



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

Individuals with Disabilities
Education Act (IDEA)

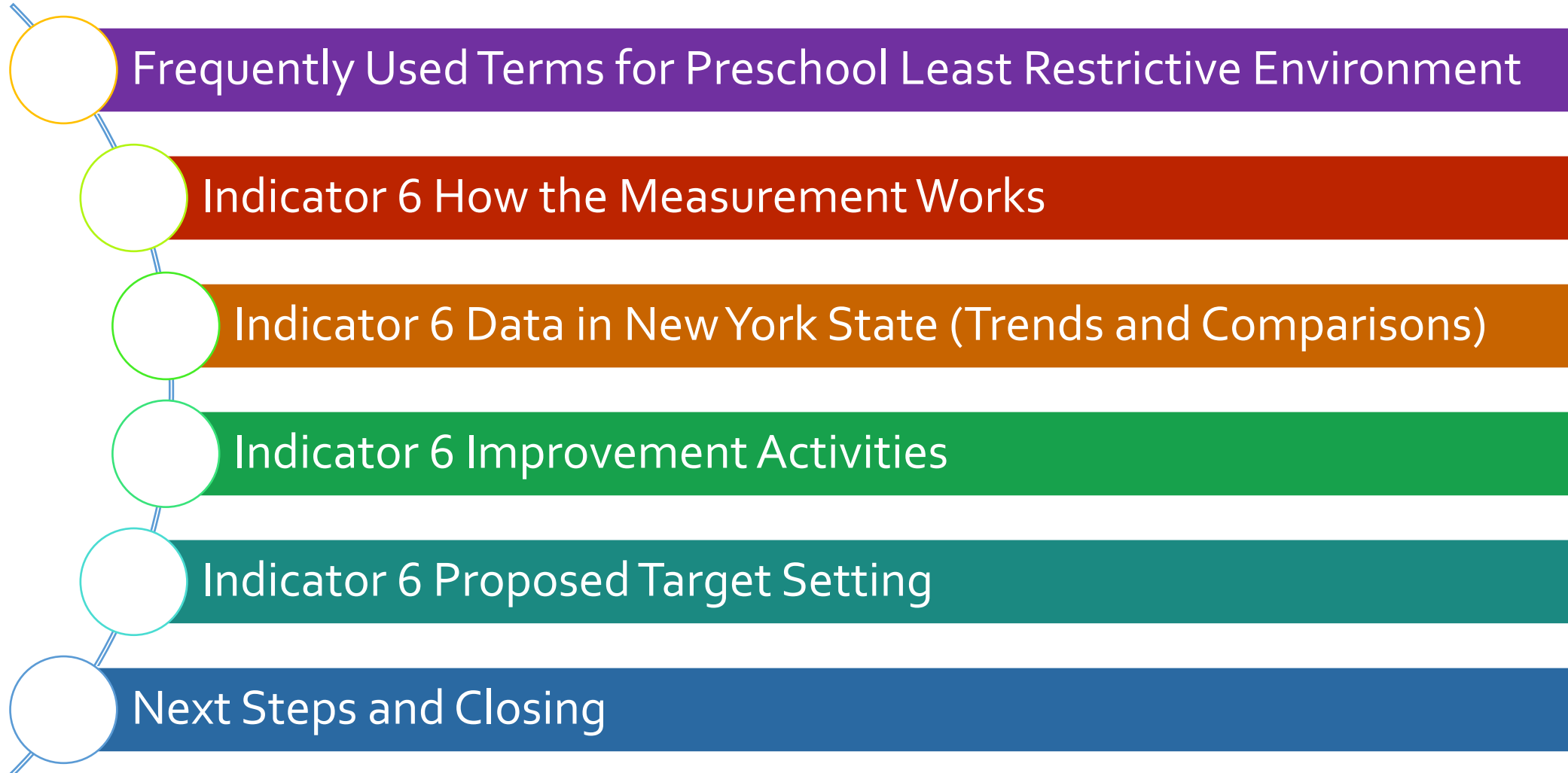


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Indicator 6 – Preschool Least Restrictive Environment

Agenda Preschool Least Restrictive Environment



Frequently Used Terms in the Presentation



Term	Description
State Performance Plan or SPP	Evaluates the state's efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation
Federal Fiscal Year or FFY	Federal Government Fiscal Year (October 1 – September 30)
Indicator 6	SPP Indicator 6 measures Preschool Least Restrictive Environment
Indicator 6A	Indicator 6A measures preschool services in a regular early childhood program
Indicator 6B	Indicator 6B measures preschool services in a separate special education class, separate school or residential facility.
Indicator 6C	Indicator 6C measures preschool services in the home setting
Baseline	Data starting point to measure improvement overtime
Targets	Performance Objectives set for SPP Measurements
Annual Performance Report (APR) Reported Data	Data reported to the United States Department of Education Office of Special Education Programs (OSEP) against the state's targets
Data Equated to New Measurement	Submitted Data recalculated using the components of a new measurement

Least Restrictive Environment



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A preschool child with a disability is entitled to all the rights and protections guaranteed under Part B of the IDEA, including the right to be educated in the least restrictive environment (LRE).

The background of the slide is a photograph of four young children of diverse backgrounds sitting around a table. They are looking down at something on the table, possibly a book or a project, and appear to be engaged in a collaborative activity. The children are dressed in bright, colorful clothing. The overall atmosphere is one of focused learning and social interaction.

Part B LRE requirements state a strong preference for educating children with disabilities in regular classes alongside their peers without disabilities.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

January 9, 2017

Dear Colleague:

We are writing to reaffirm the position of the U.S. Department of Education (ED or Department) that all young children with disabilities should have access to inclusive high-quality early childhood programs where they are provided with individualized and appropriate supports to enable them to meet high expectations. Over the last few years, States and communities have made progress in expanding early learning opportunities for young children, with all but four States investing in free public preschool programs.¹ The Federal government, while aligning with the movement of States, has led several efforts to increase access to and the quality of early childhood programs, such as the Preschool Development Grants and expansion of Head Start. States have focused on improving the quality of early learning programs, including the development of early learning program standards and incorporating these into Quality Rating and Improvement Systems (QRIS).²

In September 2015, ED and the U.S. Department of Health and Human Services (HHS) issued a [policy statement on promoting inclusion](#) in early childhood programs to set a vision on this issue and provide recommendations to States, local educational agencies (LEAs), schools, and public and private early childhood programs.³ Despite the expansion of early childhood programs, there has not yet been a proportionate expansion of inclusive early learning opportunities for young children with disabilities. Given this concern and the ED-HHS policy statement on early childhood inclusion, the Office of Special Education Programs (OSEP) is updating the February 29, 2012, Dear Colleague Letter (DCL) to reaffirm our commitment to inclusive preschool education programs for children with disabilities and to reiterate that the least restrictive environment (LRE) requirements in section 612(a)(5) of the Individuals with Disabilities

¹ Walter N. Ridley Lecture: Pre-Kindergarten Access and Quality are Essential for Children's Growth and Development (November 2, 2016), available at: <http://www.ed.gov/news/speeches/walter-n-ridley-lecture-pre-kindergarten-access-and-quality-are-essential-childrens-growth-and-development>. For more detailed but less recent information on State investments in public preschool see: Barnett, W.S., Friedman-Krauss, A., Gomez, R.E., Squires, J.H., Clarke Brown, K., Weisenfeld, G.G., & Horowitz, M. (2016). *The state of preschool 2015: State preschool yearbook*. New Brunswick, NJ: National Institute for Early Education Research.

² QRIS statewide systems are implemented in over half of the States and others are developing such systems. ED and the of Department of Health and Human Services have supported States in further developing such systems under Race to the Top-Early Learning Challenge and the Child Care Development Fund. For more information see: <https://qrisguide.acf.hhs.gov/index.cfm?do=qrisabout>.

³ See U.S. Departments of Education and Health and Human Services Policy Letter on the Inclusion of Children with Disabilities in Early Childhood Programs (September 14, 2015), available at: <http://www2.ed.gov/policy/speced/guid/earlylearning/joint-statement-full-text.pdf>.



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The United States Department of Education January 2017 Guidance Dear Colleague Letter (DCL) related to Preschool Least Restrictive Environments (LRE) (PDF) is an effective resource to highlight the importance of preschool inclusion and outline the IDEA preschool least restrictive environment requirements.

Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs: U.S. Departments of Education and Health and Human Services



- "Inclusion in early childhood programs refers to including children with disabilities in early childhood programs, together with their peers without disabilities; holding high expectations and intentionally promoting participation in all learning and social activities, facilitated by individualized accommodations; and using evidence-based services and supports to foster their development (cognitive, language, communication, physical, behavioral, and social-emotional), friendships with peers, and sense of belonging. This applies to all young children with disabilities, from those with the mildest disabilities, to those with the most significant disabilities." U.S. Departments of Health and Human Services and Education, *Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs* (2015)

Indicator 6 – Preschool LRE FFY 2013-19 Measurement Targets are established by the State with Stakeholder Input



Percent of children aged 3 through 5 with individualized education programs (IEPs) attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.



Improvement = Increase over Baseline

B. Separate special education class, separate school or residential facility.



Improvement = Decrease over Baseline

For data collection purposes, a Regular Early Childhood Program is a program that includes a majority (at least 50 percent) of children who do not have IEPs and that may include, but is not limited to:

- Head Start;
- Kindergartens;
- Preschool classes offered to an eligible pre-kindergarten population by the public school system;
- Private kindergartens or preschools;
- Group child development centers or child care.

Indicator 6 – Preschool LRE FFY 2020-25 Measurement Targets are established by the State with Stakeholder Input



Percent of children with individualized education programs (IEPs) aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.



Improvement = Increase over Baseline

B. Separate special education class, separate school or residential facility.



Improvement = Decrease over Baseline

C. Receiving special education and related services in the home.



Improvement = Decrease over Baseline

New Measurement: States must report only those five-year-old children with disabilities who are enrolled in preschool programs in this indicator.

New Measurement Component: Home Environment. "Home" is the "unduplicated total who received the majority of their special education and related services in the principal residence of the child's family or caregivers, and who attended neither a Regular Early Childhood Program nor a Special Education Program provided in a separate class, separate school, or residential facility.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.



Data Collection Methodology for Indicator 6

- Data is collected for all children in New York State who meet the age requirements.
- Sampling is not allowed.
- Preschool environment data is reported annually as a “snapshot” or “point in time” as of the first Wednesday in October (BEDs Day). 🍁

Code	Preschool Least Restrictive Environment Code Description
PS04	Separate Class
PS05	Separate School
PS06	Residential Facility
PS07	Home
PS08	Service Provider Location or some other location that is not in any other code
PS09	Attending a regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in the regular early childhood program
PS10	Attending a regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in some other location
PS11	Attending a regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related services in the regular early childhood program
PS12	Attending a regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related services in some other location



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Facilitator check for understanding on the SPP measurement for Indicator 6 and how the data is used to measure results or outcomes in LRE.





