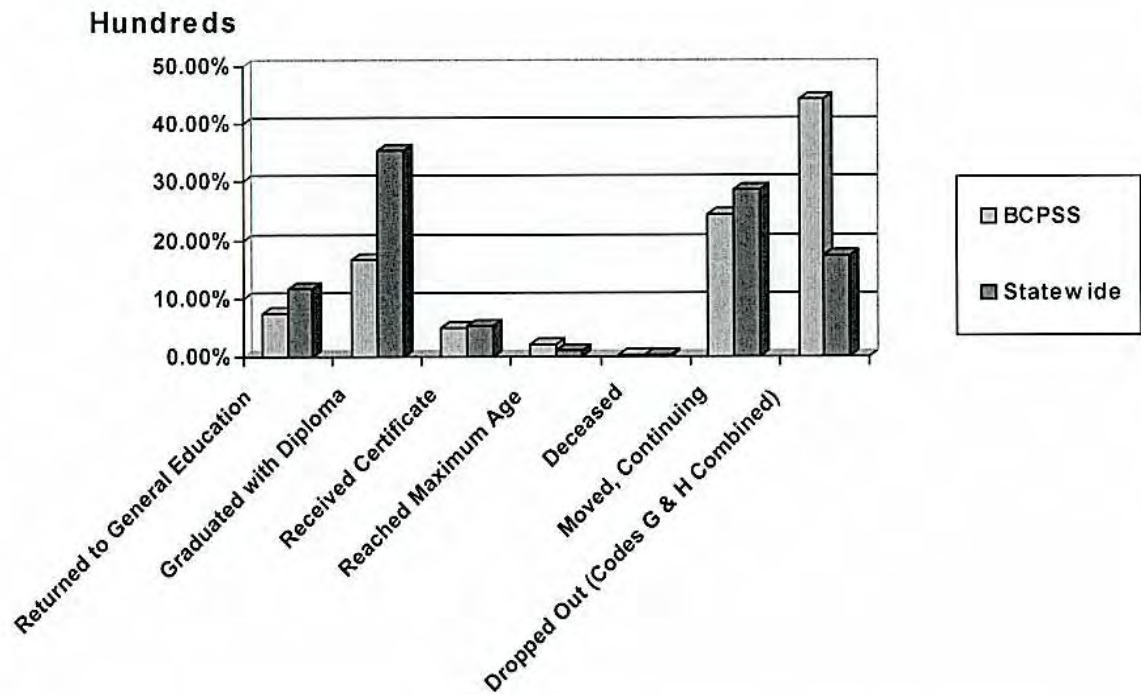
Source: 2003, 2004 and 2005 Census Data

Percentage of Change



Based on 2003, 2004 and 2005 Census Data

**Comparison of BCPSS v. Statewide
Percentage of Students Exiting Special Education by Exit Code**



1. Returned to General Education (Code A)

During the 2004-05 school year, BCPSS reported that 141 students exited special education to return to general education, representing 7.5% of the students exiting special education in BCPSS. This also represents a 40.5% decrease from the prior school year, and a 49.3% decrease from the 2002-03 school year. Statewide, the percentage of students exiting special education by returning to general education was 11.7%. In order for a student to exit special education by this method, referred to as a “dismissal,” the student must undergo a reevaluation of skills in the domain relevant to his or her disability and special education services as outlined by COMAR 13A.05.01.

**Percentage of Students Receiving Special Education Services Who
Exited by Returning to General Education**

Exit Category	2002-03			2003-04			2004-05		
	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students
Returned to General Education	278	14.3%	13.7%	237	12.9%	12.9%	141	7.5%	11.6%

October 2003, 2004 and 2005 Census Data

2. Graduation with a Diploma (Code B)

During the 2004-05 school year, BCPSS reported that 316 students exited special education with a regular education diploma, having met the same standards for graduation as those for students without disabilities. This figure represents 16.8% of BCPSS students ages 14-21 exiting special education in the 2004-05 school year. This also represents a 7.1% increase from the number of BCPSS students ages 14-21 exiting special education with a regular education diploma during the prior school year, and a 23.9% increase from the 2002-03 school year. Statewide, the percentage of students ages 14-21 exiting special education services in Maryland public schools with a diploma in 2004-05 was 35.6%. (Please see table and chart below comparing both diploma and certificate students.)

a. Received a Certificate (Code C)

During the 2004-05 school year, BCPSS reported that 90 students exited special education with a certificate. This figure represents 4.8% of BCPSS students ages 14-21 exiting special education during the 2004-05 school year. This also represents a 34.3% decrease in the number of students ages 14-21 exiting special education with a certificate during the prior school year, and a 24.4% decrease from the 2002-03 school year. In the 2004-05 school year, the Statewide percentage of students ages 14-21 exiting special education services in Maryland with a certificate was 5.2%

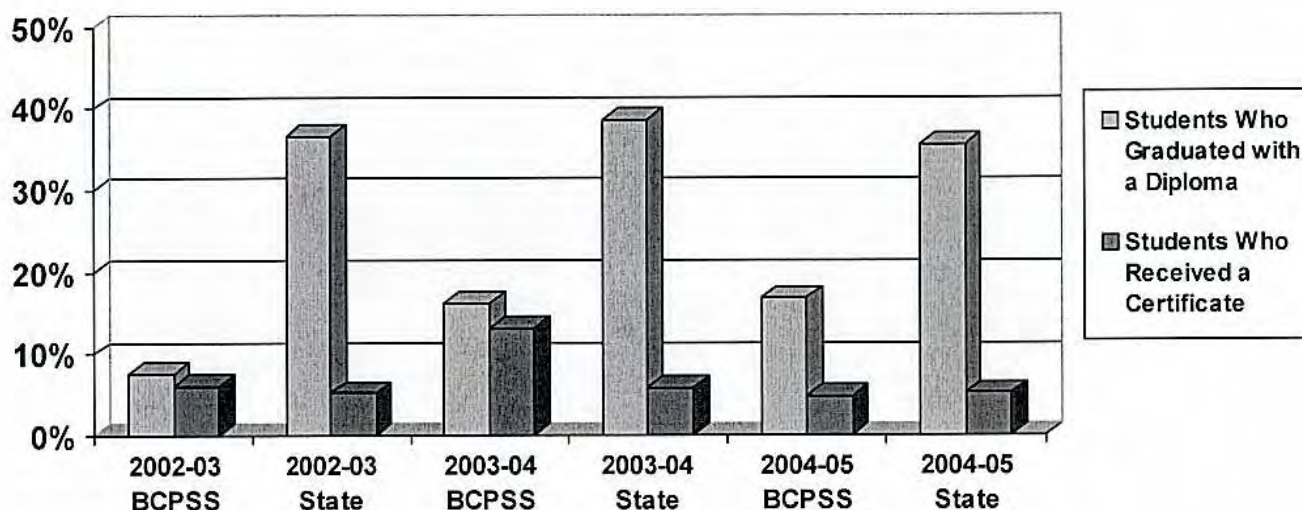
Percentage of Students Receiving Special Education Services Who Exited with a Diploma or Certificate

Exit Category	2002-03			2003-04			2004-05		
	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students
Diploma	255	13.1%	36.6%	295	16.1%	38.6%	316	16.8%	35.6%
Certificate	119	6.1%	5.2%	137	7.5%	5.9%	90	4.8%	5.2%

October 2003, 2004 and 2005 Census Data

**Comparison of BCPSS vs State
For Students Who Exited with Diploma/Certificate**

Hundreds



b. Reached 21 Years of Age (Code D)

During the 2004-05 school year, BCPSS reported that 37 students reached 21 years of age and did not earn a diploma or certificate. This figure represents 2% of BCPSS students ages 14-21 exiting special education during the 2004-05 school year. This figure also represents a 76.2% increase from the prior school year, and a 60.9% increase from the 2002-03 school year. Statewide, the 129 students (or 1.2%) exited special education by reason of reaching the age of 21, but 28.7% of the students aging out of the system Statewide were from BCPSS. IDEA and COMAR specify that students with disabilities are entitled to a FAPE until the end of the school year in which they reach the age of 21 years of age, after which a student is no longer eligible for services.

c. Deceased (Code E)

During the 2004-05 school year, BCPSS reported that 8 students receiving special education services died. This represents 0.4% of BCPSS students exiting special education during the 2004-05 school year. This also represents a 14.3% increase from the prior school year, but a 38.5 decrease from 2002-03. Statewide, deceased students represented 0.4% of exiting special education students.

d. Moved, Known to be Continuing (Code F)

During the 2004-05 school year, BCPSS reported that 456 students receiving special education services left to enroll in another school system. This

represents 24.3% of the BCPSS students exiting special education during the 2004-05 school year. This also represents a 13.4% increase from the prior school year, and a 15.2% increase from the 2002-03 school year. Statewide, the percentage of students receiving special education who left one school system and enrolled in another was 28.8%.

e. Dropped Out (Codes G and H Combined)

Prior to the 2004-05 school year, local school systems had two additional categories (other than those mentioned above) under which they could list special education students who stopped attending school. Students who moved outside of a local school system but were *not* known to be enrolling in another educational program were categorized as exiting under Code G. Students who formally dropped out of school or who were removed from the rolls of a local school system for failing to attend school were categorized as exiting under Code H. As of the 2004-05 school year, local school systems must combine these two categories and report these students all as exiting under Code H. (Office of Special Education Programs, Memo 04-11 – Instructions for Census Reports, 2005 Part B Data Forms, Instructions for Table 4; Special Services Information System Manual of Instruction, revised March 2005).

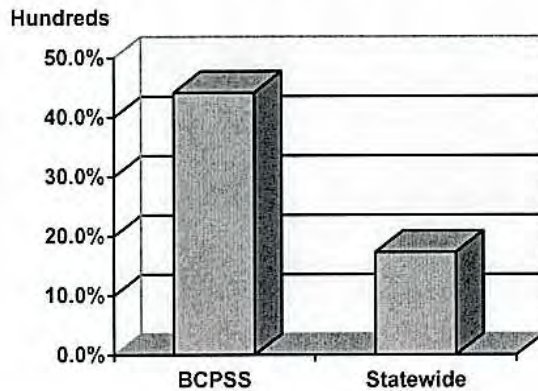
During the 2004-05 school year, BCPSS reported that 831 students ages 14-21 years old receiving special education services dropped out. This number represents 44.2% of the total population of BCPSS students ages 14-21 receiving special education services, which appears to be a significant increase in the drop-out rate from the two prior school years (35.1% increase from 2003-04, and 18.2% increase from 2002-03). However, comparing this information to the previous two years is misleading unless Codes G and H are combined for those years as well. Accordingly, for purposes of this audit and in order to achieve an historical analysis, MSDE combined Codes G and H for the 2002-03 and 2003-04 school years. This closer analysis shows that, when the data for the previous two school years is aggregated, the “drop-out” rate remains relatively stable, with the 2003-04 school year being 40.0%, and the 2002-03 school year being 44.4%.

