



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

AUG 19 2005

Honorable Marilyn Howard
Superintendent of Public Instruction
Idaho Department of Education
Len B. Jordan Office Building
650 West State Street
Boise, Idaho 83720

Dear Superintendent Howard:

The purpose of this letter is to respond to Idaho's April 6, 2005 submission of its Federal Fiscal Year (FFY) 2003 Annual Performance Report (APR) under the Individuals with Disabilities Education Act (IDEA) Part B for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that the State made during the reporting period, compared to established objectives. The Office of Special Education Programs (OSEP), within the U.S. Department of Education, has designed the APR under the IDEA to provide uniform reporting from States and result in high-quality information across States. The APR is a significant data source for OSEP in the Continuous Improvement and Focused Monitoring System (CIFMS).

The State's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to the State's FFY 2003 APR. OSEP has set out its comments, analyses and determinations by cluster area.

Background

The conclusion of OSEP's May 27, 2004 FFY 2002 APR response letter required the State to describe how it would achieve its goal of increasing the number of children in less restrictive settings while continuing to make the full continuum of alternative placements (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions) available and ensuring that each individual child is placed in a setting that meets his or her identified needs consistent with Part B of IDEA.

General Supervision

OSEP identified no noncompliance in this area in the FFY 2002 APR.

decrease the drop-out rate. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information in the SPP.

Suspension and expulsion

On pages 26-27 of the FFY 2003 APR, the State included information regarding suspension and expulsion rates. Less than 0.29% of Idaho's students with disabilities were suspended or expelled for more than ten days in the 2003-2004 school year (national average was 1.12%). OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information in the SPP.

Statewide and districtwide assessment

On pages 28-29 and in Attachment 3 on pages 1-18 of the FFY 2003 APR, the State included information regarding Statewide and districtwide assessment. The participation rates for both the reading and math assessments were 99% for the 2003-2004 school year, up from 96% in the previous year. Scores improved for all grade levels with an overall increase of 8 percentage points from 31% to 39% at or above in reading proficiency and 10 points from 28% to 38% at or above in math proficiency (Table 8 on page 28). OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information in the SPP.

Least restrictive environment (LRE)

On pages 30-32 of the FFY 2003 APR, the State included information regarding least restrictive environment (LRE). The conclusion of OSEP's May 2004 letter required the State to describe how Idaho would achieve its goal of increasing the number of children in less restrictive settings while continuing to make the full continuum of alternative placements (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions) available and ensuring that each individual child is placed in a setting that meets his or her identified needs consistent with the Part B regulations. Information in the State's APR addressed this issue by comparing Idaho's placement data with national averages for each placement setting. An analysis of Idaho's data showed that 59% of children with disabilities were in the general education classroom 80-100% of the school day (national average was 47%); 31% were in the general education classroom 42-79% of the school day (national average was 28%); and 10% were in the general education classroom less than 42% of the school day (national average is 24%).¹ For children aged 3-5, the percentage of children with disabilities served in natural settings (early childhood, early childhood centers, kindergarten and the home) increased from 18% in 2000-2001 to 37% in 2003-2004. Page 30 of the FFY 2003 APR contained a numerical goal for measuring the State's achievement of its indicators for this area of the APR. While it is not inconsistent with Part B of the IDEA to include a numerical goal to increase the percentage of children with disabilities placed in the least restrictive settings, the State must continue to monitor to ensure that eligibility decisions for all children are made in conformity with the requirements of Part B of IDEA at 34 CFR §§ 300.550-300.556 and not

¹ Idaho reported in the FFY 2003 APR the following LRE categories: (a) In the General Education Classroom 80-100% of the school day; (b) In the General Education Classroom 42-79% of the school day; and (c) In General Education Classroom less than 42% of the school day.

based upon a numerical goal. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information in the SPP.

Preschool performance outcomes

On pages 33-34 of the FFY 2003 APR, the State included information regarding preschool performance outcomes. The State had baseline and trend data in the area of pre-reading skill assessment. The State planned to convene stakeholder groups to develop outcome measures for preschoolers in the areas of early language/communication and social-emotional skills. In preparation for submission of the SPP on December 2, 2005, the State should carefully consider data and information collected for the APRs, along with OSEP's responses, against the requirements related to this indicator in the SPP packet, due out to States in July 2005. The State must make a determination whether plans currently in place to collect data related to this area will be responsive to those requirements. OSEP looks forward to reviewing the information in the SPP.

Secondary Transition

OSEP identified no noncompliance in this area in the FFY 2002 APR.

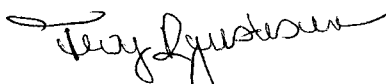
On pages 35-40 of the FFY 2003 APR, the State included information regarding secondary transition. The participation in postsecondary education for both students with disabilities and nondisabled students declined in 2003. The gap between the two groups narrowed by 3%. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information in the SPP.

Conclusion

IDEA 2004, §616, requires each State to submit a SPP that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators will be, for the most part, similar to clusters and probes in the APR. OSEP encourages the State to carefully consider the comments in this letter as it prepares its SPP, due December 2, 2005.

OSEP recognizes that the APR and its related activities represent only a portion of the work in your State and looks forward to collaborating with you as you continue to improve results for children and youth with disabilities and their families. If you have questions, please contact Marie Mayor at (202) 245-7433.

Sincerely,



Troy R. Justesen
Acting Director
Office of Special Education Programs

cc: Mary Beth Flachbart