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Indicator 6 New York State Data





Explanation Indicator 6 FFY Data in the Annual Performance Report (APR)

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

The Indicator 6 data sample is collected on a “point in time” basis

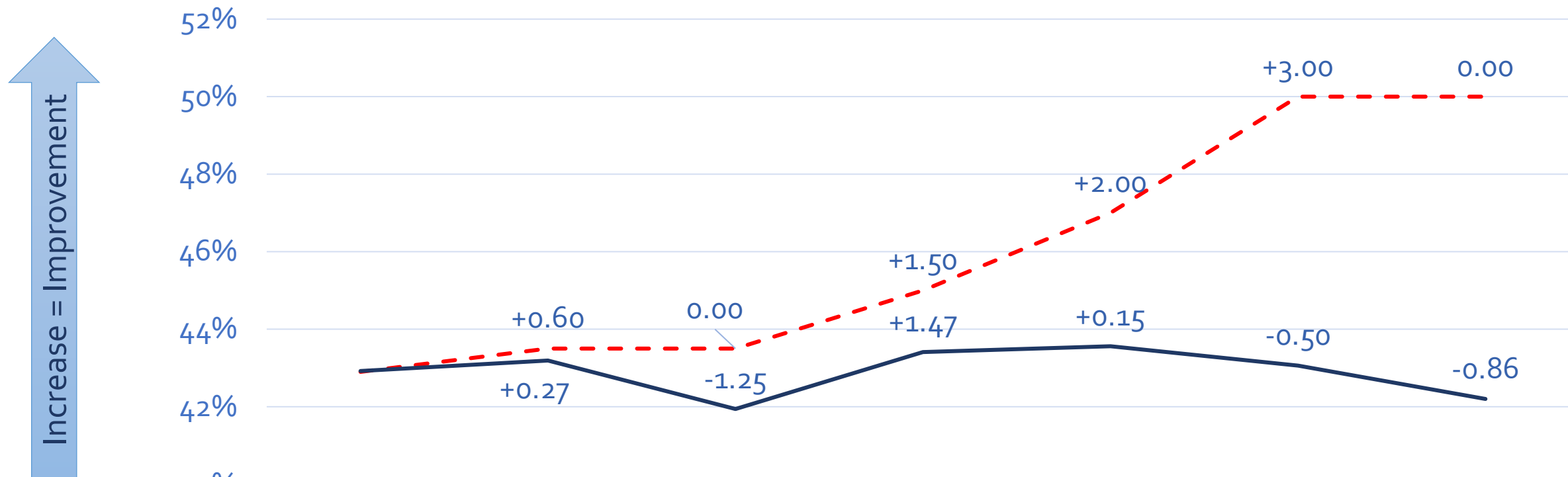
The FFY 2020 APR is submitted to OSEP



The October 2020 Preschool LRE Data
is included in the FFY 2020 APR

New York State SPP 2013-19 Targets and Actuals

Indicator 6A: Regular Early Childhood Program



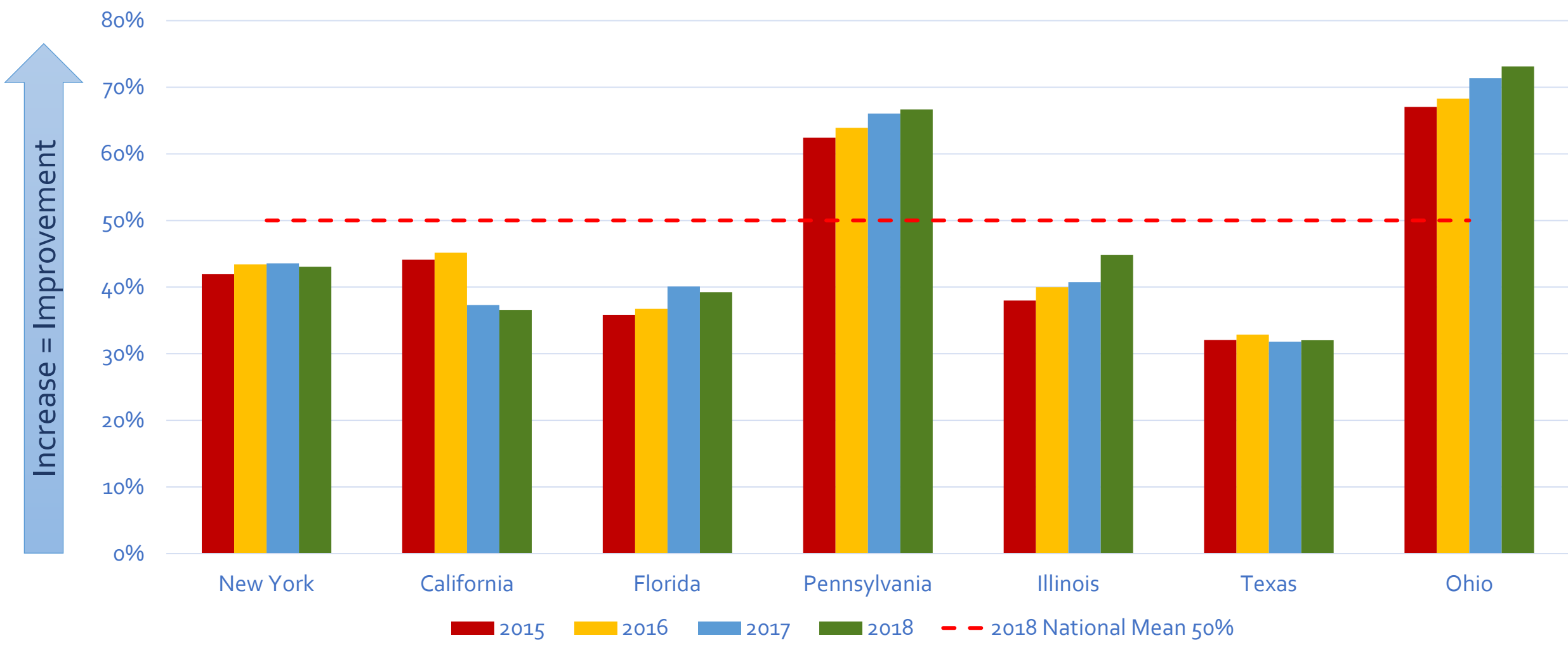
	2013	2014	2015	2016	2017	2018	2019
- - 6A: NYS Target	42.90%	43.50%	43.50%	45.00%	47.00%	50.00%	50.00%
— 6A: NYS Result	42.92%	43.19%	41.94%	43.41%	43.56%	43.06%	42.20%

Difference	+0.02	-0.31	-1.56	-1.59	-3.44	-6.94	-7.80
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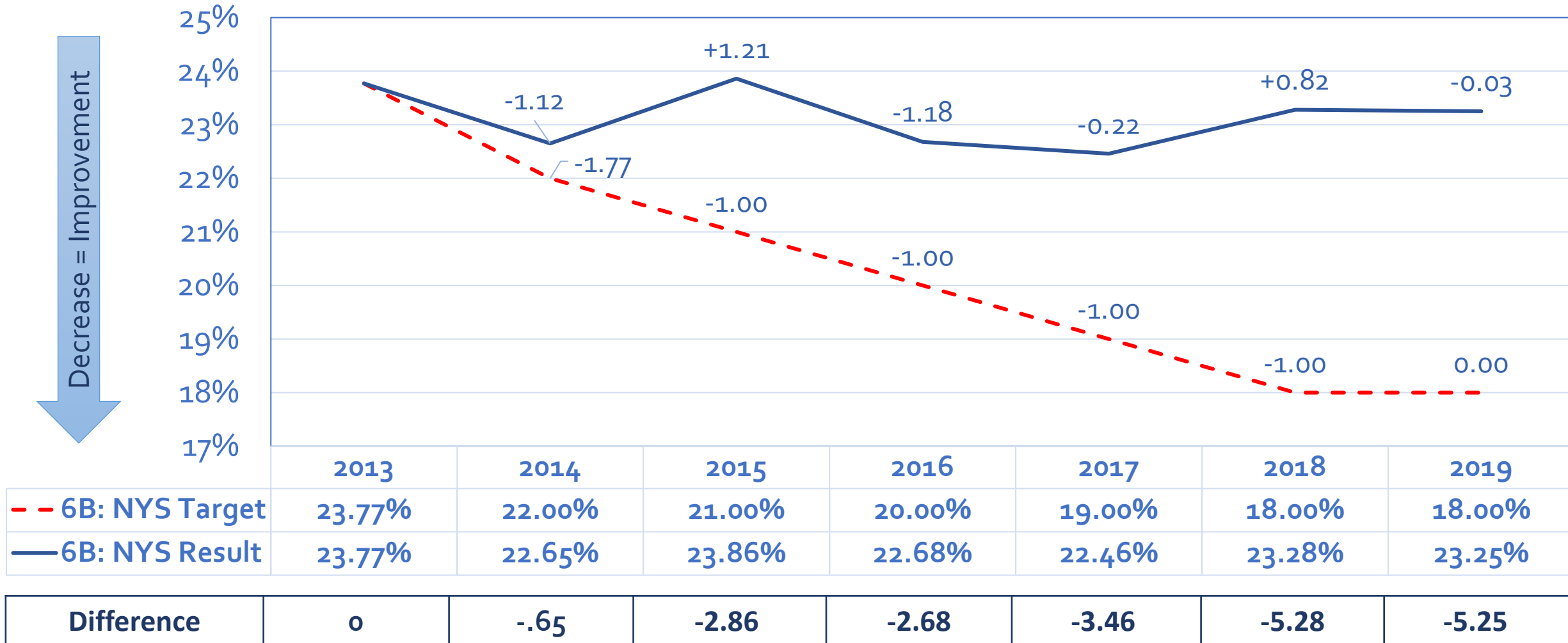
7-PAK States Results Comparison

Indicator 6A: Regular Early Childhood Program



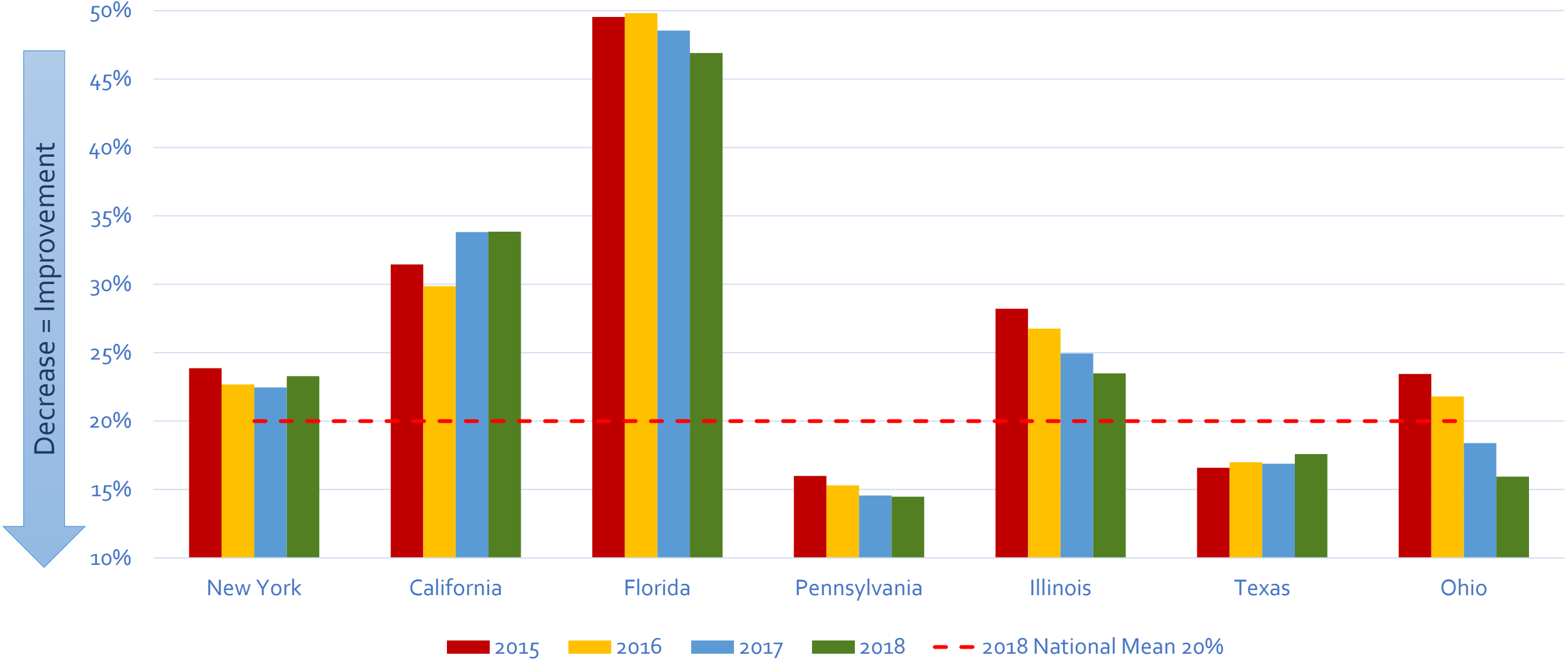
New York State SPP 2013-19 Targets and Actuals