Number/Percentage of Students Receiving Special Education Services Who Exited as Moved, *Not* Known to be Continuing or Dropped Out

Exit Category	2002-03			2003-04			2004-05		
	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students	No. of Students	BCPSS % of Exiting Students	Statewide % of Exiting Students
Codes G & H Combined	864	44.4%	20.7%	734	40.0%	20.0%	831	44.2%	17.1%

October 2003, 2004 and 2005 Census Data

**Comparison of BCPSS v. Statewide
Percentage of Students Exiting Special Education as Dropped Out in 2004-05
(Code H – Aggregate)**



C. Procedures Used During Exit Audit

1. Background Information

As reported by BCPSS in the Census data, BCPSS served 1879 exiting special education students ages 14-21. Of those students, 51 had been enrolled in School #884 – the school number designated for students in adult prison. MSDE did not include School #884 in this exit audit. Accordingly, data collection and exit outcome analysis focused on the remaining student population of 1828 special education students. Of those students, 590 were in the 12th grade during the 2004-05 school year, and 1238 were aged 14 or older in grades up to and including the 11th grade.

2. Basis for Audit

One of the purposes of this audit is to verify exit census data that was presented in the previous section of this report. Special Services Information System (SSIS) provides seven categories, (formerly eight, prior to the 2004-05 school year) describing reasons for exit or termination of special education services. COMAR outlines the associated procedural requirements for these exit reasons. This report will consider each result for students ages 14-21 in the 2004-05 school year by exit category. The report will further explore all relevant procedural requirements associated with each exit category.

3. Record Review Process

MSDE conducted a review of exit outcomes contained in special education records as part of the EMCIR process. Record reviews were conducted using the following “phase” structure:

a. Phase I Exit Outcomes: Graduation Codes for Students in 12th Grade During the 2004-05 School Year

i. Purpose

- Phase I of the record review process focused on data collection for BCPSS students in the 12th grade receiving special education services who graduated with a diploma or received a certificate during the 2004-05 school year.

ii. Procedures

- MSDE used the Exit Census Report that included the exit data submitted by BCPSS to request the file of every special education student exiting 12th grade that either graduated with a diploma or received a certificate during the 2004-05 school year. BCPSS provided a list of 380 students' names that corresponded with the 380 student identification numbers previously reported in their exit data.
- BCPSS representatives provided 370 student education records for review. Records for students attending nonpublic schools were reviewed at the BCPSS Headquarters, while others were reviewed at the schools the students last attended.
- A team of 13 monitors from MSDE Division of Special Education/Early Intervention Services (DSE/EIS) reviewed the 370 student records over a period of 14 business days (September 6, 2005 to September 21, 2005). All monitors, including those that participated in previous audits, went through a 3 hour training session on how to conduct the record review, complete the revised exit instrument, and utilize the Exit Audit Checklist and Diploma Documentation Form.
- MSDE monitors completed a 67-item record review form for each record. This form was modified since the previous exit audit in order to enhance the database. A sample record review form is attached as Appendix __. For each record reviewed, monitors also completed an Exit Audit Checklist that lists the criteria for exiting under each of the exit codes. A sample Exit Audit Checklist is attached as Appendix __. Finally, for each student who graduated with a diploma, an additional form was completed, entitled Diploma Documentation Form, that itemized the requirements for earning a Maryland High School Diploma, as well as the IEP team procedural requirements for exiting a student from special education under Exit Code B. A sample Diploma Documentation Form is attached as

Appendix . Both the Exit Audit Checklist and the Diploma Verification Form provided additional guidance to the monitors reviewing the folders and ensured consistency in verification of exit codes based not just on whether BCPSS intended to exit a student under a particular code, but whether the student actually met the qualifications for exiting under that code and whether BCPSS had followed required procedures prior to exiting the student.

- The items on the exit audit record review form include:
 - Reviewer's name and date of review;
 - Student's personal identifying information;
 - School number and area;
 - Disability code, grade, exit code and exit date;
 - Availability of student's confidential, cumulative and discipline folders;
 - IEP meeting dates for the two most recent IEP meetings and summary of meeting findings regarding LRE code, whether progress was noted, hours of special education service provided, diploma or certificate track, qualification for Alt-MSA assessment, and dismissal from special education;
 - Service provider progress notes available for the most recent IEP meeting;
 - Whether the most recent annual review was within timelines;
 - Date of the last reevaluation meeting and whether the meeting was conducted within the last 3 years
 - Dates of High School Assessments and whether students took all 4 tests;
 - Information regarding Maryland Functional Tests, including dates taken, whether passed or failed and whether the MFT information was in the record,
 - High school credits earned, service learning hours completed, and verification of each;
 - Attendance and suspension information for the last 2 years;
 - Whether there was attendance follow-through and the type of documentation available;
 - Justification for exit code;
 - Concerns regarding certain exit codes, attendance, suspension and transition.

- Data obtained through the audit was entered into a database for further analysis.

b. Phase II Exit Outcomes: Exit Codes for Non-Graduating Students in 12th Grade during the 2004-05 School Year

i. Purpose

- Phase II of the record review process focused on BCPSS students in 12th grade receiving special education services who exited the school system during the 2004-05 school year for any reason other than with a diploma or certificate.

ii. Procedures

- MSDE used the Exit Census Report that included the exit data submitted by BCPSS to request the file of every BCPSS student in 12th grade who exited BCPSS during the 2004-05 school year for any reason other than receiving a diploma or certificate. BCPSS provided a list of 210 students' names that corresponded with the student identification numbers previously reported in their Census exit data.
- BCPSS representatives provided 189 student education records for review. Records for students attending nonpublic schools were reviewed at the BCPSS Headquarters, while others were reviewed at the schools the students attended.
- Phase II record reviews were conducted simultaneously with Phase I, during the same 14-day period (September 6, 2005 to September 21, 2005). The same 13 monitors completed the same 67-item record review form and Exit Audit Checklist used in Phase I and attached as Addenda **U** and **V**. As noted previously, all monitors had been trained on how to conduct the record review and complete the instrument prior to the start date.
- Data obtained through the audit was entered into a database for further analysis.

c. Phase III Exit Outcomes: Exit Codes for Students 14 Years of Age or Older through 11th Grade during the 2004-05 School Year

i. Purpose

- Phase III of the record review process focused on BCPSS students 14 years of age or older in grade placements up to and including the 11th grade who received special education services and exited the school system during the 2004-05 school year with any exit code.

ii. Procedures

- MSDE used the Exit Census Report that included the exit data submitted by BCPSS to request the file of every BCPSS student aged 14 to 21 years of age through the 11th grade who exited BCPSS during the 2004-05 school year with any exit code. BCPSS provided a list of 1238 students' names that corresponded with the student identification numbers previously reported in their Census exit data.
- BCPSS representatives provided 1005 student education records for review out of the 1238 records requested. Records for students attending nonpublic schools were reviewed at the BCPSS Headquarters, while others were reviewed at the schools the students attended.
- A team of 15 monitors from DSE/EIS reviewed the 1005 student records over a period of 23 business days (October 4, 2005 to November 3, 2005). All monitors were trained on how to conduct the record review and complete the instrument prior to the start date.
- MSDE monitors completed a 59-item record review form for each record. This form is similar to the one used in Phases I and II, except that it was modified to exclude a review of MFT data. A sample record review form is attached as Appendix ___. Monitors used the same Exit Audit Checklist used during Phases I and II attached as Appendix ___.
- Data obtained through the audit was entered into a database for further analysis.

D. Analysis Based on Audit Data

1. Discussion

MSDE requested that BCPSS provide special education, cumulative, and discipline folders to be reviewed for compliance regarding exit from special education. This was completed in three phases.

Phase I consisted of students in the 12th grade who either graduated with diplomas or received certificates. MSDE requested that BCPSS produce folders for the 380 students identified in the Census data as meeting these criteria. BCPSS presented the monitors with 370 folders (97.4%) that contained sufficient information to be included in the monitoring process.

Phase II consisted of reviewing folders of 12th graders who exited for any reason other than graduating with a diploma or receiving a certificate. MSDE requested that BCPSS produce folders for the 210 students identified in the Census data as meeting these criteria. BCPSS presented the monitors with 189 folders (90.0%) that contained sufficient information to be included in the monitoring process.

Phase III consisted of all students with disabilities ages 14 through 21 (excluding 12th graders) who exited for any reason. MSDE requested that BCPSS produce folders for the 1238 students identified in the Census data as meeting these criteria. BCPSS presented the monitors with 1005 folders (81.2%) that contained sufficient information to be included in the monitoring process.

This is the third consecutive exit audit conducted by MSDE, with previous audits monitoring the 2002-03 and 2003-04 school years. As reflected by the chart below, BCPSS had shown a significant improvement in producing students' folders from the 2002-03 school year to the 2003-04 school year. It was believed that that improvement directly correlated to the fact that the file reviews for the 2003-04 audit took place at the individual schools, rather than at BCPSS Central Office, thereby improving the ability of staff to look for and obtain missing folders.

There was, however, a slight decrease in the overall ability of BCPSS to produce student folders during the 2004-05 audit. Since the rate of folder production had actually improved slightly during both Phase I and Phase II of the audit, but had worsened somewhat during Phase III, it is believed that the resulting overall decrease in folder production is due to the number of folders presented that contained insufficient information for review. As will be discussed more fully in the Trends section of this report, many of the folders determined by MSDE to be unavailable for review actually were submitted, but had little or no information concerning the student's current or recent educational program or reevaluation. In fact, some "confidential folders" were little more than manila folders containing School Administration Student Information (SASI) database attendance print-outs, while others contained only very old information (nothing more recent than two or three years prior to the student's exit date) or very new information (e.g., minutes to a meeting suspending a student from the rolls, but no progress reports, reevaluation information, or even an IEP to indicate the student's program).

