

## ***Office of the Independent Monitor***

### **Modified Consent Decree**

333 So. Beaudry Avenue, 16<sup>th</sup> Floor  
Los Angeles, California 90017  
Tel: (213) 241-6036  
Fax: (213) 241-7551

DR. CARL A. COHN  
*Independent Monitor*

JAY R. ALLEMAN  
*Administrative Coordinator*

ARUN K. RAMANATHAN  
*Research Coordinator*

JAIME E. HERNANDEZ  
*Outreach Coordinator*

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The responsibilities of the Office of the Independent Monitor (OIM) include verifying the accuracy of District data and analyzing accurate data to both develop pending objectives and assess the District's progress toward established objectives. As noted in the Modified Consent Decree (MCD), this work is dependent on the timely provision of accurate data from the District. Below, we will present some of the data issues that we have encountered during the first year of the MCD and discuss their implications for future assessments of District progress.

### **SESAC & SIS Analysis**

To date, this office has had difficulty deriving accurate data in a timely manner from SESAC database and observed sizable discrepancies between SESAC data and data in the SIS system. This has complicated our efforts to develop pending objectives. Below are some of the problems that we have encountered with SESAC and SIS data provided by the District and their association with selected pending objectives.

#### **SESAC**

Services Study – Objective 13: The Independent Monitor, in consultation with the parties, shall establish a performance outcome to measure the District's delivery of services in accordance with a child's Individualized Educational Program. The performance outcome will seek to determine whether the District is implementing IEPs in substantial compliance with the law.

- Of the 2572 students appearing in the November SESAC database as attending the schools in the sample drawn by AIR, SESAC had incorrect information for 879 students. Error rate of 34.3% (See Attachment A)
- Of the 1050 students appearing in the February SESAC as attending schools in the sample drawn by AIR, SESAC had incorrect information for 244 students. Error rate of 23.24%
- 30% of disability categories in a sample of 1913 IEPs vs. the February SESAC did not match (Attachment B)

- 47% of related services in a sample of 1913 IEPs vs. the February SESAC did not match (Attachment C) 42% of RSP services did not match (Attachment D)

## SESAC vs. SIS

Disproportionality – During the 2003-2004 school year, the District shall provide the Independent Monitor with data and analysis concerning whether African-American students are disproportionately identified as emotionally disturbed. The Independent Monitor shall review the data and the District’s analysis to determine whether a performance outcome should be established.

- For Middle Schools, the February SESAC lists 532 African Americans students identified as emotionally disturbed and the February SIS lists 449 – a difference of 83 students (See Attachment E)

## Enhanced SIS

Other Suspensions: The Independent Monitor shall review suspension data to determine whether students with disabilities are subject to suspensions at a greater statistically significant rate than nondisabled children and, where appropriate, take action to address such disproportionality, which could include the establishment of a performance outcome.

- For the period from July 1 2003 to February 15, 2004, 66 schools with enrollments of greater than 300 did not report any suspensions. These schools have a total enrollment of 54,534 and special education enrollment of 6234 (Attachment F)
- Not all schools have access to SIS or use SIS

## Welligent

After the 2003-04 school year, the District will increase its dependence on the IEP database,

Welligent. To date, the District has successfully “batch-entered” a significant percentage of IEPs into central data systems. The batch entry of IEPs facilitates the use of Welligent at the site level by eliminating many of the redundant tasks associated with the re-entry of student information. Further, information derived from batch-entered IEPs will be aggregated to provide baseline data in areas associated with goals of the MCD. Because an assessment of the District’s progress toward meeting the goals of the MCD is dependent on accurate data, it is vital that batch-entered information display a high degree of accuracy. In an effort to provide a preliminary assessment of the quality of this data, we analyzed information derived from approximately 50,000 batch-entered IEPs. We received this database at the end of January 2004. We also asked AIR to conduct an analysis of computerized vs. handwritten IEPs for the same students to determine discrepancies between the two.

## Batch-Entry Analysis

Both our analysis and that produced by AIR yielded evidence of gaps in the data that have implications for the Consent Decree.

- 15% were over one year old (meeting date before January 1, 2002)
- 7 % lacked eligibility data
- 11% had missing or incorrect information (outside of a range of 0-100%) in the area of % of time in special education
- In an analysis conducted by AIR of 143 computerized vs. noncomputerized IEPs for the same student, in 69% of the cases, the paper IEP was more recent (Attachment G)
- In a comparison conducted by AIR of 502 computerized and paper IEPs with identical meeting dates, there was a 8.2% error rate for service data and 7.2% for eligibility data (Attachment G)

### **Use of Welligent at School Sites**

Overall, we believe that much of the information entered into batch-entered IEPs is accurate. We would expect that the District would strive to correct the problems identified above. Further, these errors are not likely to appear in future aggregations of Welligent data since the system contains the “edits” that were not included during the batch entry process. These edits will reduce the entry of inaccurate information into future IEPs.

However, for the purposes of providing evidence of progress toward the goals of the MCD, information derived batch-entered IEPs has a “shelf-life” of approximately one year. A large percentage of the batch-entered data derives from the 2002-03 school year and predates both MCD and the District’s 2003-04 Annual Plan. It cannot, therefore, display the effects of the many special education reforms presented in the current Annual Plan. It is also unclear in the District’s presentations of Welligent data to our office, the percentage of information that derives from current IEPs.