Indicator 6B: Separate Class, School or Facility

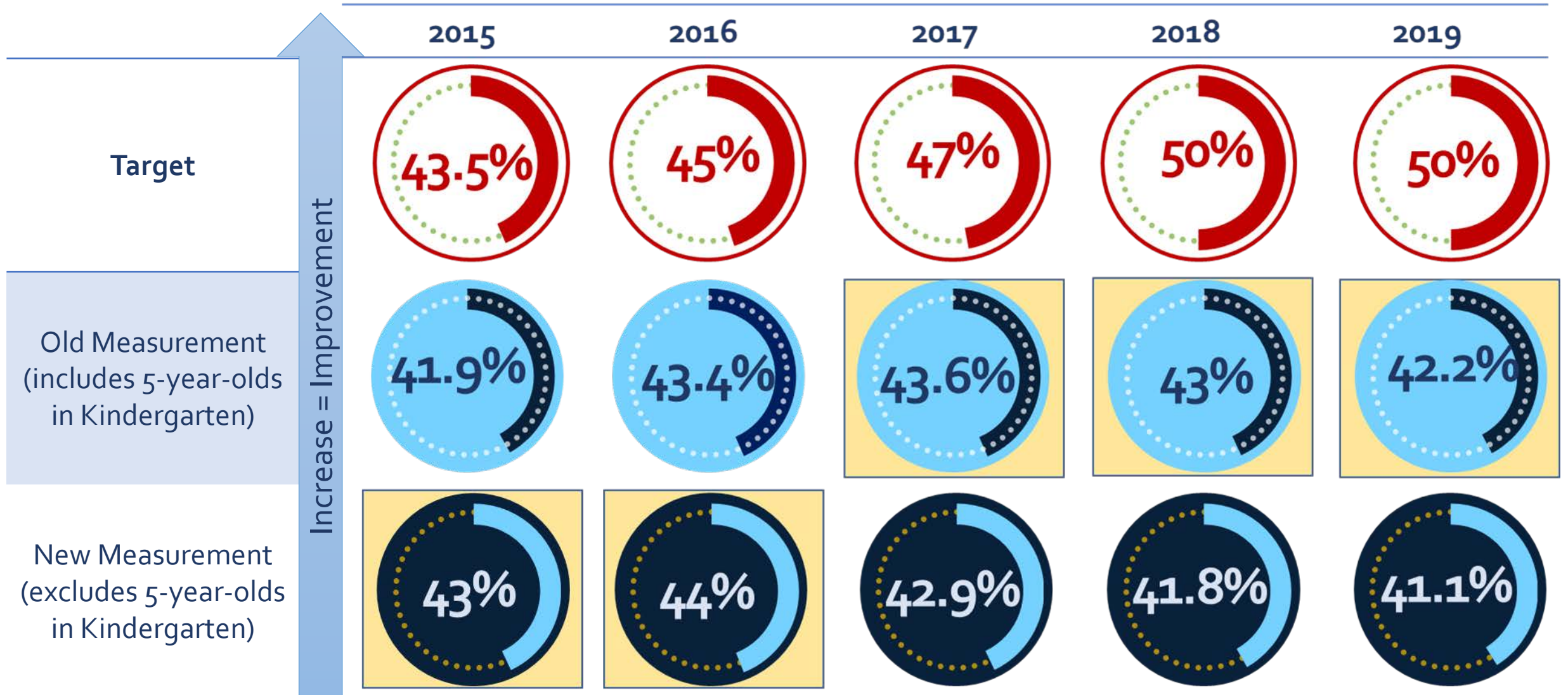


7-PAK States Results Comparison

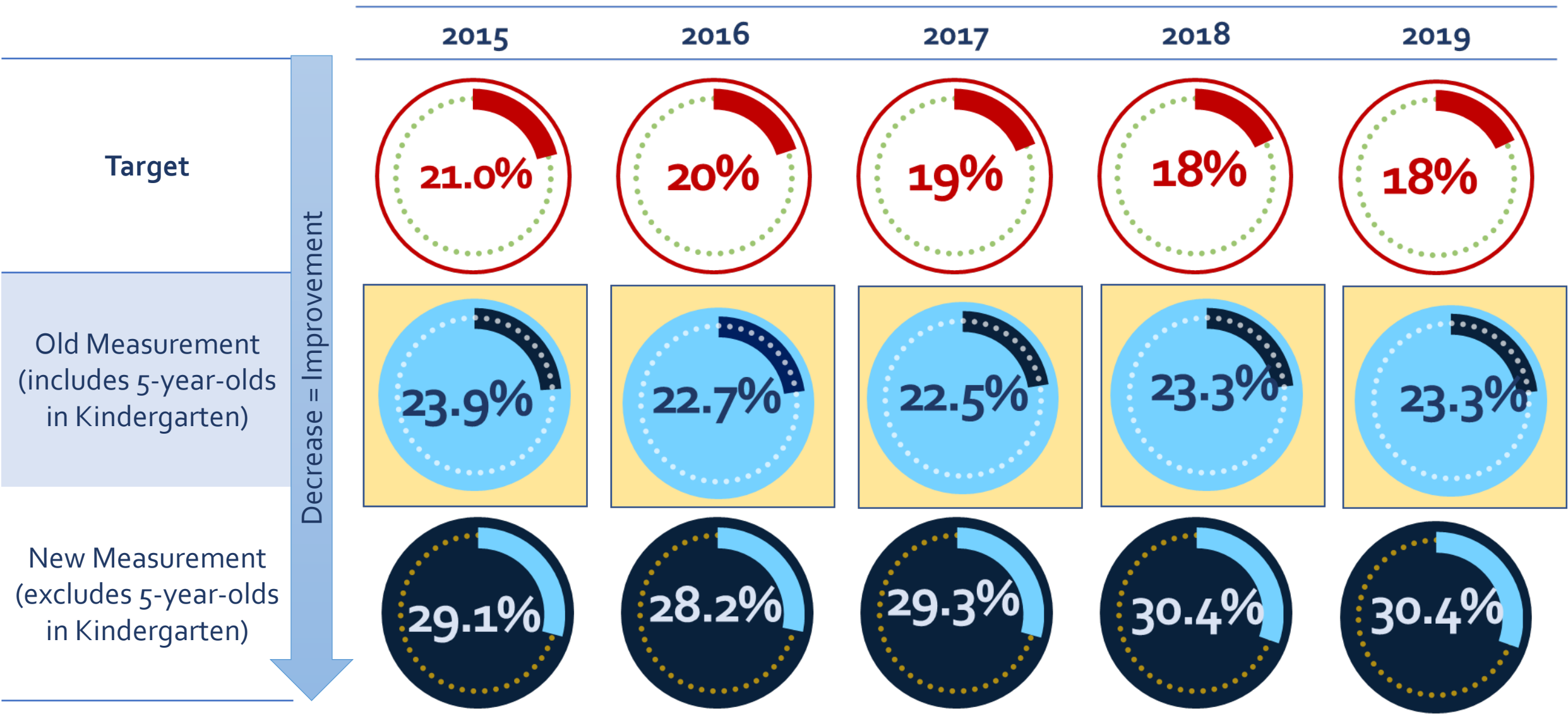
Indicator 6B: Separate Class Setting



6A Regular Early Childhood Program: Old vs New Measurement



6B Separate Class Setting: Old vs New Measurement





Past Trend and State/National Comparison Data

- 1) What did the Indicator 6 Statewide SPP data tell us?
- 2) How should we use the data to inform our target-setting and improvement activities?



Stakeholder Discussion





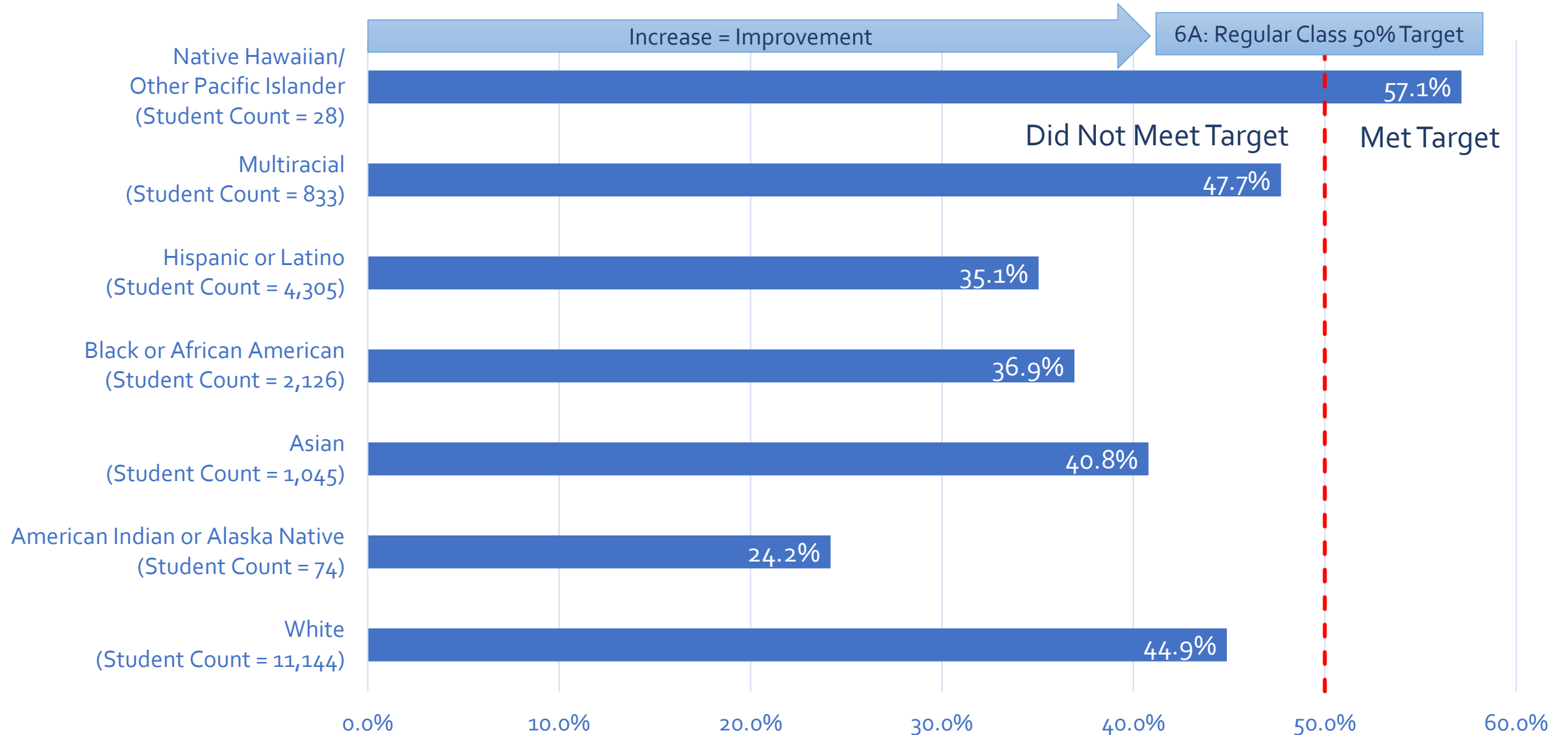
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Indicator 6 Disaggregated Data in NYS

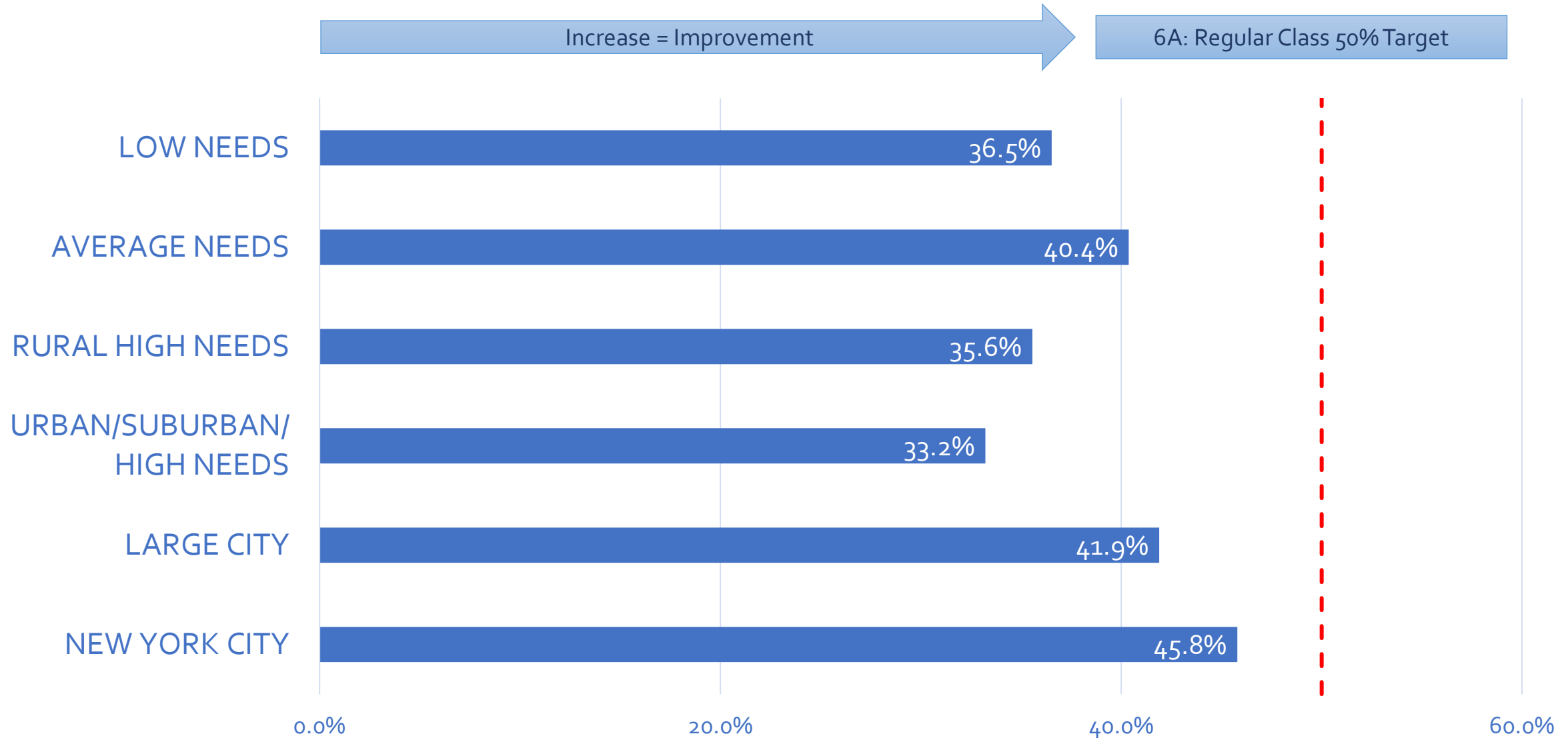
Consideration of data by
Race & Ethnicity, School
District Needs Resource
Capacity and County Region