Audit Phase	Percentage of Records Provided 2002-03 (EMCIR)	Percentage of Records Provided 2003-04 (EMCIR-II)	Percentage of Records Provided 2004-05 (EMCIR-IV)
Phase I	92.4%	96.0%	97.4%
Phase II	84.0%	89.1%	90.0%
Phase III	69.0%	85.1%	81.2%
Total	75.8%	87.9%	85.6%

2. Reasons For Exit From Special Education Services

As part of the exit audit, MSDE identified the reasons BCPSS students between the ages of 14 and 21 were exited from special education during the 2004-05 school year. The following chart summarizes the results by exit code.³ Census data and results of the 2002-03 EMCIR and 2003-04 EMCIR-II are provided for comparison.

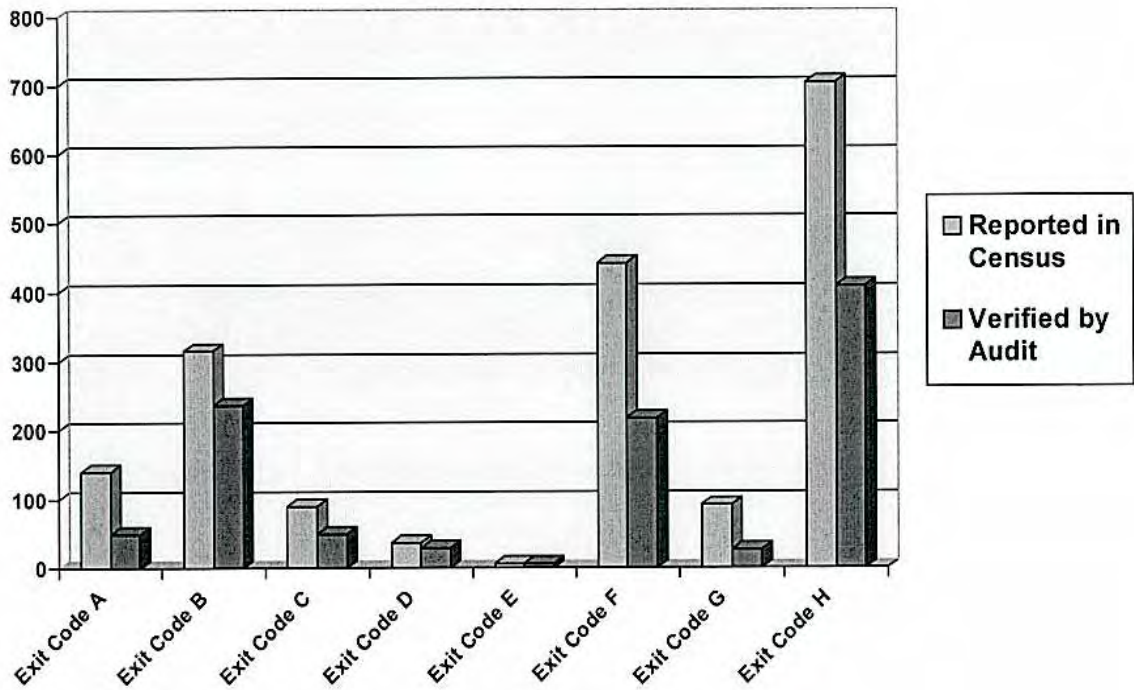
³ While Exit Codes G and H were combined in the section of this report analyzing BCPSS's Census Data, those Exit Codes were kept separate and distinct in the section analyzing the audit results. The reason for this is because BCPSS continued to exit students under both exit codes during the 2004-05 school year, following two different sets of procedures for each of those exit codes. Since two different sets of procedures were utilized, it would have been inappropriate for MSDE to combine the two exit codes in this section.

BCPSS Students 14-21 Exiting Special Education

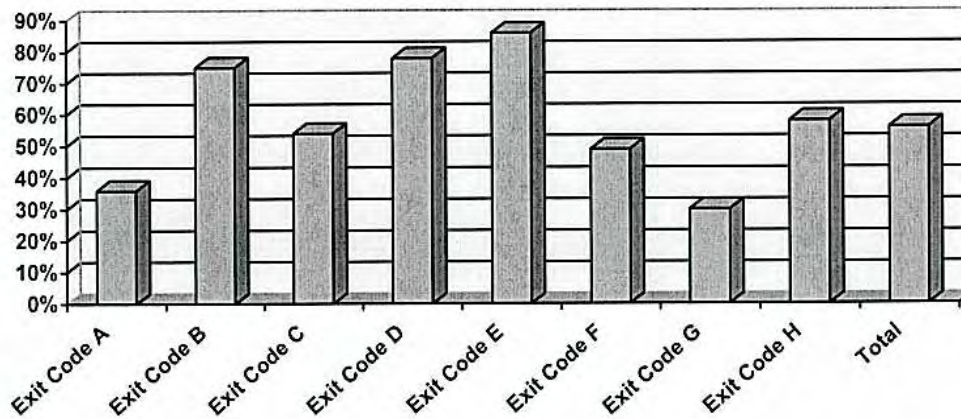
Exit Reason	2002-03				2003-04				2004-05			
	Audit (Reviewed)	Census	Diff	% Accurate	Audit (Reviewed)	Census	Diff	% Accurate	Audit (Reviewed)	Census	Diff	% Accurate
Total Students Exiting Special Education	1533	1948	(415)		1699	1833	(134)		1564	1828	(264)	
Returned to General Education (A)	106	278	(172)	38%	203	237	(34)	86%	50	140	(90)	36%
Graduated with Diploma (B)	245	255	(10)	96%	168	295	(127)	57%	236	316	(80)	75%
Received a Certificate (C)	117	119	(2)	98%	107	137	(30)	78%	49	90	(41)	54%
Reached Maximum Age (D)	12	23	(11)	52%	18	21	(3)	86%	29	37	(8)	78%
Deceased (E)	4	13	(9)	31%	7	7	0	100%	6	7	(1)	86%
Moved, Known to be Continuing (F)	102	396	(294)	26%	367	402	(35)	91%	217	442	(225)	49%
Moved, <i>Not</i> Known to be Continuing (G)	38	161	(123)	24%	87	119	(32)	73%	27	92	(65)	29%
Dropped Out (H)	295	703	(408)	42%	555	615	(60)	90%	408	704	(296)	58%
Total files with verified exit codes	919			47%	1512			82%	1022			56%
Files requested but not produced	415				223				264			
Files Reviewed with unverified exit codes	614				107				542			

Census Data Source: MSDE/DAA/SSIS

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Comparison of Census Data Reported by BCPSS
Versus Exit Codes Verified by MSDE**



Rate of Accuracy in Reporting Exit Codes for the 2004-05 School Year



a. Returned to General Education

According to audit data, 50 BCPSS students exited special education to return to general education during the 2004-05 school year, representing 90 fewer students than reported in the census data (36% accuracy in reporting for this exit code). While Census data indicates that 7.6% of BCPSS's exiting special education students between the ages of 14-21 were returned to general education, MSDE was only able to verify 2.7%. Both figures

indicate a substantial decrease from the prior two years in students exiting under Code A.

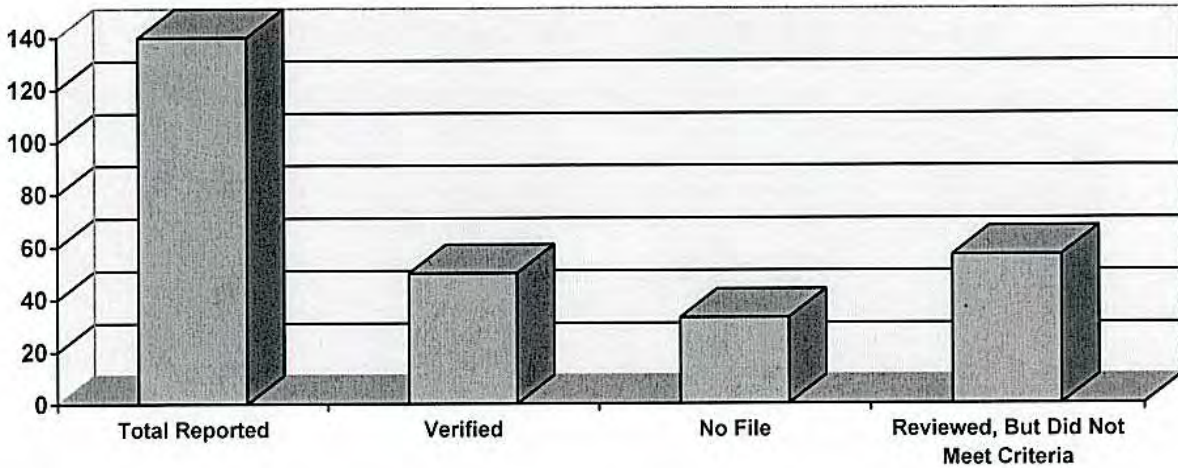
One reason for the major discrepancy between what was reported and what was verified for the 2004-05 school year is that BCPSS failed to provide a special education folder (or a special education folder with sufficient information to allow review) for 33 of the 140 students who were supposed to have exited by virtue of being returned to general education. MSDE was unable to verify that 57 students out of the 140 reported as having returned to general education were properly exited as Code A, including several that appeared were being dismissed for nonattendance.

In order for a student to exit special education by dismissal, the student must undergo a reevaluation of skills in the domain relevant to his or her special education services, as outlined by COMAR 13A.05.01. The parent must receive proper notice of the reevaluation and of the purpose of the IEP meeting. The student must have achieved the goals and objectives contained in the IEP, and the IEP team must determine that the student no longer has a disability for which he or she requires special education. Finally, the parent must have been provided prior written notice of the IEP team's decision. A desk review of BCPSS' policies and procedures regarding reevaluation as contained in its Standard Operating Procedures Manual (SOPM) found those procedures to be consistent with both COMAR and Chapter One of the DSE/EIS Public Agency Standards Submission (PASS).

