I. Settlement Agreement
The SA provides for the following regarding Corrective Action Plans (CAPs).

The Bureau will submit a “written CAP no later than six weeks following the on-site visit. The school district will be required to complete the CAP. The CAP may require one, two, or more years to complete, with interim reporting and monitoring obligations. Required training will be identified to address specific areas in the CAP.” (p. 17)

Priorities will include: (1) increasing the number of students with disabilities included in regular education classes and neighborhood schools with needed supplementary aids, services and support, and (2) developing IEPs capable of providing students with disabilities a meaningful benefit from education (p. 13)

Tier one school districts are identified as “most in need of systemic LRE-related changes.” (p. 14)

II. Summary and Findings
The attached Tables present a summary of the CAPs the Panel received using the dimensions provided by the SA above as well as content and process. The Panel did not receive a CAP for Erie City, even though it is apparently a Tier One school district.

From this summary we make the following findings.

1. Timing
It is not clear when individual SDs actually received their CAPs. However, comparing dates of first visit with dates of plan we can see that only three plans (17%) were completed within 6 weeks, 8 plans (50%) took over 6 weeks to complete, and 7 plans (39%) had no date of first visit recorded. The AP received copies of these 2005/2006 CAPs on January 22, 2007.

2. Plan Duration
Of the 18 plans (two SDs were apparently mis-identified), nine (50%) had no statements of plan duration and 50% had plans of 3 or more years. One SD (Williamsport) had a 5 year plan.

3. Content and Process
Since these CAPs relate to Tier 1 school districts which have the most significant and systemic LRE issues, the content and process of any CAP for such districts will need to be extensive, comprehensive, coordinated, specific, and individualized. This is
not the case with these CAPs. While most of the activities reported seem appropriate activities in isolation, e.g., data collection and analysis, and staff development, such statements do not begin to address the significant needs of Tier 1 schools. For example, Coatesville Area SD has huge and significant LRE issues but their plan simply states “training” and “develop a plan.”

4. Interim Reporting and Monitoring
Only two districts (Philadelphia North and Central) have any specified interim reporting and monitoring and these districts both had pre-existing plans. The other 16 (89%) have no stated interim reporting and monitoring requirements.

5. Specified Training
Five SDs (28%) had no training stated. The remaining 13 (78%) SDs had training summarized below.

<table>
<thead>
<tr>
<th>Procedural</th>
<th>Conceptual</th>
<th>Vague</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration of LRE options</td>
<td>Inclusive practices/LRE</td>
<td>Providing appropriate services</td>
</tr>
<tr>
<td>LRE data computation/PennData formulas</td>
<td>Co-teaching</td>
<td></td>
</tr>
<tr>
<td>Teacher caseloads</td>
<td>Differentiated instruction</td>
<td></td>
</tr>
<tr>
<td>BEC consistency</td>
<td>SDI</td>
<td>Strategies to meet individual needs of students</td>
</tr>
<tr>
<td></td>
<td>Effective behavior supports</td>
<td></td>
</tr>
</tbody>
</table>

Training on procedural issues seems a very low priority for Tier 1 schools. Tier 1 schools need very specific and substantial training objectives. Also, while the conceptual topics described are clearly relevant, topics such as system change and organizational development are noticeably absent. There is also little indication of what training is required for whom and when.

6. Goals
Of the 18 SDs, three (17%) have no stated goals. The remaining 15 SDs offer 24 goals, 18 (75%) of these goals are unspecified and/or very vague, e.g., “accurate reporting of LRE data;” “decrease ES and LSS classes in other settings;” “increase LRE options.” Only six (25%) of the 24 goals are very specific, e.g., “15% increase in students in lesser restrictive environments than state averages.”

7. Other
Some plans appear to approve non-inclusive practices. For example, Bristol Borough appears to be building a special facility to
house its LSS and ES classes, and Duquesne City will open its first ES class in January, 2007.

In addition, “develop a plan” seems an odd goal for a document that is supposed to be the plan.

III. Conclusions
We may draw the following conclusions.

Lack of Vision and Leadership
There is little evidence of any state level vision manifesting itself in these CAPs. The Inclusion BEC and the LRE decisionmaking rubric are not in themselves vision statements describing what an inclusive K-12 school district could look like. Without visionary leadership individual school districts will have difficulty knowing what changes they should be making. CAPs that exist without a big vision and /or strong leadership in PA amount to blaming the victim. It will be difficult (at best) for SDs to realize meaningful outcomes and improvements related to LRE without clear and consistent communication of such a vision from PDE.

Ineffectiveness
There appears little likelihood that these plans as currently written will achieve the priorities of the SA. Half the SDs have no plans of any stated duration.
- How do these CAPs ensure that all students receive needed SAS, SDI and related services?
- How will these CAPs increase the total number of students in LRE?
- How will these CAPs increase IEP's ability to provide meaningful benefit?
- How will these CAPs increase the coordination and delivery of services with other Commonwealth and private agencies, including those administered by DPW DOL and DOH?
- How do these CAPs ensure that parents are provided with information about SAS in regular classrooms and how to seek assistance in obtaining them?
- How do the CAPs reflect an assessment of educational progress of children with disabilities?
- Where is the determination of whether the school district is refusing to comply with IDEA?

Lack of Substance
These SDs represent schools that have the most significant, long-term, systemic difficulties with LRE. Any plans for correction will need to be equally significant, systemic and long-term. Training in procedures, caseload review, and accurate data reporting is not substantive given the nature of the Tier 1 school districts.
The overall conclusion to be drawn is that it is highly unlikely that durable positive change with respect to LRE will be realized as a result of these CAPs.

IV. Recommendations

1. PDE needs to show strong leadership and vision and produce a detailed plan for inclusive education in PA.
2. A position paper needs to be issued outlining the very limited and rapidly diminishing role of “other settings”
3. School districts should be provided with a single, coherent, comprehensive, integrated corrective action plan
4. The 2005/2006 CAPs need to be re-written in a format that is consistent with the provisions of the SA. Such a format would include, for example:
   1. A vision for an inclusive school district
   2. Timelines
   3. Current levels of performance
   4. Specific areas for improvement
   5. Benchmarks for improvement
   6. Clearly stated overall goals
   7. A comprehensive TA plan documenting content, process and personnel involved, and stating which trainings are mandatory and which are not
   8. Clearly stated enforcement provisions for non-compliance

5. There should be a standard protocol for how to conduct LRE monitoring. Compliance Advisors and Compliance Chiefs need to receive the same training and use the same procedures. CAP development needs to be an integral and coherent part of this monitoring process.

6. There should be a clear link between the content and processes of the plans with the expected and specified goals to be achieved. In other words, substantive goals need to have plans of substantive content and process.