Indicator 6A: Regular Class Setting Student Data by Race and Ethnicity (FFY 2019)

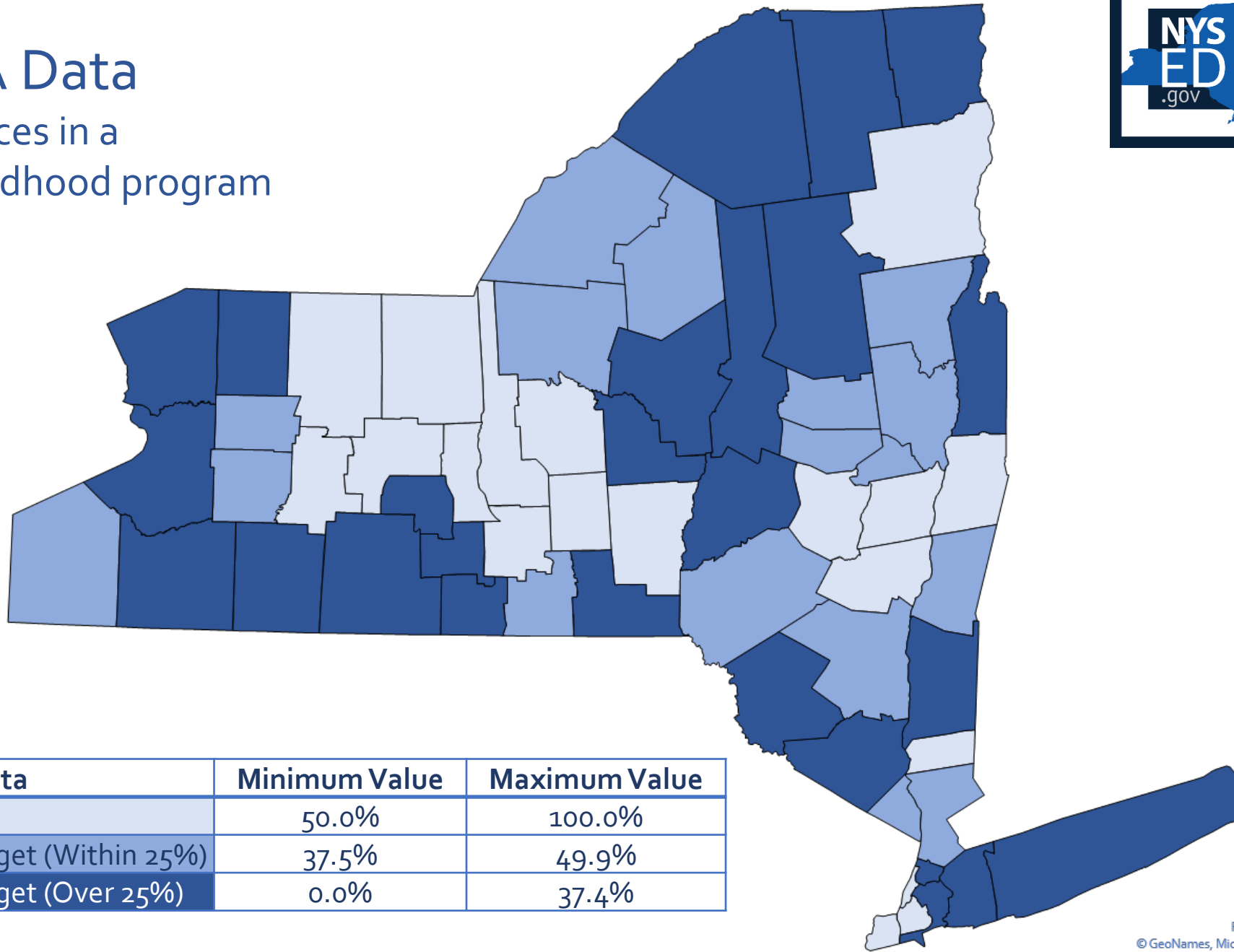


Indicator 6A: Regular Class Setting Needs/Resource Capacity FFY 2019



Regional 6A Data

Majority of services in a regular early childhood program



County Level Data	Minimum Value	Maximum Value
Met Target	50.0%	100.0%
Did not Meet Target (Within 25%)	37.5%	49.9%
Did not Meet Target (Over 25%)	0.0%	37.4%

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6A Disaggregate Data

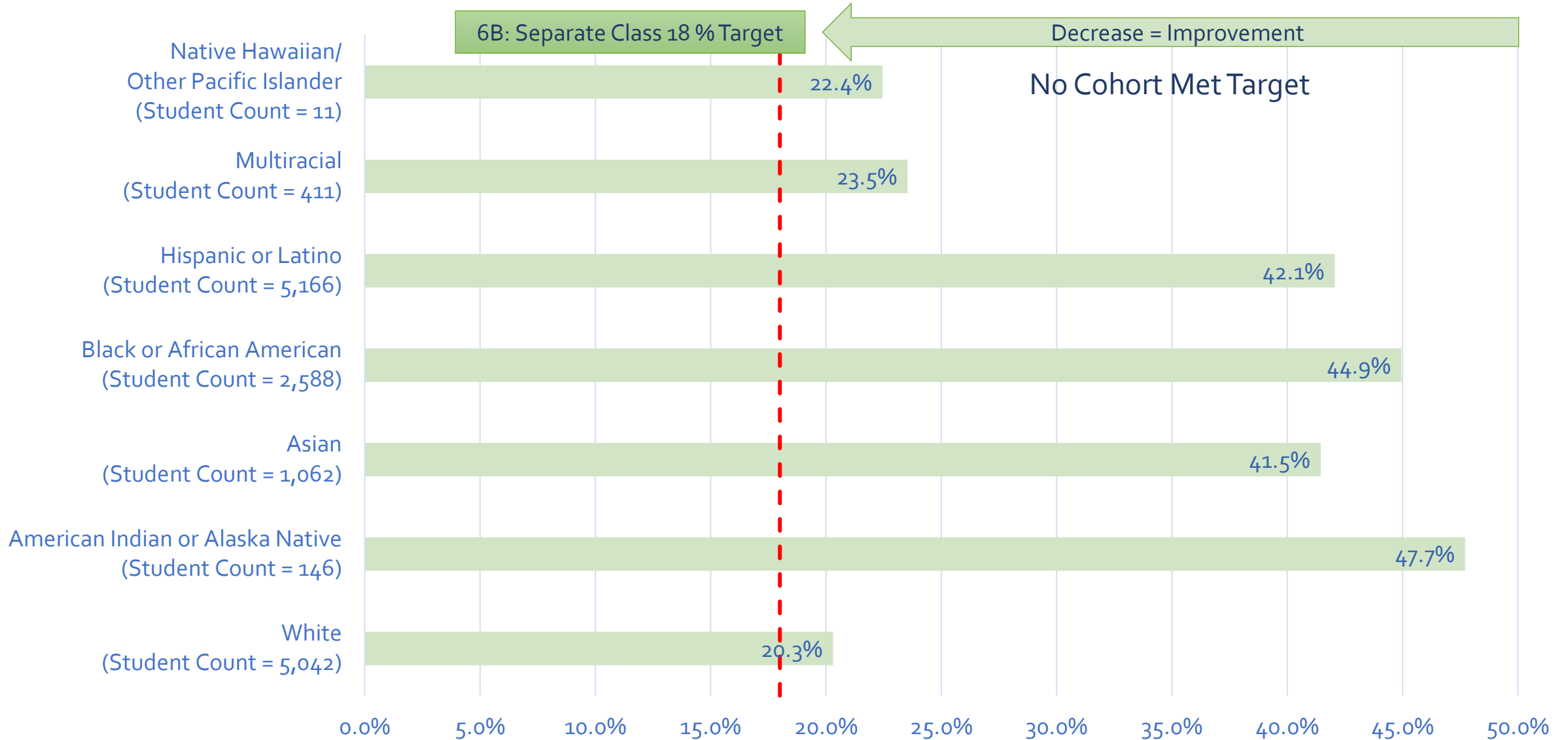
- 1) What did the Indicator 6A disaggregate SPP data tell us?
- 2) How should we use the data to inform our target-setting and improvement activities?



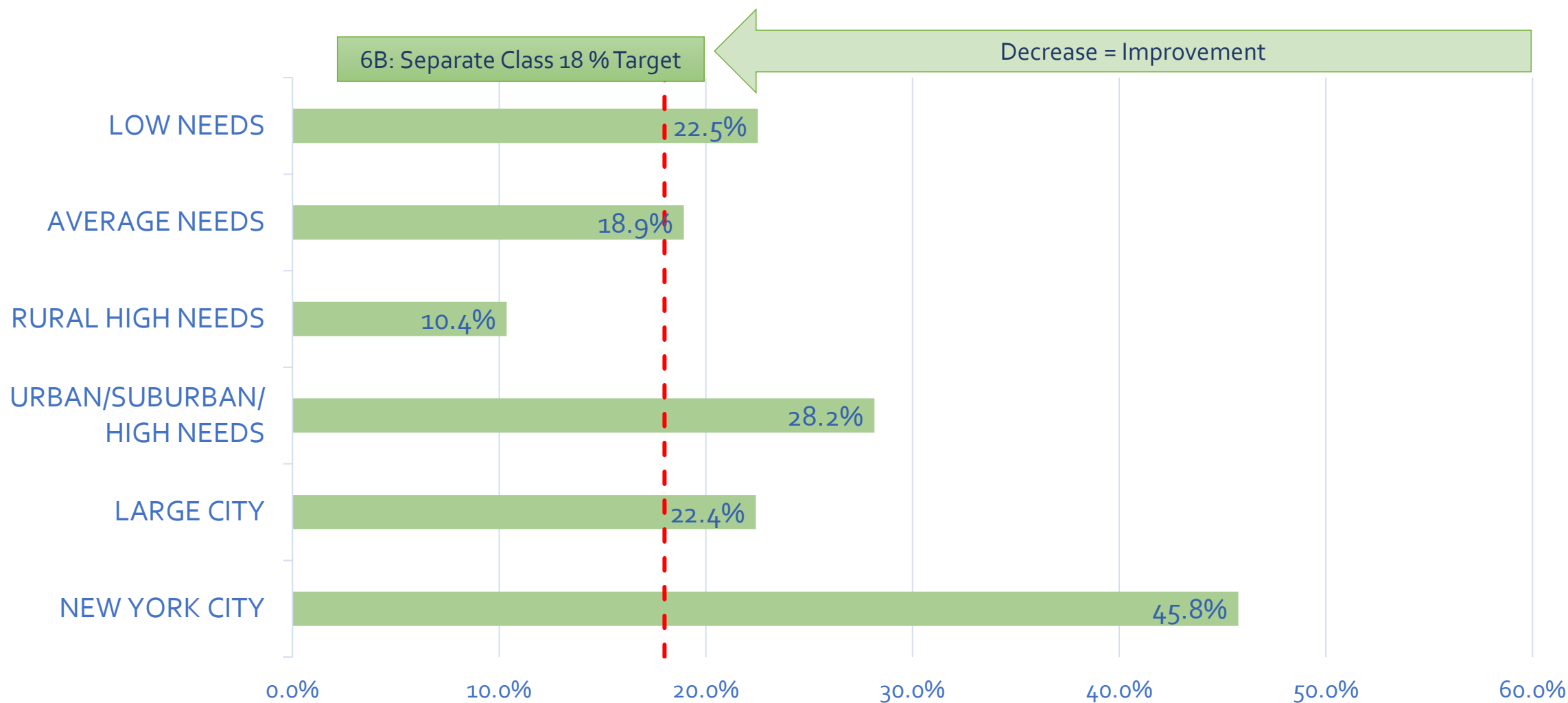
**Stakeholder
Discussion**



Indicator 6B: Separate Class Setting Student Data by Race and Ethnicity (FFY 2019)