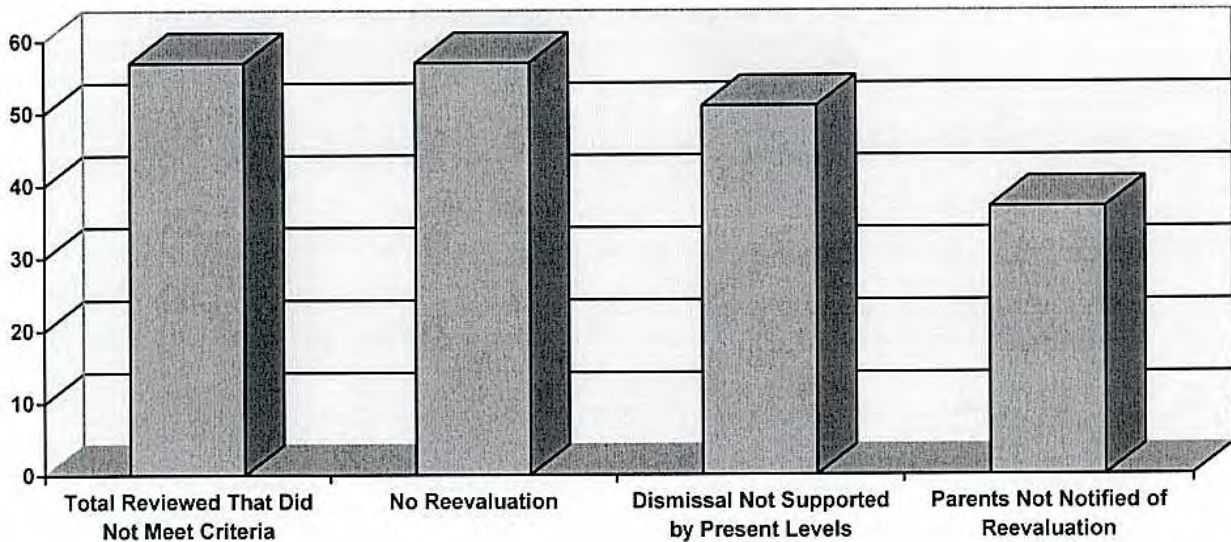
MSDE identified 18 students (of the 50 students verified as exiting under this code) for whom nonattendance appeared to be a major contributing factor for determining the students' dismissal. Of the 57 folders reviewed and found not to meet the criteria for exiting as Code A:

- All 57 were dismissed from special education without benefit of a proper reevaluation as part of the dismissal process. While meetings occurred that were called reevaluations in all but 2 of the folders, none contained all of the criteria needed for a proper reevaluation to take place. In some instances, the meeting was held after the student exited. In one student's case, the student had not even been attending school at the time he or she was exited.
- 51 had little or no documentation in the record to support a determination that the students' present levels of performance were adequate to warrant a determination that the student had achieved the goals and objectives of the IEP and a return to general education.
- 37 had no documentation that the parents were properly notified of the reevaluation.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code A**



**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Breakdown of Reasons Folders Did Not Meet Exit Requirements for Code A**



BCPSS's verified 2.7% rate of dismissing students from special education is the lowest it has been since the EMCIR process was begun, with BCPSS having a 11.1% rate in 2003-04, and a 5.4% rate in 2002-03. Statewide, the rate of dismissing students from special education and returning them to general education was 11.6% in 2004-05.

BCPSS's rate of accuracy in reporting the number of students being dismissed from special education was 36% in the 2004-05 school year, while it was 86% in the 2003-04 school year and 38% in the 2002-03 school year.

**Students Ages 14-21 Receiving Special Education Services
Who Returned to General Education**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	278	106	14.3%	5.4%	13.7%
2003-04	237	203	12.9%	11.1%	12.9%
2004-05	140	50	7.6%	2.7%	11.6%

October 2003, 2004 and 2005 Census Data

b. Graduation with a Diploma

According to the MSDE audit, 236 students were verified as having exited special education in 2004-05 with a high school diploma, which is 80 fewer than reported by BCPSS in its census data (75% accuracy rate in reporting for this exit code). This indicates a significant increase in the total number of students verified as earning high school diploma from the 2003-04 school year, and only a slight decrease from the 2002-03 school year. Of the 316 students reported in the Census data as having received a diploma, BCPSS failed to provide only 4 special education folders. The remaining 76 folders either failed to document the requirements for receiving a high school diploma or documented some other reason for exiting special education.

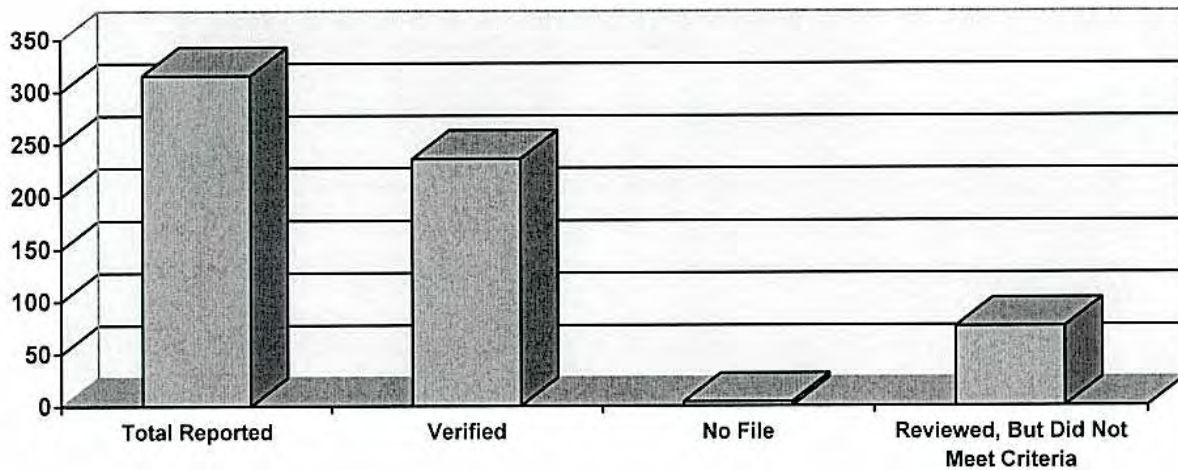
There were 9 folders that documented the student exited for some other reason than receiving a high school diploma. One student exited with a high school certificate, 3 students were actually dismissed from special education and returned to general education prior to graduation, 2 students appeared to have reached maximum age, and 3 students appeared to have been dropped from the rolls

MSDE was unable to verify that the remaining 67 students reported as having graduated with a high school diploma actually completed the requirements for a Maryland high school diploma. In making this determination, MSDE reviewed high school credits and service learning hours earned for each student, as well as documentation in the student's cumulative record concerning whether the student participated in the High School Assessments (HSAs) and, when required for a particular student, whether the student passed the Maryland Functional Tests (MFTs).

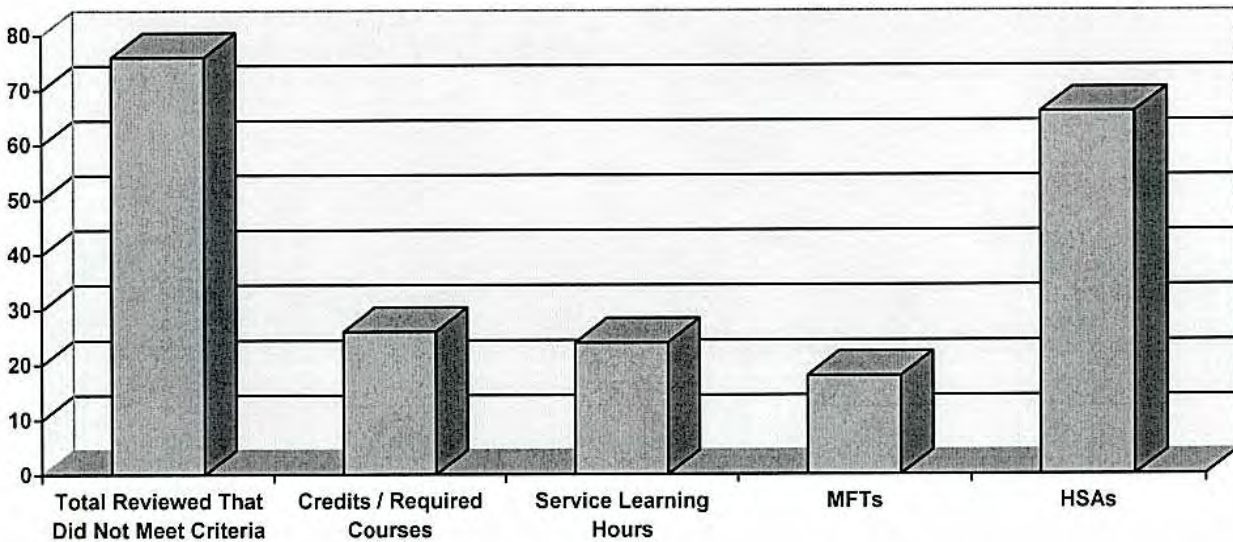
- 26 students did not earn the appropriate credits, either in number (at least 21.5) or in required courses.

- 24 students did not complete the required amount of service learning hours (at least 75 hours).
- 66 students did not have documentation of having taken all of the required HSAs.
- 18 students who were required to pass MFTs (based on the date on which they entered the 9th grade) did not have documentation of having passed them.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code B**



**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Breakdown of Reasons Folders Did Not Meet Exit Requirements for Code B**



BCPSS was also required to have conducted an exit meeting for each student receiving special education who received a high school diploma. However, as this was a procedural requirement for exiting special education, and not a requirement for receiving a diploma, MSDE did not disqualify a student if he or she completed all of the graduation requirements but did not have an exit meeting. Accordingly, MSDE verified the exit code for students who met the graduation requirements even when exit meetings were not held. However, it should be noted that 63 students did not have an exit meeting prior to graduating. This constitutes 20.2% of the 312 folders actually reviewed for Exit Code B.

While Census data indicates that 17.3% of BCPSS's exiting special education students between the ages of 14-21 graduated with a high school diploma, MSDE was only able to verify that 12.9% met the graduation requirements. While still significantly below the State graduation rate, these figures represent an increase not only in the number of BCPSS students graduating with a diploma, but also with BCPSS's documentation of students completing the graduation requirements. In 2003-04, while BCPSS's reported 16.1% of its exiting students received a diploma, MSDE had been able to verify only 9.2%. The variance in verification rates between 2003-04 and 2004-05 was caused by BCPSS's poor documentation of MFT scores during the 2003-04 school year, as well as the dearth of final transcripts in students' folders, causing the exit data to be unverifiable. Statewide, the percentage of students exiting special education with a high school diploma was 35.6%. The data indicates that BCPSS' reported graduation rate less than half the State average, and the verified graduation rate is slightly more than one-third the State average.

