Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma. [Results Indicator]	The State recalculated its baseline and revised its targets and improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 65.18%. These data represent progress from the FFY 2005 data of 55.15%. The State met its FFY 2006 target of 1%.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data from FFY 2004 and FFY 2005. The State provided the required information. OSEP appreciates the State's efforts to improve performance.
2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school. [Results Indicator]	The State recalculated its baseline and revised its targets and improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 23.54%. These data represent progress from the FFY 2005 data of 29.21%. The State met its FFY 2006 target of 5.8%.	OSEP appreciates the State's efforts to improve performance.
3. Participation and performance of children with disabilities on statewide assessments: A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup. [Results Indicator]	Unitary System - Not applicable.	Unitary System - Not applicable.
3. Participation and performance of children with disabilities on statewide assessments:B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations;	The State revised the baseline, targets and improvement activities for this indicator in its APR and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 95.52% for reading and 96.99% for math. The State did not meet its FFY 2006 target of 98.93% for reading and did not meet its FFY 2006 target of 98.64% for math.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, a recalculation of baseline data. The State provided the required information. OSEP looks forward to the State's data demonstrating improvement in performance

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
alternate assessment against grade level standards; alternate assessment against alternate achievement standards.		in the FFY 2007 APR, due February 1, 2009.
[Results Indicator]		
3. Participation and performance of children with disabilities on	The State revised the baseline, targets, and improvement activities for this indicator in its APR and OSEP accepts those revisions.	OSEP appreciates the State's efforts to improve performance.
statewide assessments: C. Proficiency rate for children	The State's FFY 2006 reported data for this indicator are 29.86% for reading and 37.82% for math.	
with IEPs against grade level standards and alternate achievement standards.	These data represent progress from the FFY 2005 data of 26.80% for reading and progress from the FFY 2005 data of 35.05% for math.	
[Results Indicator]	The State met its FFY 2006 target of 27.00% for reading and met its FFY 2006 target of 35.25% for math.	
4. Rates of suspension and expulsion:	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.	OSEP appreciates the State's efforts to improve performance.
A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and [Results Indicator]	The State's FFY 2006 reported data for this indicator are .002%. However, OSEP noted that the State provided two different numbers of students with disabilities who were suspended or expelled for more than 10 days in a school year, "23" and "231" – making the State's FFY 2006 data either .02% or .24%, respectively. Therefore, OSEP could not determine progress or slippage or whether the State met its FFY 2006 target.	In reporting on this indicator in the FFY 2007 APR, due February 1, 2009, the State must describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must clarify the FFY 2006 data for this indicator.
4. Rates of suspension and expulsion:	Reporting on Indicator 4B was not required for the FFY 2006 APR.	
B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.		

Monitoring Priorities and Indicators [Results Indicator]	Status of APR Data/SP	P Revision	Issues		OSEP Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Results Indicator]	A. Removed from regular class less than 21% of the day. B. Removed from regular class greater than 60% of the day. C. Served in public or private separate schools, residential placements, or homebound or hospital placements. These data represent progress from the FFY.	FFY 2005 Data 62.1%	FFY 2006 Data 81%	FFY 2006 Target 73.5% 14.8%	OSEP appreciates the State's effort to improve performance.
6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings). [Results Indicator]	The State met its FFY 2006 targets. Reporting on Indicator 6 was not required to			R.	
7. Percent of preschool children with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication and	The State's FFY 2006 reported progress da 06-07 Preschool Outcome Progress Data a. % of preschoolers who did not improve functioning.	Social Emotional 27%	Ruowledge & Skills & 34%	% Appropriate Behavior	The State reported the required progress data and the improvement activities. The State must provide progress data with the FFY 2007 APR, due February 1, 2009; and baseline data and targets with the FFY 2008 APR, due February 1, 2010.

Monitoring Priorities and Indicators	Status of APR Data/SPF	Revision	Issues		OSEP Analysis/Next Steps
early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	22%	35%	20.1%	
[Results indicator, New]	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	28%	21%	23.3%	
	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	9%	3%	8.8%	
	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	14%	7%	19.3%	
	The State provided improvement activities remaining years of the SPP.	for this inc	licator co	vering the	
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	The State's FFY 2006 reported data for this represent slippage from the FFY 2005 data. The State did not meet its FFY 2006 target	of 89.6%.	are 76%.	These data	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.
[Results Indicator]					
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator]	Indicator 9 is not applicable to Puerto Rico.				
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result	Indicator 9 is not applicable to Puerto Rico.				