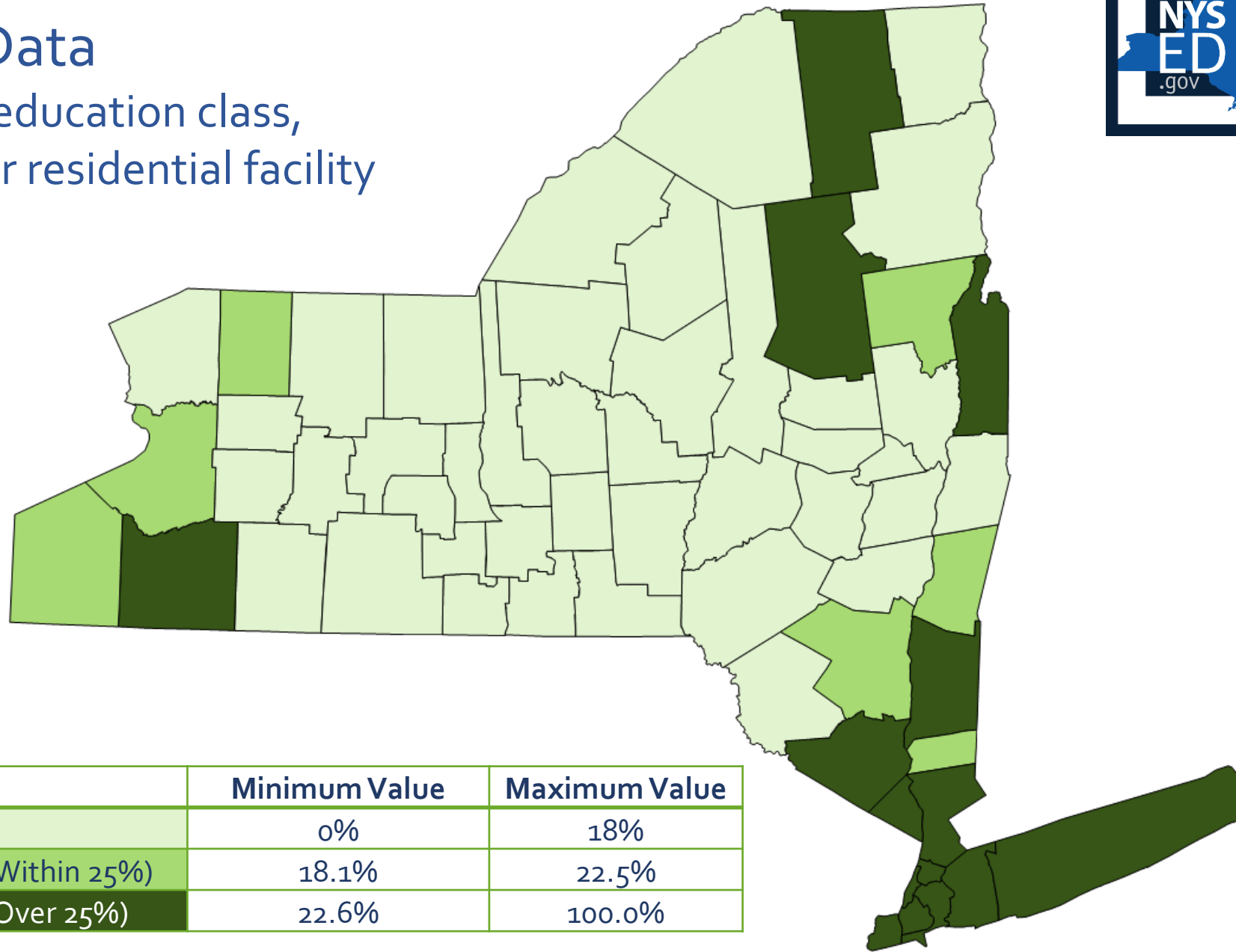


Indicator 6B: Separate Class Setting Needs/Resource Capacity (FFY 2019)



Regional 6B Data

Separate special education class,
separate school or residential facility



County Level Data	Minimum Value	Maximum Value
Met Target	0%	18%
Did not Meet Target (Within 25%)	18.1%	22.5%
Did not Meet Target (Over 25%)	22.6%	100.0%



6B Disaggregate Data

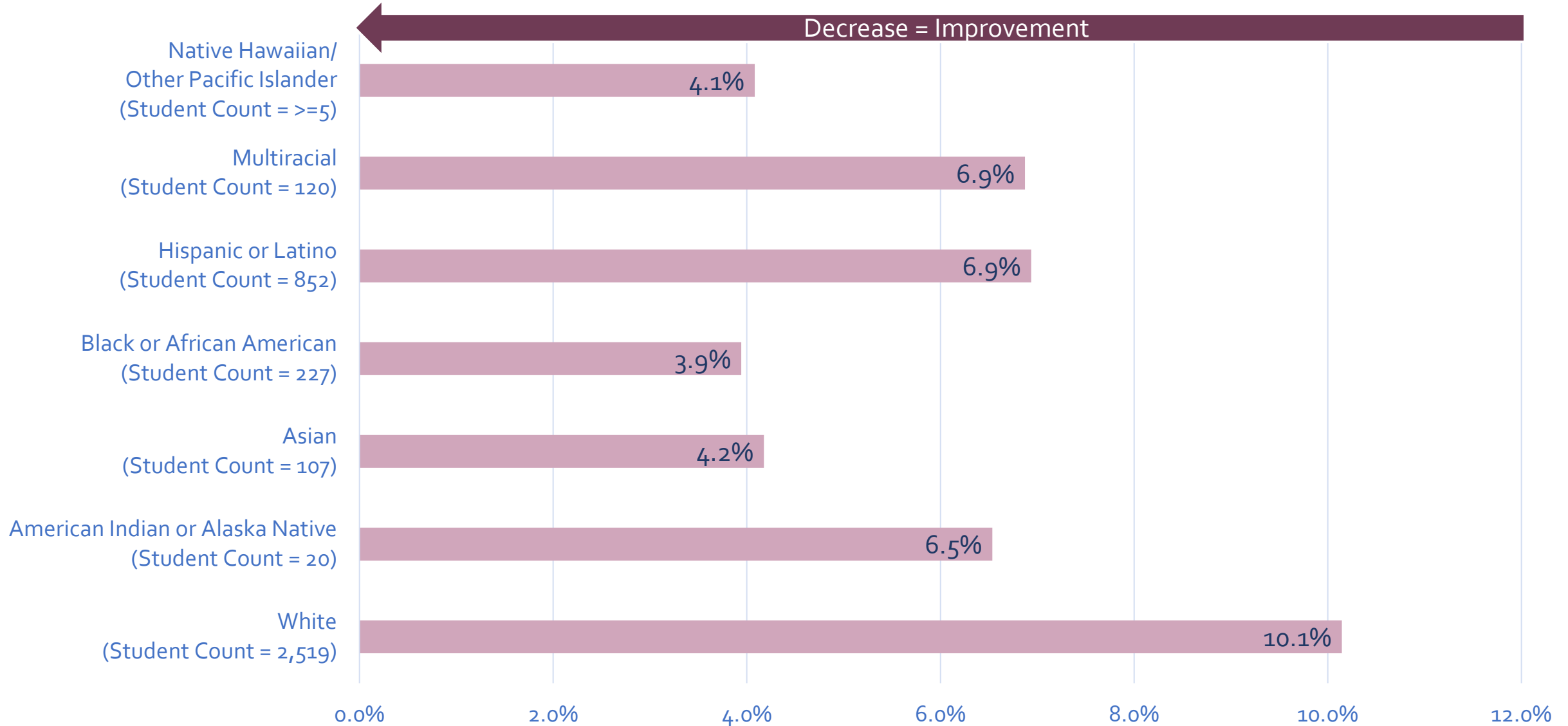
- 1) What did the Indicator 6B disaggregate SPP data tell us?
- 2) How should we use the data to inform our target-setting and improvement activities?



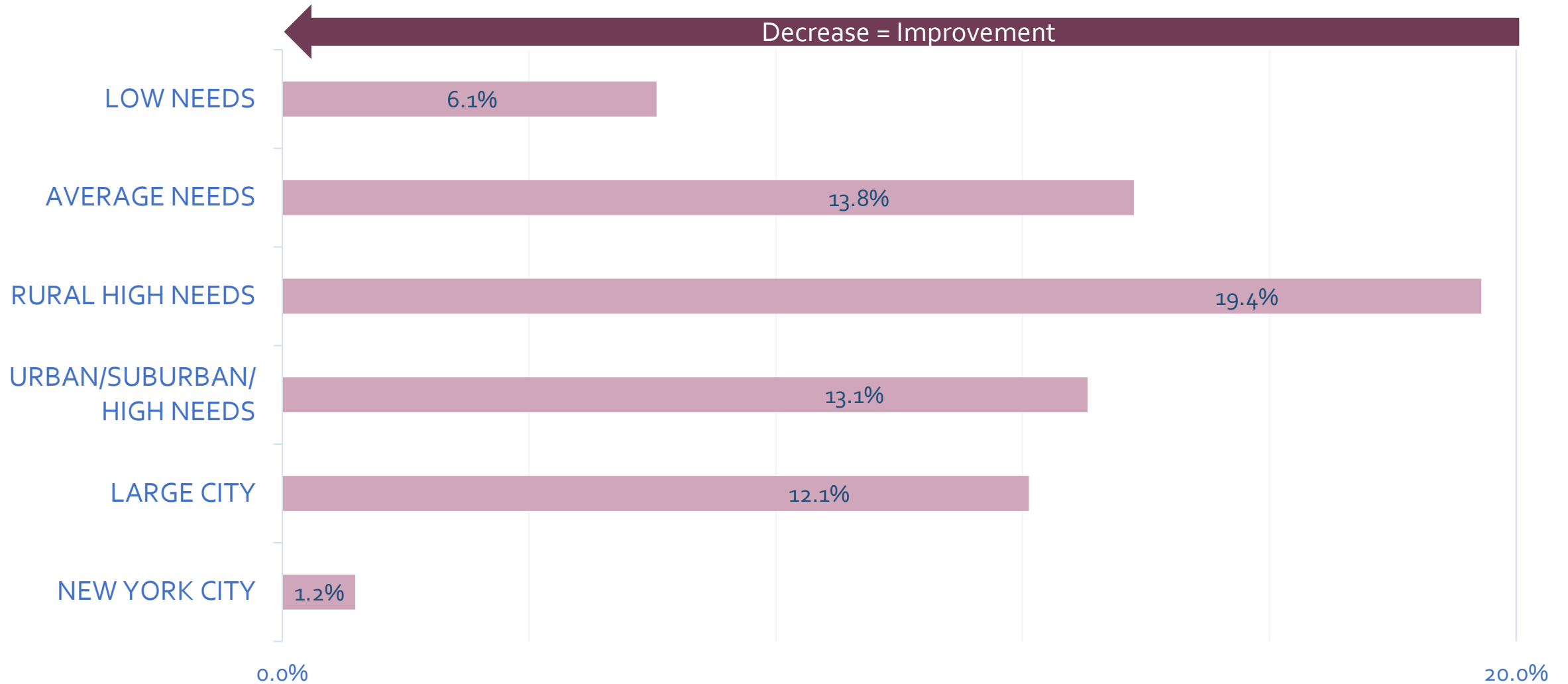
Stakeholder Discussion



Indicator 6C: Home Setting Student Data by Race and Ethnicity (FFY 2019)