BCPSS's rate of accuracy in reporting the number of students graduating with a Maryland high school diploma was 75% in the 2004-05 school year, while it was 57% in the 2003-04 school year and 96% in the 2002-03 school year.

**Students Ages 14-21 Receiving Special Education Services
Who Graduated with a Diploma**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	255	245	13.1%	12.6%	36.6%
2003-04	295	168	16.1%	9.2%	38.6%
2004-05	316	236	17.3%	12.9%	35.6%

October 2003, 2004 and 2005 Census Data

c. Received a Certificate

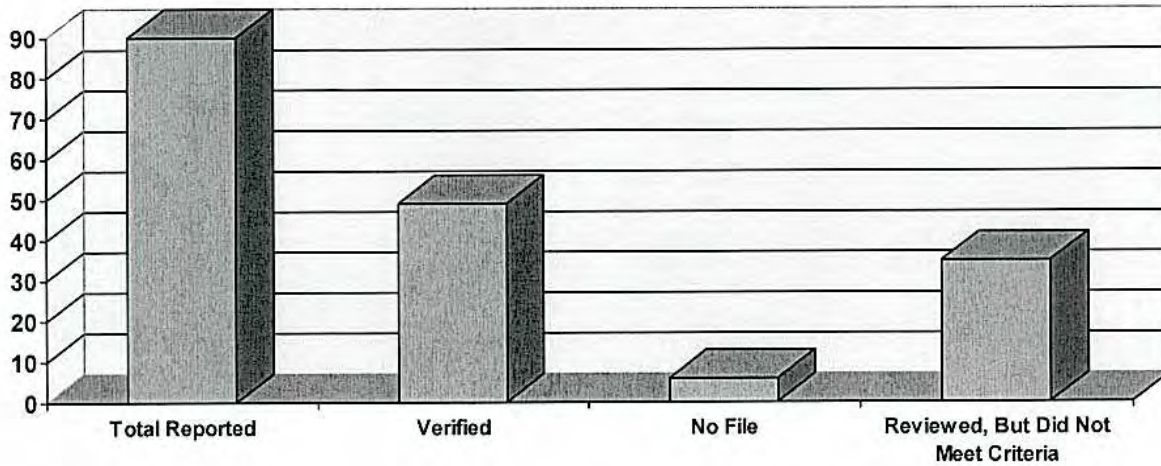
According to the MSDE audit, 49 BCPSS students exited special education in 2004-05 with a certificate, representing 41 fewer students than reported in the census data (54% accuracy in reporting for this exit code). This number is significantly lower than both the 2003-04 and 2002-03 school years, which had 107 students and 117 students, respectively. The rate of accuracy in reporting for this exit code is also significantly discrepant with BCPSS having a 78% accuracy rate in 2003-04 and a 98% accuracy rate in 2002-03. BCPSS failed to provide only 6 of the 90 files requested. Accordingly, the primary reason for the variance is due to MSDE's inability to verify that the students met the criteria for exiting with a certificate or that BCPSS followed proper procedures in exiting the student.

In determining whether BCPSS followed proper procedures in exiting the student from special education as Code C, MSDE reviewed the folders for documentation that an IEP meeting was held to discuss the student's exiting with a certificate; that the meeting documents the student has developed appropriate skills to enter the world of work, act responsibly and enjoy a fulfilling life; that transition was clearly addressed by discussion of linkages to outside agencies; that the student's parents agreed with the team's decision to exit the student with a certificate; and that the student had been enrolled in school at least four years beyond the 8th grade.

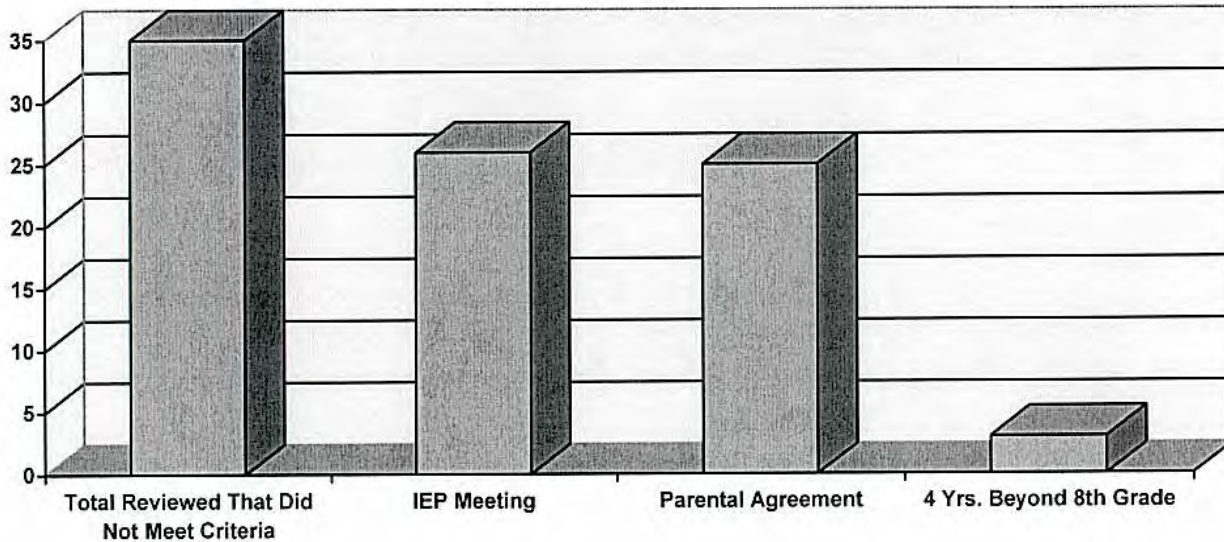
- 26 folders either did not document that an IEP team meeting was conducted during which the student's exit with a certificate was discussed or the meeting took place after the student exited.
- 25 folders did not document parental agreement with the decision to exit the student with a certificate.
- 3 folders did not document that the student was enrolled in school at least four years beyond the 8th grade.

In reviewing the folders, MSDE noted that four of the students reported as having received a certificate actually had reached maximum age for receiving special education. Another student received a high school diploma. One other student had discrepant information concerning whether he received a diploma or a certificate, but met the requirements for neither.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code C**



**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Breakdown of Reasons Folders Did Not Meet Exit Requirements for Code C**



In 2004-05, BCPSS reported that 4.9% of its students ages 14-21 exiting special education received a certificate; however, MSDE was only able to verify 2.7%. These figures represent the lowest percentage of students receiving certificates, both as reported by BCPSS and verified by audit, in the last three years. In 2003-04, BCPSS reported that 7.5% of its exiting students ages 14-21 received a certificate, while MSDE verified 5.8%; and in 2002-03, BCPSS reported 6.1%, while MSDE verified 6.0%. Statewide, the percentage of students ages 14-21 exiting special education with a certificate was 5.2% in 2004-05. The 4.9% reported by BCPSS for 2004-05 brings their figures more in line with Statewide percentages.

**Students Ages 14-21 Receiving Special Education Services
Who Exited with a Certificate**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	119	117	6.1%	6.0%	5.2%
2003-04	137	107	7.5%	5.8%	5.9%
2004-05	90	49	4.9%	2.7%	5.2%

October 2003, 2004 and 2005 Census Data

d. Reached Maximum Age

IDEA and COMAR specify that students with disabilities are entitled to receive a free, appropriate public education (FAPE) until the end of the school year in which the student turns 21, after which a student is no longer eligible for services. Census data for the 2004-05 school year indicated that 37 BCPSS students reached 21 years of age and did not earn a diploma or certificate. As a result of the audit, MSDE verified that 29 students met the criteria for aging out of special education, 8 fewer than reported (78% accuracy rate in reporting for this exit code). One of those folders was not presented for review. Of the remaining 7 students, 6 did not have an exit meeting prior to being exited. The 7th student actually had been removed from the rolls for nonattendance two years prior, and there had been no activity concerning the student between the time of his exit as Code H and the time he turned 21. It should be noted, however, that 5 of the students who met the qualifications for reaching maximum age also met the qualifications for a certificate.

A comparison of the 2004-05 school year with the prior two years indicates that the percentage of students reaching maximum age without receiving a diploma or certificate nearly doubled, going from 1.2% in 2002-03 and 1.1% in 2003-04 to 2.0% in 2004-05. At the same time, the accuracy rate in reporting for this exit code has gone from 52% in 2002-03 to 86% in 2003-04 and 78% in 2004-05. The percentages of BCPSS students who MSDE was able to verify as exiting under this code were 0.6%, 1.0% and 1.6%, respectively. The Statewide percentage of students who exited special education as a result of reaching maximum age was 1.1%.

Students Ages 14-21 Receiving Special Education Services Who Reached Maximum Age

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	23	12	1.2%	0.6%	1.4%
2003-04	21	18	1.1%	1.0%	1.0%
2004-05	37	29	2.0%	1.6%	1.1%

October 2003, 2004 and 2005 Census Data

e. Deceased

During the 2004-05 school year, 7 BCPSS students with disabilities were reported in the Census data being deceased. Because the folder for one of these students was not submitted for review, MSDE was able to verify only 6 of those deaths. The accuracy rate for reporting for this exit code was 31% in 2002-03, 100% in 2003-04, and 86% in 2004-05.

In 2004-05, the percentage of BCPSS students ages 14 through 21 who died was 0.4% as reported, or 0.3% as verified by audit. The Statewide percentage was 0.4%.