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
of inappropriate identification.		
[Compliance Indicator]		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 82.85%. These data represent progress from the FFY 2005 data of 70.2%. The State did not meet its FFY 2006 target of 100%. The State did not report that findings of noncompliance identified in FFY 2005 were corrected in a timely manner. The State reported that it has opened five Service Centers to process referrals; directed that eligibility determinations occur in the Service Centers; assigned a team of evaluation providers for initial evaluations at each Service Center; and continued to enforce contractual terms for Corporations' timely delivery of evaluation results. The State also reported that it conducted a pilot project with four regions and that three of the four demonstrated higher levels of compliance.	OSEP could not determine whether noncompliance identified in FFY 2005 with the timely evaluations requirements in 34 CFR §300.301(c)(1) was corrected in a timely manner. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that this noncompliance was corrected in a timely manner, or if not corrected in a timely manner, when the noncompliance was corrected. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.301(c)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 30.27%. These data represent progress from the FFY 2005 data of 13.17%. The State did not meet its FFY 2006 target of 100%. The State did not report that findings of noncompliance identified in FFY 2005 were corrected in a timely manner. The State did not report on any program-specific follow-up activities related to the uncorrected noncompliance.	OSEP could not determine whether noncompliance identified in FFY 2005 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected in a timely manner. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that this noncompliance was corrected in a timely manner, or if not corrected in a timely manner, when the noncompliance was corrected. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1,

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.124(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.
13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 58.33%. These data are not valid or reliable because they do not reflect the correct measurement for this indicator. The State reported that "it has been determined that the language in the certification form is not as specific as that asked for by the measurement definition." Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target. The State did not report that findings of noncompliance identified in FFY 2005 were corrected in a timely manner. The State did not report on any program-specific follow-up activities related to the uncorrected noncompliance.	OSEP's June 15, 2007 FFY 2005 SPP/APR response required the State to include in the FFY 2006 APR, due February 1, 2008, a copy of the tabulation form used to collect data for this indicator. The State did not provide the required information and must submit the tabulation form in the FFY 2007 APR, due February 1, 2009. The State did not submit valid and reliable data reflecting the required measurement and the State must provide the required data and correct measurement in the FFY 2007 APR, due February 1, 2009. OSEP could not determine whether noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was corrected in a timely manner. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that this noncompliance was corrected in a timely manner, or if not corrected in a timely manner, when the noncompliance was corrected. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		APR.
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school. [Results Indicator; New]	The State provided baseline data, targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator. The State's FFY 2006 reported baseline data for this indicator are 91.33%. These data are not valid or reliable because they do not reflect the measurement for this indicator. The State reported that its assessment included only students with IEPs who exited secondary school due to graduation and not all students with IEPs who are no longer in secondary school. Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.	The State did not submit valid and reliable data with the required measurement and the State must provide the required data and correct measurement in the FFY 2007 APR, due February 1, 2009. OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.
15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 71.88%. These data are not valid or reliable because they do not reflect the measurement for this indicator. The State reported correction of findings of noncompliance that the State made in 2006-2007, rather than correction of findings of noncompliance made in 2005-2006. Therefore OSEP could not determine whether there was progress or slippage or whether the State met its target. The State did not report that findings of noncompliance identified in FFY 2005 were corrected in a timely manner. The State did not report on any program-specific follow-up activities related to the uncorrected noncompliance. PRDE submitted, with the FFY 2006 APR, a "Report on Correction of Noncompliance" reporting that: 1. as of February 1, 2008, three of 11 entities with findings of noncompliance identified between 2002 and 2004 had corrected all previously identified noncompliance, and eight entities did not correct all remaining longstanding noncompliance (100% of the findings made in 2004-2005 were corrected); 2. as of April 30, 2007, 220 students were awaiting assistive technology evaluations and 143 students were awaiting assistive technology equipment and services; and	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, a report on the status of the remaining 11 agencies with longstanding noncompliance issues, a report on the status of correction on noncompliance regarding assistive technology equipment and services, and a report on the disaggregated data for initial evaluations and reevaluations. Based on the data submitted, the State continues to have longstanding noncompliance as they reported that eight of 11 entities did not correct noncompliance identified between 2002 and 2004. In addition, the State reported that there were 220 students awaiting evaluation and 143 awaiting equipment for assistive technology on April 30, 2007. Lastly, the State reported progress in the disaggregated information on initial evaluations and reevaluations, but not full compliance. The State must submit with the FFY 2007