Indicator 6C: Home Setting Needs/Resource Capacity FFY 2019

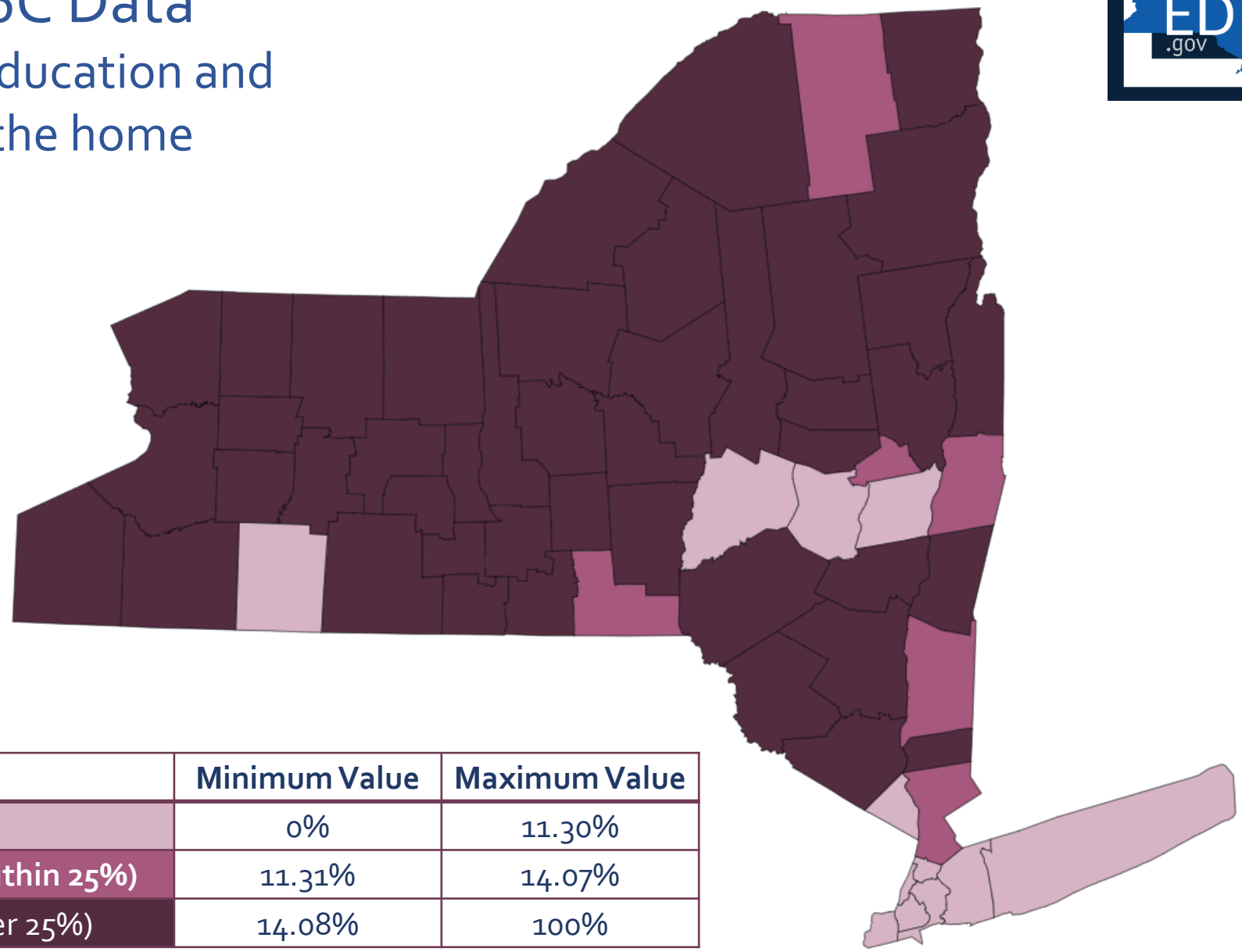


2020 Regional 6C Data

Receiving special education and related services in the home



11.3%
aggregate
statewide
average
performance
in 2020



County Level Data	Minimum Value	Maximum Value
Met Baseline	0%	11.30%
Did Not Meet Baseline (Within 25%)	11.31%	14.07%
Did Not Meet Baseline (Over 25%)	14.08%	100%



6C Disaggregate Data

- 1) What did the Indicator 6C disaggregate SPP data tell us?
- 2) How should we use the data to inform our target-setting and improvement activities?



Stakeholder Discussion





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

Individuals with Disabilities Education Act (IDEA)



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Indicator 6 – Improvement Strategies

Inclusive Programs and Activities is a Priority Area

- Providing high quality inclusive programs and activities is one of seven core principles and practices supported by research for all students with disabilities as part of New York State's Blueprint for Improved Results for Students with Disabilities



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity



**BLUEPRINT FOR IMPROVED
RESULTS FOR STUDENTS WITH
DISABILITIES**

Office of Special Education

LRE Guidance from the Office of Special Education



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Blueprint for Improved Results

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Common Core and Students with Disabilities

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Forms and Notices

Graduation Requirements/Exiting Credentials

IDEA

Impartial Hearings

Mediation

New York State Alternate Assessment (NYSAA)

OSE Educational Partnership

Personnel Shortage Projects

Regional Offices

State Assessment

NYS ED / P-12: EMSC / Special Education / Publications / Individualized Education Programs

Guide to Quality Individualized Education Program Implementation

Guide to Quality Individualized Education Program and Implementation - [Complete PDF File](#) (February 2010 (Revised December 2010))

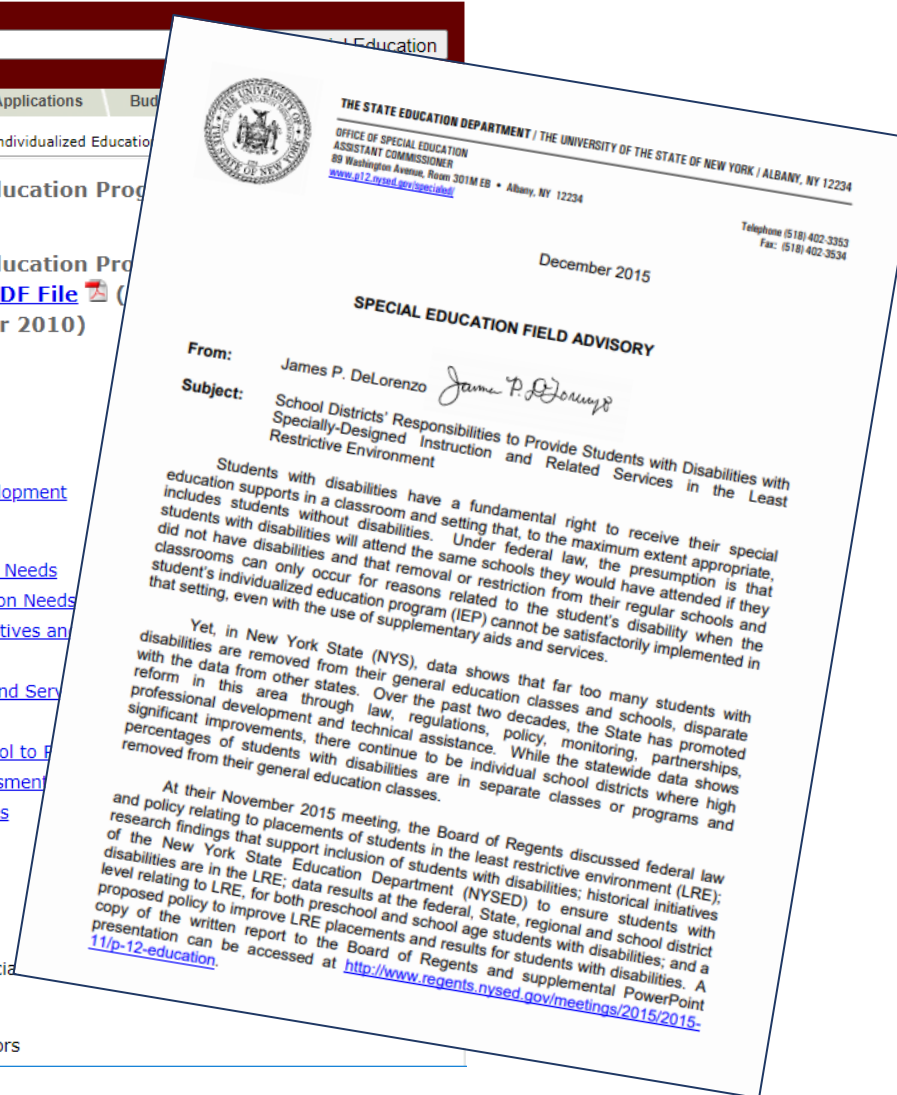
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- [Present Levels of Performance and Individual Needs](#)
- [Measurable Postsecondary Goals and Transition Needs](#)
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- [Participation in State and District-wide Assessments](#)
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- [Transportation](#)
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[IEP Implementation](#)

[Attachment 1:](#) Committee on Preschool Special Education Subcommittee on Special Education

[Attachment 2:](#) Consideration of Special Factors

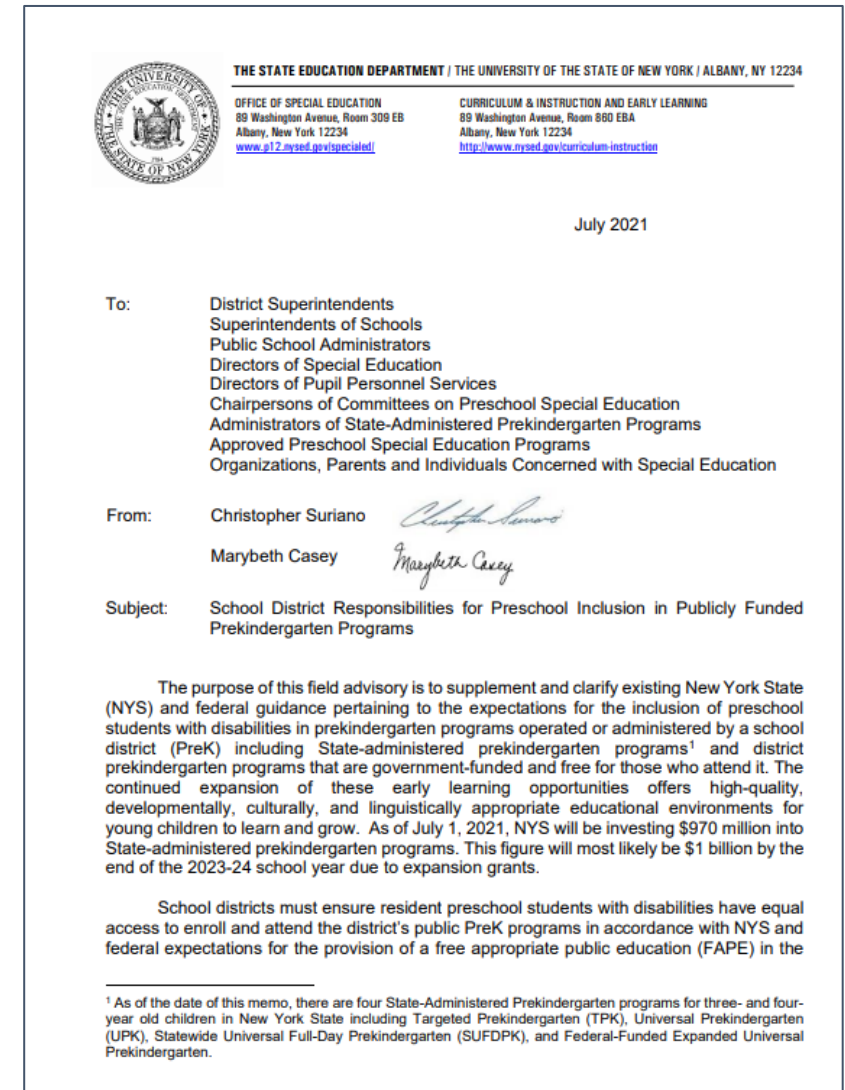


The Office of Special Education published guidance on Individualized Education Program (IEP) development and School District Responsibilities to Provide Students with Disabilities with Specially-Designed Instruction and Related Services in the Least Restrictive Environment (LRE)

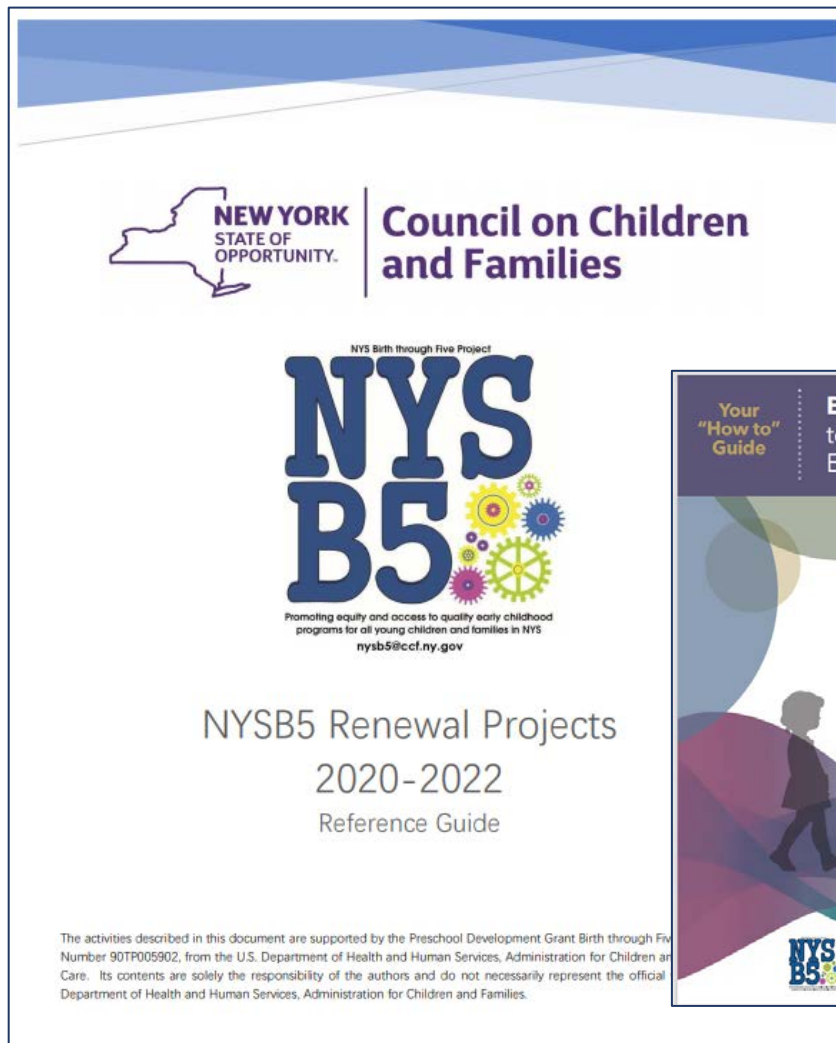
Promoting Preschool Inclusion in PreK Programs