Students Ages 14-21 Receiving Special Education Services Who Died

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	13	4	0.7%	0.2%	0.4%
2003-04	7	7	0.4%	0.4%	0.3%
2004-05	7	6	0.4%	0.3%	0.4%

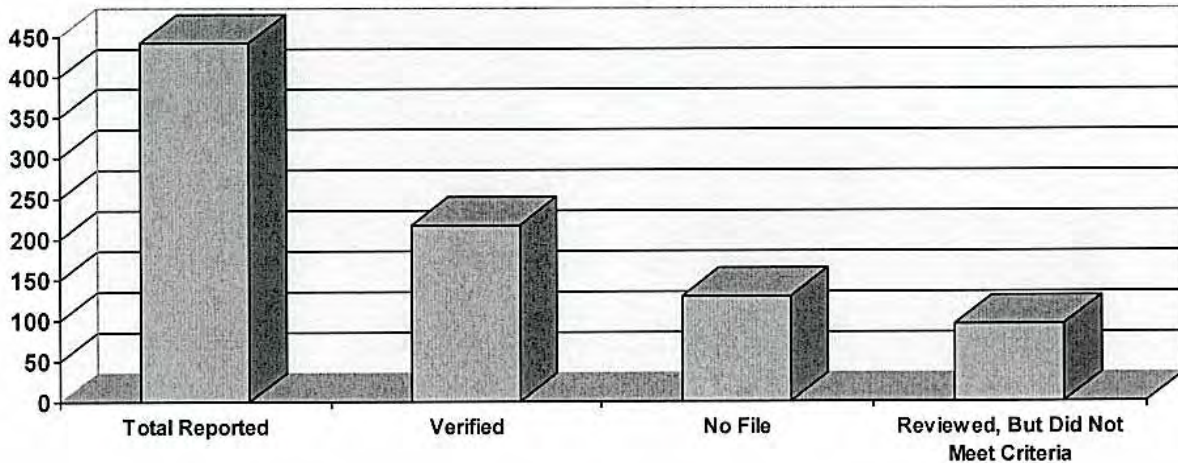
October 2003, 2004 and 2005 Census Data

f. Moved, Known to be Continuing

According to the MSDE audit, 217 students receiving special education services left BCPSS to enroll in another school system during the 2004-05 school year, representing 225 fewer students than reported in the census data (49% accuracy in reporting for this exit code). This indicates a substantial decrease in the number of students in this exit code from the 2003-04 school year, but still a significant increase from the 2002-03 school year. The difference was due to the number of students for whom MSDE was able to

verify that the student enrolled in another school system. While the 2004-05 school year had a 49% accuracy rating, the reporting for the 2003-04 school year was 91% accurate, and only 26% accurate in 2002-03. The primary reason that many of the folders were unable to be verified was because BCPSS failed to provide 130 folders for review, a full 58% of the unverified folders. The remaining 95 folders did not contain documentation that the student had transferred to another school system.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code F**



In 2004-05, the percentage of BCPSS students ages 14 through 21 that MSDE was able to verify as exiting as Moved, Known to be Continuing, was 11.9%. Census data had indicated that 24.2% of BCPSS's exiting students ages 14-21 had exited as Code F, while the Statewide percentage was 28.9%.

**Students Ages 14-21 Receiving Special Education Services
Who Are Moved, Known to be Continuing**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	396	102	20.3%	5.2%	22.1%
2003-04	402	367	21.9%	20.0%	21.5%
2004-05	442	217	24.2%	11.9%	28.9%

October 2003, 2004 and 2005 Census Data

g. Moved, Not Known to be Continuing

At the direction of the Office of Special Education Programs (OSEP), beginning with the 2004-05 school year, students are no longer allowed to be exited under Code G (moved, not known to be continuing in an educational program). A school system was required to determine what has become of the student or exit the student as dropped out (Code H). Accordingly, if the school system cannot determine the student's current educational status, that student must be exited as dropped out.

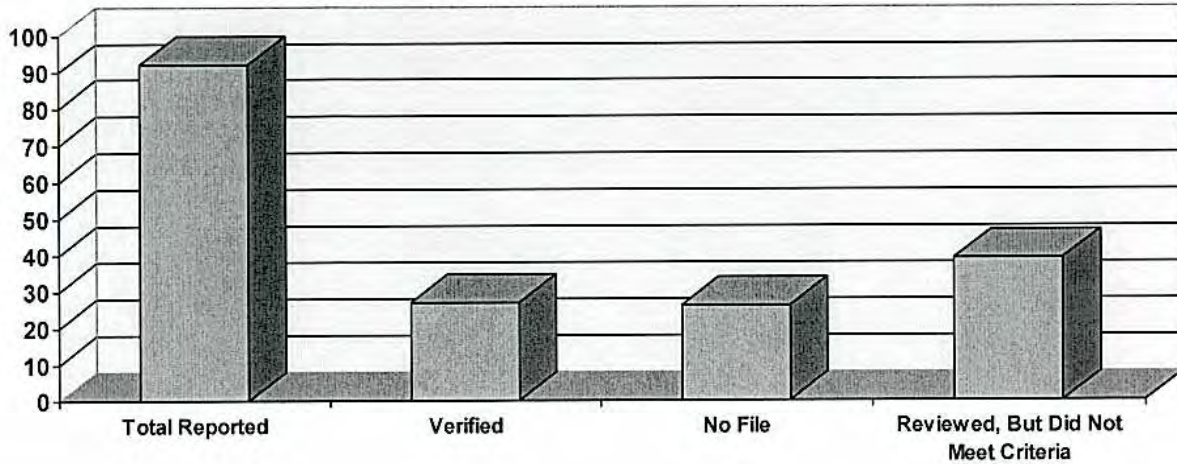
During the 2004-05 school year, BCPSS continued report its data utilizing Code G for students who had moved but for whom it was unknown if they were enrolled in another educational program. Therefore, BCPSS reported the data for Codes G and H separately, and the data was later combined by MSDE for the Exit Census Report in order to have consistency in reporting in comparison with the other local school systems.

In conducting the audit, MSDE reviewed the folders of students exited as Codes G and H under the criteria historically required for each code and has used comparable data for the audit analysis section of this report. The criteria previously required for exiting under Code G was that the folder contained documentation that the student had moved outside school system's jurisdiction.

According to the MSDE audit, in 2004-05, 27 students receiving special education services moved out of BCPSS' jurisdiction without documentation confirming or refuting that the students enrolled in another school system – 65 fewer students than reported in the census data (29% accuracy in reporting for this exit code). This is a significant decrease in the number of BCPSS students ages 14-21 exiting under this category compared to the prior two school years, both as reported in the Census data and as verified by audit. The percentages of BCPSS students ages 14-21 exiting under Code G has steadily declined since 2002-03 going from 8.3% to 5.0%. The percentages of BCPSS students ages 14-21 whose exit as Code G was verified by audit was 2.0% in 2002-03, 4.7% in 2003-04, and only 1.5% in 2004-05.

BCPSS failed to submit for review 26 of the requested folders in this exit category, accounting for 40% of the unverified folders. The remaining 39 folders were unable to be verified because there was no transcript or other documentation in the folders to indicate that the students moved out of BCPSS's jurisdiction. Of those folders, one student showed evidence of having received a certificate, another had been dismissed from special education and returned to general education, and 15 students showed evidence of having been dropped from the rolls.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code G**



**Students Ages 14-21 Receiving Special Education Services
Who Are Moved, *Not* Known to be Continuing**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	161	38	8.3%	2.0%	4.5%
2003-04	119	87	6.5%	4.7%	4.7%
2004-05	92	27	5.0%	1.5%	

October 2003, 2004 and 2005 Census Data

h. Dropped Out

During the 2004-05 school year, 408 BCPSS students ages 14 through 21 receiving special education services were verified as having been dropped from the rolls of BCPSS, representing 296 fewer students than reported in census data (58% accuracy in reporting for this exit code). This number represents 22.3% of the total population of BCPSS students ages 14 through 21 exiting special education services during the 2004-05 school year.

Of the 296 folders that were not verified as exiting under Code H, 63 (21.3%) of them were folders that either were not submitted for review or contained insufficient information to make them able to be reviewed. The remaining 233 files were not verified because proper procedures were not followed in exiting the student.

In order for a student to have properly exited under code H, the student must have been at least age 16 at the time he or she was dropped from the rolls. An IEP team meeting must have been conducted prior to removing the student from the school rolls. The minutes of that meeting must document that the student remained eligible for special education services, and that the services would be reinstated if the student returned to school. Additionally, the folder must document at least one of the following criteria:

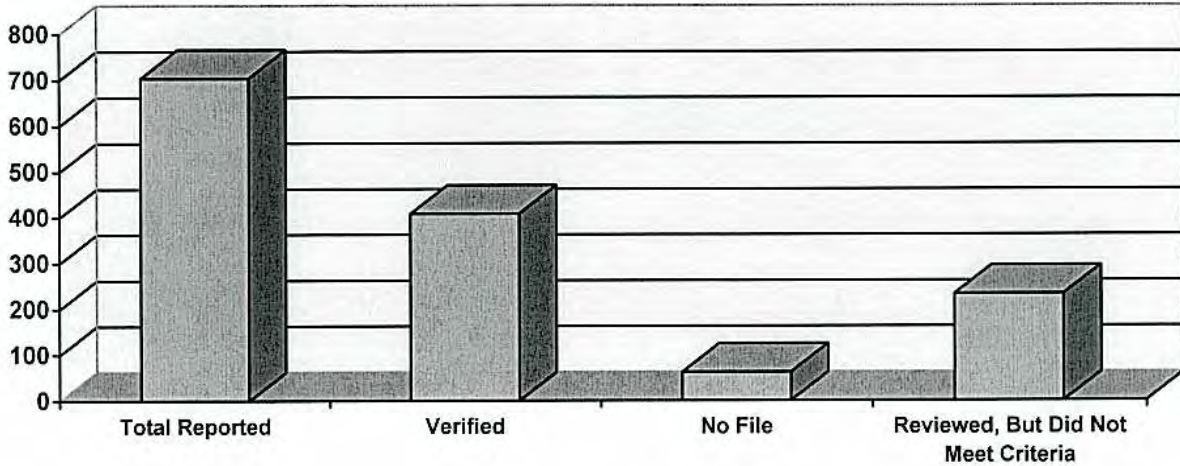
- Attempts to locate the student;
- Contacts with the parent; or
- Contacts with an outside agency.

Of the 233 files where MSDE determined proper procedures were not followed, 90 either failed to document an IEP team meeting to drop the student from the school rolls, or an IEP team meeting was held but the minutes did not document that the student remained eligible for services and the services would be resumed upon his or her return to school. Of the 143 folders that had the appropriate IEP team meeting and eligibility statement, 111 failed to document attempts to locate the student, contacts with the parent, or contacts with an outside agency. Additionally, there were 54 students who were dropped from the rolls when they were still under the age of 16 and still subject to the compulsory attendance laws. (Based on Exit Census data, 7 additional students were under the age of 16 when dropped. However, these folders were not presented for review.)