Yearly progress toward achieving the goals of the MCD and the benchmarks of the yearly Annual Plans will depend on information derived from current annual, initial, and addendum IEPs entered into the Welligent system. It is essential that school staff and other personnel are using the Welligent system for the purposes of drafting initial, addendum and annual IEPs throughout the course of the school year. Because the provision of accurate data to our office is dependent on the successful implementation of the Welligent system at the school level, the Office of the Independent Monitor has an obligation to assess the program’s school level implementation. To this end, we conducted a confidential telephone survey of 460 of the 520 schools identified by the District as being “fully trained” to use Welligent.

It should be noted that there are approximately 662 K-12 schools in LAUSD. We commend the District for the substantial progress that it has made in training 520 of these schools. However, the OIM is concerned about the roughly 20% (142) of schools that were identified as either untrained or partially trained at this late date in the traditional school calendar. We would expect

that the District would include data derived from the current IEPs of students with disabilities in these schools in any report presented to our office.

The survey was conducted over a two-week period from mid to late February. Previous to initiation of the study, we piloted the survey with 10 schools. Temporary personnel hired and trained by our office conducted the survey. School staff was informed that their responses were confidential. Respondents included assistant principals, principals, special education coordinators, special education department chairs and staff identified as special education “gate-keepers.” The primary goal of the survey was to gauge usage of the system by schools and by special education teachers within each school. It did not attempt to assess usage by related service or other staff. Other goals included gauging usage by administrative personnel to manage IEP caseloads and to identify problems that prevented or impeded full implementation or delayed or disrupted successful usage by special education teachers.

Below are selected findings from the survey.

## **Welligent Survey**

### Overall

- 460 schools surveyed. Total enrollment of 66,666
- 275 (60%) were identified as “full implementation”. Full implementation is defined as 100% of special education teachers using Welligent to enter IEP data. The total special education enrollment of these schools is 35,135
- 98 (21%) schools were identified as “partial implementation”. Partial implementation is defined as less than 100% of special education teachers using the system. The average % of special education teachers using the system in partial implementation schools is 58%. Median usage is 63%. The total special education enrollment of these schools is 19,438
- 87 (19%) schools were identified as “no implementation”. No implementation is defined as 0% of special education teachers using the system. The total special education enrollment in these schools is 12,095 students

### No Implementation Schools (87)

- 67 Elementary & special schools  
10 Middle schools  
10 High schools
- Top four reasons for not using Welligent
  1. 44 % - Technical problems
  2. 28% - Lack of training
  3. 15% - Access to system
  4. 15% - Change in administration

### Partial Implementation Schools (98)

- 57 Elementary & special schools  
25 Middle schools  
16 High schools
- Top four reasons for partial use
  1. 14% - Lack of training
  2. 12% - Staff resistance
  3. 6% - Time consuming process
  4. 6% - Technical problems
- 65% of administrators using to manage IEP caseloads
- 63% received written directive from local district or central office re: Welligent
- 53% report problems have impeded IEP completion
- Problems
  1. 47% - Difficulty with program
  2. 42% - Access to system
  3. 19% - Cannot print IEP
  4. 17% - Connectivity

### Full Implementation Schools (275)

- 223 Elementary and special schools  
22 Middle schools  
20 High schools
- 81% of administrators use to manage IEP caseloads
- 69% received written directive
- 41% report problems impeded IEP completion
- Problems
  1. 57% - Difficulty with program
  2. 31% - Access to system
  3. 11% - Connectivity
  4. 7% - Server down

### Additional Findings

Nearly every school provided additional feedback to our data collectors on how to improve the Welligent system. Many of these schools noted that the system was not user-friendly, particularly within the context of the IEP meeting. Respondents from middle and high schools with large special education enrollments tended to be more critical of the system and indicate more implementation problems than elementary schools. While schools were typically complimentary of Welligent's technical support, they were highly critical of the timeline for implementation of the system, the consistency and adequacy of the trainings, particularly after changes to the software and the response of the Division to persistent issues such as lack of hardware, connectivity, difficulty of home usage, and the user-friendliness of the software. A compilation of the feedback from school sites on the implementation of Welligent will be provided to the District at a later date.

## **Implications**

The success of the Consent Decree is predicated on the provision of accurate data. Based on our analyses, it is clear that there is some degree of error associated with each of the various District databases. This has complicated efforts to develop pending objectives. In terms of the existing objectives, it is unclear whether our assessments of District progress depend on data that is 100% accurate for 100% of students. If this is the case, the District is unlikely to achieve any of the objectives and disengage from the Consent Decree. None of the databases contain 100% of students with disabilities. None of the information within the databases is error-free. Nor is it ever likely to be. This leads to the following implications:

1. The district cannot currently provide accurate population data. It can only provide sample data containing some percentage of the population. The question becomes, "To what degree of accuracy does this sample represent the District population?"
2. For the purposes of assessing progress, it will be important to establish if students who do not fall within the sample are dramatically different from students who are in the sample. This can be done by drawing a sample of those students and comparing the two. If the two differ, a sample of the missing students may need to be drawn in order to account for them in assessing district progress.
3. For all of these samples, we need to answer the following questions:
  - a. What is a reasonable sample size?
  - b. What type of sampling strategy will be used? – smaller with better data or larger with more suspect data?
  - c. By what date in the traditional school calendar must a sample be drawn?
  - d. What is an acceptable confidence interval and what is the impact of the use of confidence intervals on the goals of the Consent Decree?