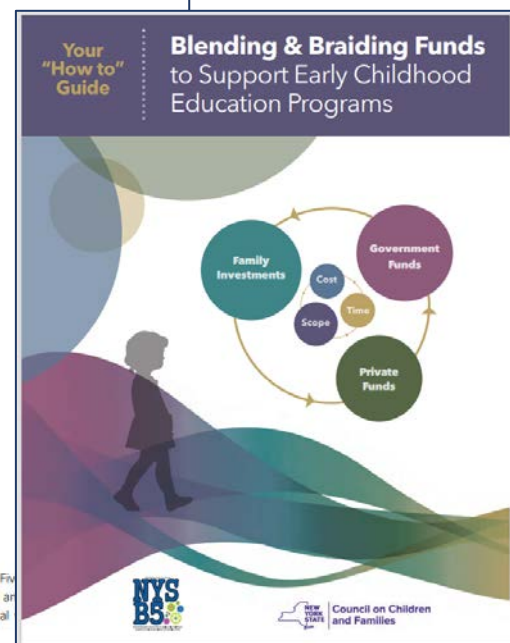
- Joint guidance was issued in July 2021 titled “School District Responsibilities for Preschool Inclusion in Publicly Funded Prekindergarten (PreK) Programs.”
- This guidance outlines that publicly funded PreK programs must be leveraged to meet preschool least restrictive environment responsibilities and ensure meaningful preschool inclusion.
- NYSED plans to support school districts in implementing blended funding and dual enrollment models in publicly funded PreK programs by issuing future guidance based on questions from the field. Questions may be submitted to SPECED@nysed.gov



Early Childhood Cross-System Collaboration



- Partnership with the New York State Council on Children and Families on the New York State Birth – Five Renewal Grant to enhance coordination and more efficiently provide access to high quality, equitable and comprehensive early care and learning environments and services essential for healthy development.



- “How to Guide for Blending and Braiding Funds” was issued to assist early childhood program providers in navigating reimbursement options including integrated general and special education services.



- OSE participation in the Early Childhood Advisory Council (ECAC) which provides strategic direction and advice to the State of New York on early childhood issues.

NYCDOE Preschool Inclusion Efforts



Benefits of Inclusion

Inclusive settings, such as general education or SCIS classrooms, allow children with and without disabilities to learn alongside one another. Inclusion promotes academic growth, independence, and social-emotional development.

Research on inclusion in early childhood has shown that:

- BOTH children with AND without disabilities benefit from inclusion:
 - Children with disabilities learn from their peers, and develop greater communication, social-emotional, and adaptive behavior skills.
 - Children without disabilities develop a greater acceptance of diversity and more empathetic social behaviors.
- Children with disabilities educated in inclusion classrooms:
 - Develop stronger language and math skills.
 - Are more likely to have social interactions with their peers, which allows them to create larger networks of friends and acquire social skills.
 - Tend to be absent fewer days from school.

As a reminder, 3-K and Pre-K for All offer inclusive settings. Refer to section I on pages 7-9 for more information on those programs and how to apply.

- The New York City Department of Education (NYCDOE) is implementing a comprehensive plan to promote preschool inclusion.
- As part of the NYCDOE inclusion plan, more preschool students with disabilities will receive the majority of their services in a regular early childhood classroom and the number of preschool students receiving services in a special class program will be reduced.



Office of Special Education Educational Partnership Tiered Support & Professional Development



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12 Regional
Partnership Centers

14 School-Age Family
and Community
Engagement Centers

14 Early Childhood
Family and Community
Engagement Centers

Systems Change Work Providing a Variety of Supports to Educational Organizations in New York State

1 Regional Learning

2 Targeted Skills/Support Groups

3 Support Plans



Educational Partnership Resources

Targeted Professional Development Improvement Strategies



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Educational Partnership Trainings impacting Preschool LRE include, but are not limited to:

Classroom Management Training

CPSE/CSE Chairperson Training

Creating the Individualized Education Program

Functional Behavioral Assessment (FBA)/Behavioral Intervention Plan (BIP) Toolkit

Using the FBA/BIP Process to Support Students Needing Intensive Interventions

Function Based Thinking in Preschool

Introduction to the Behavior Pathways

Specially Designed Instruction Series

Positive Behavior Interventions and Supports Tier 1 & Tier 2 Team Training

Positive Solutions for Families: Pyramid Model

Preschool Special Education Process

Using the Competing Behavior Pathway to Identify Interventions

Potential New Improvement Strategies#1-#3

1

Amend New York State law to deem school districts approved to provide preschool Special Education Itinerant Services (SEIS) and Special Class in an Integrated Setting (SCIS) program services without separate NYSED approval.

2

Require districts to review their Indicator 6 data in aggregate and also by race and ethnicity. For districts not meeting Indicator 6 targets, or if a disparity is found in the race and ethnicity data, districts would be required to complete a [Local District Preschool Inclusion Self-Assessment](#).

3

Create a targeted monitoring activity to review and document Committee on Preschool Special Education decision-making processes pertaining to preschool inclusion. Include documentation that the parent was informed of their child's rights to receive services in the least restrictive environment.

Potential New Improvement Strategies #4-#7

4

Streamline the existing regional need process to identify need for SEIS and SCIS programs in counties based on districts' Indicator 6 data.

5

Streamline the existing regional need process to identify need based on a school district's endorsement of an inclusive PreK program for dually enrolled resident students.

6

Issue a moratorium on special class expansions where least restrictive environment targets are not being met.

7

Supplement existing guidance with additional information for blending and braiding district PreK and county preschool special education funding.



Potential New Improvement Strategies #8-#9

8

Amend regulation to expand the preschool continuum in New York State to include more flexible models for preschool special education delivery in the regular early childhood program environment.

9

Create a parent resource to describe the benefits of preschool inclusion and outline their child's right to receive preschool special education programs and related services in the least restrictive environment.



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What activities could be considered, maintained, or strengthened to address improvements in preschool least restrictive environment?

Stakeholder Question





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Individuals with Disabilities Education Act (IDEA)



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Indicator 6 – Preschool Least Restrictive Environment Target Setting



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Target Setting Recommendation for Indicator 6

Inclusive Targets vs. Individual Targets



NYSED is Recommending One Target Inclusive of Children Ages 3, 4, and 5 for Indicator 6



- States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.
- NYSED proposes to NOT establish individual targets due to the small sample size for Age 5. NYSED recommends Indicator 6 targets inclusive of children ages 3, 4, and 5.

Setting Type	Age 5 Student Count 2015-16	% 2015-16	Age 5 Student Count 2016-17	% 2016-17	Age 5 Student Count 2017-18	% 2017-18	Age 5 Student Count 2018-19	% 2018-19	Age 5 Student Count 2019-20	% 2019-20
A. Regular early childhood program	<=5	12.1	<=5	17.2	<=5	14.3	<=5	22.2	<=5	41.7
B. Separate class, school or residential facility	<=5	9.1	<=5	17.2	<=5	14.3	<=5	11.1	<=5	8.3
C. Receiving special education and related services in the home	<=5	0%	<=5	3.4	<=5	0%	<=5	0%	<=5	0%



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Do you agree with NYSED's recommendation to set Indicator 6 targets inclusive of children ages 3, 4, and 5?

Stakeholder Question





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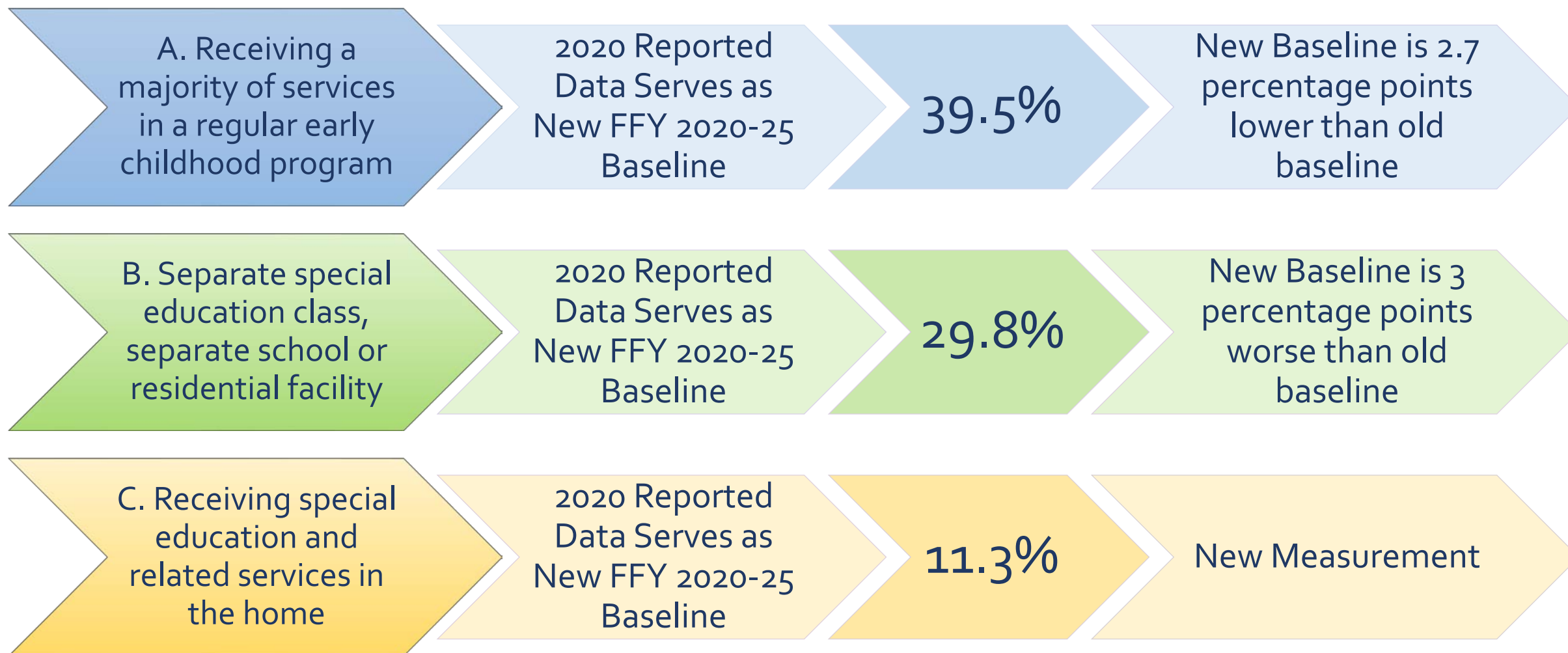
Target Setting Recommendation for Indicator 6