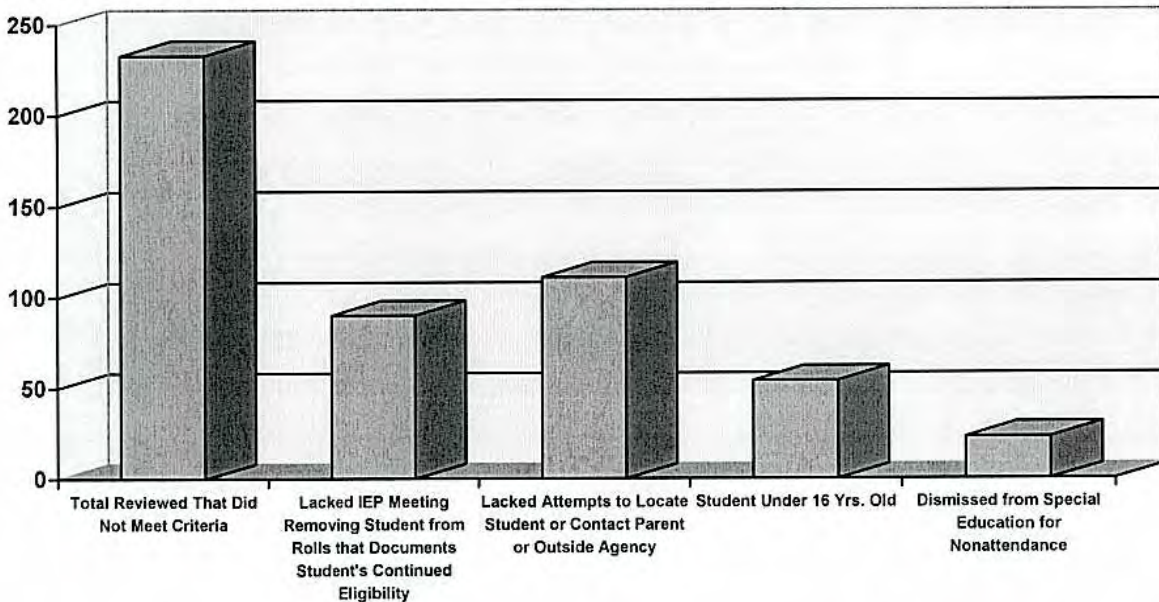
MSDE found that students dropped from the rolls for nonattendance consistently did not have documentation of diligent efforts to get the students to attend. As a result of the audit, MSDE found that BCPSS did not conduct appropriate attendance follow-through for 366 students who were dropped from the rolls (out of the 704 students reported).

Of the BCPSS students reported as being dropped out, MSDE found that 23 were actually dismissed from special education services due to nonattendance, which is in violation of IDEA.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Post-Audit Status of Folders Reported as Exit Code H**



**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Breakdown of Reasons Folders Did Not Meet Exit Requirements for Code H**



As reported in the Census data, the percentage of BCPSS students ages 14-21 exiting under Code H is the highest it has been in the three years this audit has been conducted, with 38.5% of exiting students having dropped out, compared to 33.6% in 2003-04 and 36.1% in 2002-03. However, the percentage of BCPSS students ages 14-21 who were verified as having dropped out pursuant to the criteria was only 22.3%, a significant decrease from last year. As discussed above, this is due to the number of folders not provided for review and the number of folders that did not document proper procedures being followed for exiting under Code H.

As noted previously, for 2004-05, local school systems were required to report as Code H not only those students who had dropped out, but also those who had moved but for whom it was *not* known if they were continuing in an educational program (Code G). However, BCPSS continued to report students as exiting under both Code G and Code H. While the figures in the two different categories were combined for the Census Report, MSDE conducted the audit based on the two different exit codes. This is because different criteria were necessary for exiting under Code G than for Code H. Had MSDE merely combined the two categories for the audit, all the folders of students exited as Code G during the school year would have been noncompliant. For that reason, BCPSS procedural compliance and reporting accuracy were analyzed based only on students actually dropped from the rolls as Code H during the school year. However, the figures for Code G and Code H have been combined in order to compare the new figure to the Statewide percentage for Code H. The new figures for Code H show that the reported “drop-out” rate (Codes G and H combined, to reflect the students who can no longer be tracked) shows that BCPSS’s “drop-out” rate (43.5%) was more than 2-1/2 times that of the Statewide percentage (17.1%). Even the verified “drop-out” rate (23.8%), which is dramatically lower than the reported rate, was significantly higher than the Statewide percentage.

Students Ages 14-21 Receiving Special Education Services Who Dropped Out

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2002-03	703	295	36.1%	15.1%	16.2%
2003-04	615	555	33.6%	30.3%	15.1%
2004-05	704	408	38.5%	22.3%	

October 2003, 2004 and 2005 Census Data

**Students Ages 14-21 Receiving Special Education Services Who Dropped Out,
Codes G and H Combined**

Audit Year	BCPSS Census	BCPSS Audit	% of BCPSS Exiting Students Based on Census	% of BCPSS Exiting Students Verified By Audit	% of State Exiting Students Based on Census
2004-05	796	435	43.5%	23.8%	17.1%

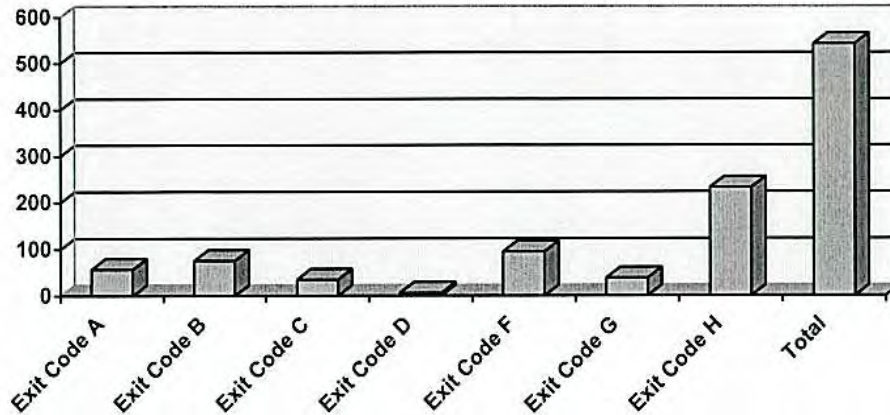
October 2005 Census Data

3. Unverified Exit Codes

MSDE was unable to verify the exit codes for 806 students who exited special education in 2004-05. This figure includes the 264 folders that BCPSS failed to present for review, as well as 542 folders that were reviewed but found not to meet the exit criteria. The reviewed folders not meeting exit criteria included:

- 57 students (10.5%) reported as being dismissed from special education and returned to general education;
- 76 students (14.0%) reported as graduating with a high school diploma for whom there was no documentation of completing the graduation requirements;
- 35 students (6.5%) reported as receiving a certificate for whom proper procedures were not followed;
- 7 students (1.3%) reported as reaching maximum age for whom exit meetings were not held;
- 95 students (17.5%) reported as moving, known to be continuing, for whom there was no documentation that the student was enrolled in another educational program;
- 39 students (7.2%) reported as moved, *not* known if continuing in another educational program, for whom there was no documentation that the student moved; and
- 233 students (43.0%) reported as having been dropped from the rolls for whom proper procedures were not followed.

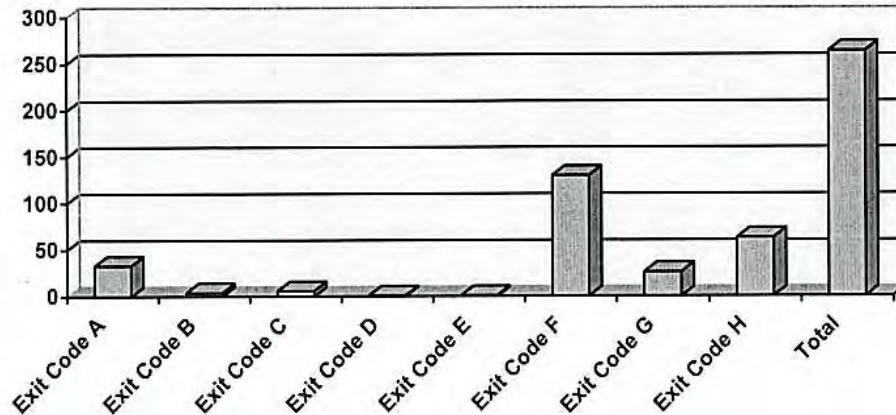
**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Unverified Exit Codes Following Review of Folders**



The folders that were not verified because they were not presented for review included:

- 33 students (12.5%) reported as being dismissed from special education and returned to general education;
- 4 students (1.5%) reported as graduating with a high school diploma;
- 6 students (2.3%) reported as receiving a certificate;
- 1 student (0.4%) reported as reaching maximum age;
- 1 student (0.4%) reported as being deceased;
- 130 students (49.2%) reported as moving, known to be continuing;
- 26 students (9.8) reported as moved, *not* known if continuing in another educational program; and
- 63 students (23.9%) reported as having been dropped from the rolls.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Folders Unavailable for Review**



Of the folders not presented for review, 10 were from Phase I, 21 were from Phase II, and 233 were from Phase III. In an attempt to determine if exit requirements had been met for these students, MSDE provided BCPSS with an opportunity to locate and present these folders at a later date.

As Phases I and II were completed concurrently, MSDE made a single request for the missing folders in both Phases. By letter dated November 7, 2005 to Dr. Bonnie Copeland, Chief Executive Officer of BCPSS, MSDE requested that the 31 missing folders or any additional documentation for the 31 students be provided for review. To date, Dr. Copeland has not responded to that request. A copy of the letter can be found in Appendix _____

On November 18, 2004, via electronic mail addressed to Ms. Maryanne Ralls, MSDE offered BCPSS an opportunity to provide 222 folders not presented for review in Phase III of the audit, or to supply any additional information for the students. (An additional 11 folders had been previously presented and found not to contain sufficient information for review.) On November 30, 2005, BCPSS provided 63 “folders” for review; however, when MSDE monitors attempted to review the folders, they were the same folders previously rejected by MSDE as having insufficient information to be considered reviewable. Accordingly, while BCPSS attempted to provide the missing information, no additional data was obtained.

2004-05, Folders Not Provided for Review

Phase I	Phase II	Phase III	Total
10	21	233	264

4. Attendance

The attendance portion of the audit consisted of MSDE monitors reviewing the attendance data contained in the students’ cumulative records and comparing

that to attendance information contained in SASI for the 2004-05 school year. Audit data revealed that documentation of attendance continues to be a major problem for BCPSS.