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	3. as of June 30, 2007, 2613 students were not provided a timely initial	APR, due February 1, 2009, information on:
	evaluation and 4588 students did not receive a timely reevaluation. PRDE did not report on any program-specific follow-up activities related to	 the longstanding noncompliance of the remaining eight agencies;
	the uncorrected noncompliance.	2. the status of the correction of
	Special Conditions RRDE submitted along with its EEV 2006 ARR (February 1, 2008), a "Special special	noncompliance with the assistive technology equipment and services; and
	PRDE submitted along with its FFY 2006 APR (February 1, 2008), a "Special Conditions Report" addressing Transportation Controls. PRDE reported that a corrective action plan has been implemented outlining monitoring visits and	3. the disaggregated data of initial evaluations and reevaluations.
	reviews of all Regions to ensure that proper fiscal controls are in place and are being utilized for all transportation contracts. In addition, PRDE reported that it has conducted multiple monitoring visits of the Bayamon Region in its effort to ensure that proper fiscal controls are in place and are being utilized for all transportation contracts. PRDE also reported that the Bayamon Region,	The State did not submit valid and reliable data and the State must provide the required data in the FFY 2007 APR, due February 1, 2009.
	along with some other regions, have not been allocated or provided IDEA Part B funds to pay for transportation costs.	OSEP could not determine whether noncompliance identified in Indicator 15 from FFY 2005 was corrected in a timely manner. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the noncompliance identified in Indicator 15 from FFY 2005 and FFY 2006 was corrected in a timely manner, or if not corrected in a timely manner, when the noncompliance was corrected.
		The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State timely corrected noncompliance identified in FFY 2006 (2006-2007) under this indicator in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600.
		The October 30, 2007 IDEA Part B grant award letter with Special Conditions required Puerto Rico to include with the FFY 2006 APR information: on the implementation of a

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		corrective action plan, including but not limited to a review of other Regions to ensure that proper fiscal controls are in place and are being utilized for all transportation contracts; and on monitoring of the Bayamon Region to ensure that proper fiscal controls are in place and are being utilized for all transportation contracts. The State provided the required information. The State is required to submit by May 30, 2008, an audit of the Bayamon Region transportation contracts covering the period from January 1, 2007 through December 31, 2007. This will be addressed under separate cover. In addition, in responding to Indicators 11, 12, and 13, the State must specifically identify and address the noncompliance identified in this table under those indicators.
16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 56.04%. These data represent progress from the FFY 2005 data of 2.78%. The State did not meet its FFY 2006 target of 100%. Special Conditions PRDE submitted with its FFY 2006 APR (February 1, 2008) a "Special Conditions Report" addressing State Complaints. PRDE reported that there is no backlog of State complaint decisions for complaints filed prior to November 30, 2007. In addition, PRDE reported that 84.62% of complaints with reports were issued within timelines for the period May 1, 2007 through November 31, 2007.	The October 30, 2007 IDEA Part B grant award letter with Special Conditions required Puerto Rico to include with the FFY 2006 APR information ensuring no backlog of State complaint decisions for complaints filed prior to May 1, 2007 and demonstrating improvement over the previous reporting period in compliance (i.e., over 45%) with the timeliness requirement of 34 CFR §300.152 for State complaints filed between May 1, 2007 and November 30, 2007. The State provided the required information, reported that there is no backlog of State complaint decisions for complaints filed prior to November 30, 2007 and demonstrated improvement to 84.62% on complaints from the period of May 1, 2007 to November 30, 2007. The State is required to submit a final

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		report by May 30, 2008 demonstrating full compliance with timely resolution of State complaints filed between December 1, 2007 and April 30, 2008. This will be addressed under separate cover.
		The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.
17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 51.46%. These data represent slippage from the FFY 2005 data of 66.94%. The State did not meet its FFY 2006 target of 100%.	The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely due process hearing resolution requirements in 34 CFR §300.515.
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]	The State established the baseline and targets and revised the improvement activities for this indicator in its SPP and OSEP accepts those data and revisions. The State's FFY 2006 reported data for this indicator are 50%.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, whether the State was offering or holding resolution sessions as appropriate, consistent with 34 CFR §300.515, and that it has a system to collect data for this indicator. The State provided the required information. OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
19. Percent of mediations held that resulted in mediation agreements.[Results Indicator]	The State's FFY 2006 reported data for this indicator are 57.9%. The State did not meet its FFY 2006 target of 61%.	OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 83.3%. However, OSEP's calculation of the data for this indicator is 88%. The State did not meet its FFY 2006 target of 100%.	The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely and accurate data requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).