Baseline and 2020-2025 Proposed Targets



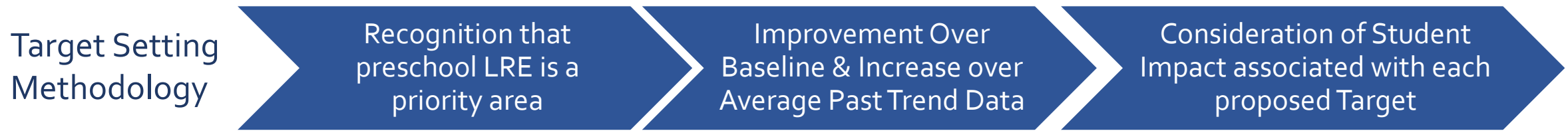
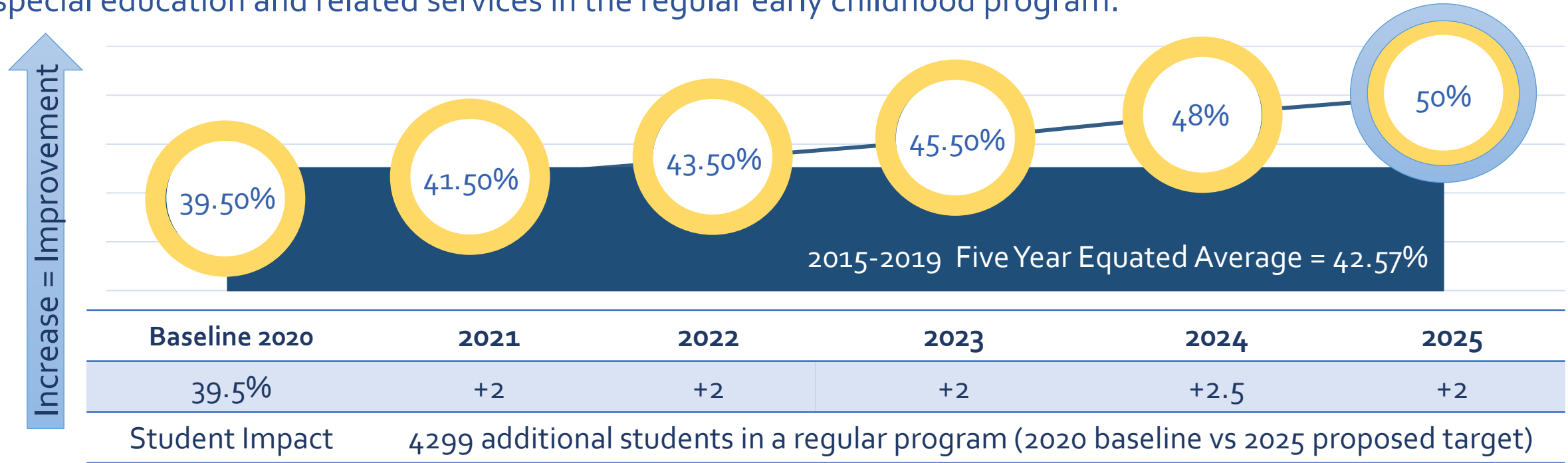


New Baseline for Indicator 6: Preschool LRE



Proposed Targets: Indicator 6A

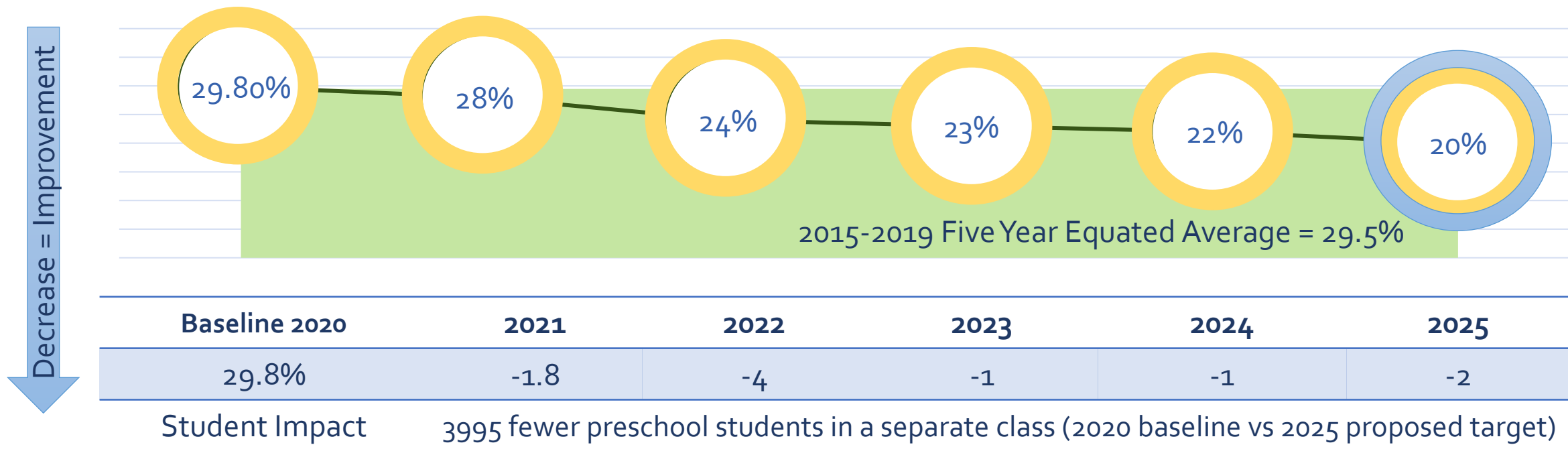
Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.



Stakeholder Question: Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?

Proposed Targets: Indicator 6B

Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending separate special education class, separate school or residential facility



Target Setting Methodology

Recognition that Preschool LRE is a Priority Area

Improvement Over Baseline & Increase over Average Past Trend Data

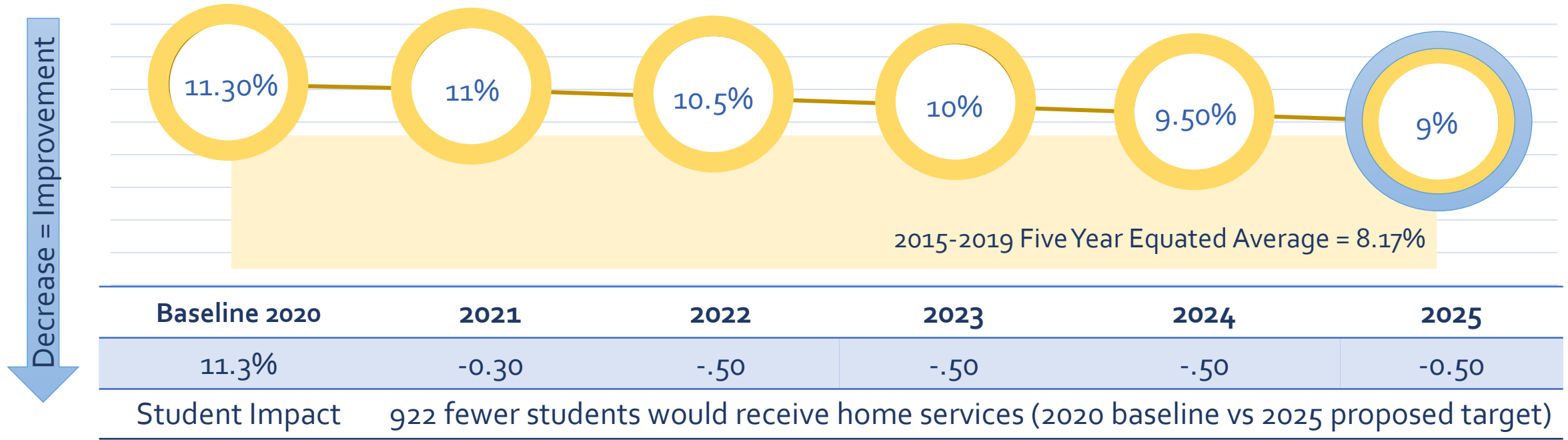
Consideration of Student Impact associated with each Proposed Target



Stakeholder Question: Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?

Proposed Targets: Indicator 6C

Percent of children with individualized education programs (IEPs) aged 3, 4, and aged 5 receiving special education and related services in the home



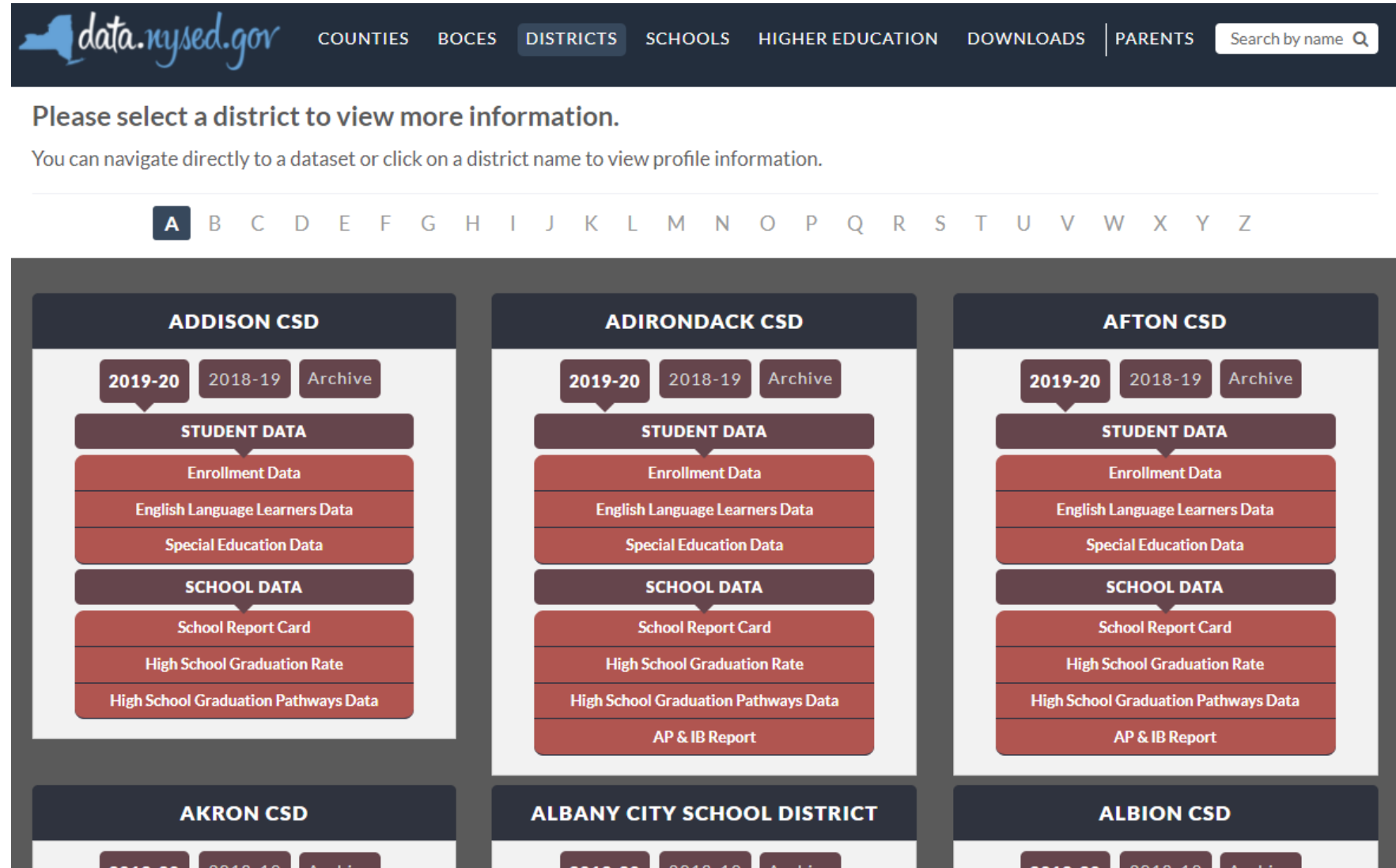
Target Setting Methodology



Stakeholder Question: Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?

New York State School District SPP Data

Additional information on SPP Indicator data may be found in school district “Special Education Data” reports available at data.nysed.gov



The screenshot shows the data.nysed.gov website interface. At the top, there are navigation tabs for COUNTIES, BOCES, DISTRICTS (selected), SCHOOLS, HIGHER EDUCATION, DOWNLOADS, and PARENTS. A search bar is located on the right. Below the navigation, a message prompts the user to select a district. A letter navigation bar (A-Z) is visible. The main content area displays three district profiles: ADDISON CSD, ADIRONDACK CSD, and AFTON CSD. Each profile includes year selection buttons (2019-20, 2018-19, Archive) and two main data categories: STUDENT DATA and SCHOOL DATA. The STUDENT DATA category includes Enrollment Data, English Language Learners Data, and Special Education Data. The SCHOOL DATA category includes School Report Card, High School Graduation Rate, High School Graduation Pathways Data, and AP & IB Report. Below these, the profiles for AKRON CSD, ALBANY CITY SCHOOL DISTRICT, and ALBION CSD are partially visible.

Share Your Voice in our Online Survey



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

The online surveys are intended to collect feedback from interested stakeholders. They are available for those who are not attending a virtual meeting or for those who have additional information to share beyond the virtual meetings

Please visit the [SPP/APR webpage](http://www.nysed.gov/special-education/ffy-2020-2025-spp-apr) to submit your survey
<http://www.nysed.gov/special-education/ffy-2020-2025-spp-apr>

THANK YOU FOR YOUR CONTRIBUTION

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