Of the 1566 folders reviewed, only 860 (or 54.9%) contained attendance information in the cumulative folder for the 2004-05 school year. For many of those folders, the information provided was incomplete. SASI attendance information was provided for 1352 students, or 86.3% of the folders reviewed. However, the attendance data found in the cumulative folders matched that found in SASI for only 227 students. This equates to a 14.5% accuracy rate in reporting attendance, despite the fact that BCPSS reported that 38.5% of its exiting students were drop-outs.

2004-05, Attendance Data

Folders Reviewed	Attendance in Cumulative Folder	Attendance in SASI	Attendance in Cumulative Folder Matched SASI	Accuracy Rate
1566	860	1352	227	14.5%

Of the students with attendance information found either in the cumulative folder or in SASI, 943 documented significant attendance problems, defined as having been absent 15 or more days. MSDE determined that BCPSS failed to appropriately follow-up on the students' attendance concerns in 707 folders, or 75% of the students with significant attendance problems.

5. Reevaluations

As part of the audit process, MSDE reviewed BCPSS' compliance in conducting reevaluations within timelines. In doing so, only the most recent reevaluation was considered to determine if it was conducted within three years of the date the student withdrew from school. As a result of the audit, MSDE determined that, of the 1566 folders reviewed, 1424 (or 90.9%) had a reevaluation conducted within timelines.

Two of the folders reviewed did not require a reevaluation because the student was exited from special education less than three years from the date he or she was identified. One of those students graduated, and the other had been dropped from the rolls. The remaining 140 folders (8.9%) had insufficient information for MSDE to determine whether timelines had been met. Some of these folders had IEP team meetings that BCPSS identified as a reevaluation; however, the meeting minutes did not document that a reevaluation had taken place, so MSDE did not consider the meeting a reevaluation. Similarly, there were instances where a student with a Specific Learning Disability (SLD) had purportedly had a reevaluation, yet there was no SLD Report or a classroom

observation. In those instances, MSDE did not consider the meeting a reevaluation.

6. Annual Reviews

As part of the audit process, MSDE reviewed BCPSS' compliance in conducting annual reviews within timelines. In doing so, MSDE reviewed the two most recent IEP team meetings. As a result of the audit, MSDE determined that, of the 1564 folders reviewed, 1445 (or 92.4%) documented that two consecutive IEP team meetings had been held within timelines.

7. HSAs and MFTs

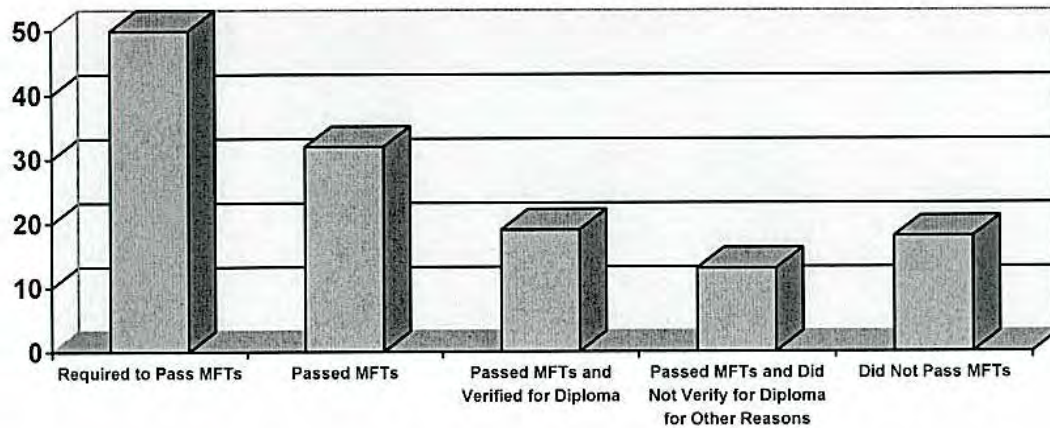
Currently, completion of the HSAs is a requirement for receiving a high school diploma. Additionally, students entering the 9th grade prior to 2000 were required to pass the MFTs. Beginning in 2009, all students receiving high school diplomas will have to achieve passing scores on the HSAs in order to receive a diploma.

Of the 312 folders reviewed for students receiving a high school diploma, 76 were unable to be verified for any reason. Of those, 66 did not have documentation of the student having taken all of the HSAs. This means that 21.2% of the students graduating with a high school diploma did not have documentation of having completed the HSAs. Further, of those folders that failed to document completion of the diploma requirements, 86.8% lacked documentation of having taken the HSAs.

BCPSS has demonstrated improvement in its documentation of HSA participation, since the 2003-04 audit revealed a general failure on the part of BCPSS to document HSAs during that school year. However, failure to document HSAs remains the primary reason for diplomas not being verified.

Passing of the MFTs continues to be a graduation requirement for only a small portion of graduating students – those who entered the 9th grade in or prior to 2000. During the 2004-05 school year, only 50 students were required to have passed the MFTs in order to receive a high school diploma (16.0% of the 312 folders reviewed for diplomas). Of those, MSDE was able to find documentation that 32 students actually passed all of the required MFTs (10.3% of the folders reviewed for diplomas). Even though 32 students required to pass the MFTs actually passed them, only 19 of those were verified as having exited with a diploma. The other 13 students were unable to be verified for other reasons. 18 students did not pass the MFTs.

**2004-05 BCPSS Students Ages 14-21 Exiting From Special Education
Breakdown of Students Required to Pass the MFTs to Receive a Diploma**



8. Cumulative Folders

In addition to the students' special education folders, the cumulative folders were also requested for review. While cumulative folders were provided for 1229 students, they did not consistently contain the required information. The cumulative folders, as required by law, should be current and provide documentation in several areas concerning general information about the students. The record keeping is the responsibility of the school system and should be updated by school-based personnel. The majority of the BCPSS cumulative folders that were available to the monitors lacked current information regarding attendance, standardized test scores, report cards, and withdrawal data that might include the Maryland Transfer Form, a high school transcript, and other pertinent information.

E. Specific Findings

- IEP goal pages did not consistently document the student's progress on the goals or the student's level of mastery of skills.
- Reevaluation meetings for SLD students did not consistently include a classroom observation for the student as part of the team report.
- There were many instances where cumulative folders were missing or were reconstructed in a manila folder without the required documentation (e.g., attendance, transcript, transfer form etc.).
- Many transcripts were undated and unsigned by the school principal.

- There were 54 students dropped from the rolls prior to reaching age 16. In these cases, there was no documentation of attempts to adhere to compulsory attendance laws.
- There was little or no evidence of an attendance policy or documentation of follow-up for attendance problems and tardiness. Most of the time, the attendance listed in the student's cumulative folder did not match the attendance recorded on the SASI runs. Attendance was often not available in the student's confidential or cumulative folder.
- HSA scores were not consistently documented on transcripts, and there appeared to be no system in place for capturing the results of HSAs taken late in the school year and recording that information on the transcripts.
- Service learning hours were consistently omitted from transcripts, and instead were found on other forms in the folders.
- Maryland transfer forms were not consistently placed in cumulative folders. Additionally, notes about students' transfers were not consistently documented in the communication log.
- Students returning to general education often had very poor attendance and no documentation of progress from teachers.

F. Specific School Findings

While the above-mentioned problems occurred system-wide, there were three schools that demonstrated such significant concerns as to warrant specific mention. There are as follows:

1. **Walbrook High School:** MSDE found the following concerns: blank transcripts in every cumulative folder, no attendance available in cumulative records, attendance is not entered in SASI for students on the certificate track, 11 folders were unavailable on the day of the audit, progress reports from service providers were unavailable, progress codes on IEP's were not recorded, no disciplinary folders available and there were discrepancies with IEP meeting dates and the SSIS run. The monitoring team returned to review the 11 missing folders and received 6 incomplete folders.
2. **Harbor City High School:** MSDE found the following concerns: unsigned transcripts in student folders, no documentation of students participating in HSA or passing the MFT, certification letters unsigned, no documentation of service learning hours, empty discipline folders for every student, IEPs missing significant pages and discrepancies between reevaluation dates in the folder and on the SSIS run,

- 3. Nonpublic Special Education High Schools:** MSDE found the following concerns: cumulative folders were not available for any students; attendance runs were not in the student's folder, discipline folders were not available, progress reports were unavailable in most folders, certificates were not on file for all students, SSIS reported a reevaluation date but no documentation to support this in the folder.

The monitoring team reported that the Office of Nonpublic Schools provided the team with a folder containing copies of transcripts and diplomas in a disorganized manner. They were told that cumulative records were housed at the home school, discipline folders were not kept at the Office of Nonpublic Schools and that attendance was kept by the nonpublic schools. There was no discernable effort made to attain this documentation prior to the audit, as requested, or during the audit.

VIII. FUTURE AUDITS

MSDE will continue to monitor special education issues and discuss areas of noncompliance through future EMCIR reports. A significant component of the MSDE enhanced monitoring for the Spring 2006 will be the third Least Restrictive Environment (LRE) audit. It is anticipated that this audit will begin during February 2006 and continue through May 2006. MSDE staff and trained consultants will also conduct the following audits:

- Provision of service –MSDE is in the process of monitoring 10% of the special education students with related services in 54 randomly selected schools for interruption of service (including transportation). The dates of service to be monitored include September 6, 2005 through December 23, 2005.
- Discipline –A record review will be completed for selected students with multiple short-term and long term suspensions.
- Secondary Transition – A record review of the transition services needed for disabled students, beginning no later than age 16.

Pursuant to the Special Master's Report on the BCPSS's achievement of Outcome 15 for the 2004-2005 school year, MSDE will provide on-going monitoring with the IEP requirement that parents of students with disabilities receive regular reports on their children's progress in meeting IEP goals. The audit will be conducted by MSDE staff and trained consultants.

VIII. NEXT STEPS

As a result of the findings in this report, BCPSS is required to review and revise existing corrective action plans. Particular attention should be paid to least restrictive environment for school age students, Grants Management to include the Fiscal Year 2006 Local Application for Federal Funds and other issues identified in the January 23, 2006 correspondence, and strategies to improve achievement of students with disabilities from the MMSR-KWSS through High School Assessments. MSDE reserves the right to mandate specific additions to the corrective action plans, as appropriate.