

Hawaii's Part B FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<p>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.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 79.3%. This represents slippage from the State's FFY 2004 reported data of 79.6%. The State did not meet its FFY 2005 target of 79.6%.</p>	<p>The State revised the baseline and improvement activities for this indicator in its SPP and OSEP accepts those revisions. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>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.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 3.2%. This represents slippage from the State's FFY 2004 reported data of 3.1%. The State did not meet its FFY 2005 target of 3.1%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>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.</p> <p>[Results Indicator]</p>	<p>Not applicable.</p>	<p>The reporting requirements for Indicator 3A are not applicable to Hawaii since Hawaii is a unitary system and cannot report on the percentage of school districts meeting AYP for the disability subgroup.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p>	<p>The State's FFY 2005 reported data for this indicator are 96.61% for reading and 96.45% for math. The State met its FFY 2005 targets of 96% for reading and 95% for math.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State met its FFY 2005 targets, and OSEP appreciates the State's efforts to improve performance.</p>

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[Results Indicator]		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 8.5% for reading and 4.6% for math. The State met its FFY 2005 targets of 7% for reading and 3% for math.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State met its targets and OSEP appreciates the State's efforts to improve performance.</p>
<p>4. Rates of suspension and expulsion:</p> <p>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</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 1%. The State met its FFY 2005 target of 5%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance. OSEP's March 23, 2006 FFY 2004 SPP response letter required the State to include data in the February 1, 2007 APR, demonstrating that the comparison required by 34 CFR §300.146(a) [now 34 CFR §300.170(a)] includes children attending public charter schools in Hawaii. The State explained that because Hawaii is a unitary system that does not have school districts and is unable to conduct a "z square analysis" for the entire State, Hawaii will identify the number and percent of schools (including public charter schools) with significant discrepancies in the rates of long-term suspensions and expulsions of children with disabilities.</p> <p>The State reported significant discrepancies in 1% of its schools in the rates of long-term suspension and expulsion of children with disabilities but did not describe how it reviewed and, if appropriate, revised, policies, procedures, and practices relating to the development and implementation of individualized education programs (IEPs), the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b). In its FFY 2006 APR, due February 1, 2008, the State must describe its review, and if appropriate, revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA as a result of: (1) significant discrepancies in rates of long-term suspension and expulsion of children with disabilities identified in the FFY 2005 APR; and (2) significant discrepancies identified in rates of long-term suspension and expulsion of children with disabilities identified in the FFY 2006 APR. (The review of policies and procedures based on significant discrepancies</p>

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		identified in the FFY 2006 APR may occur either during or after the FFY 2006 APR reporting period, so long as the State describes that review in the FFY 2006 APR.)
<p>4. Rates of suspension and expulsion:</p> <p>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.</p> <p>[Results Indicator; New]</p>		<p>Based upon our preliminary review of all State submissions for Indicator 4B, it appears that the instructions for this indicator were not sufficiently clear and, as a result, confusion remains regarding the establishment of measurements and targets that are race-based and for which there is no finding that the significant discrepancy is based on inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. As a result, use of these targets could raise Constitutional concerns. Therefore, OSEP has decided not to review this year's submissions for Indicator 4B for purposes of approval and will revise instructions for this indicator to clarify how this indicator will be used in the future. Based upon this, OSEP did not consider the submissions for Indicator 4B in making determinations under section 616(d). It is also important that States immediately cease using Indicator 4B measurements and targets, unless they are based on a finding of inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>A. The State's FFY 2005 reported data for this indicator are 23%. This represents slippage from the State's FFY 2004 reported data of 24%. The State did not meet its FFY 2005 target of 24%.</p> <p>B. The State's FFY 2005 reported data for this indicator are 34%. This represents slippage from the State's FFY 2004</p>	<p>The State revised the targets and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>

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	<p>reported data of 32%. The State did not meet its FFY 2005 target of 32%.</p> <p>C. The State's FFY 2005 reported data for this indicator are 3%. The State met its FFY 2005 target of 3%.</p>	
<p>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]</p>	<p>The State's FFY 2005 reported data for this indicator are 35.86%. This represents progress from the State's FFY 2004 reported data of 35.65%. The State did not meet its FFY 2005 target of 38%.</p>	<p>Please note that, due to changes in the 618 State-reported data collection, this indicator will change for the FFY 2006 APR, due February 1, 2008. States will be required to describe how they will collect valid and reliable data to provide baseline and targets in the FFY 2007 APR, due February 1, 2009.</p>
<p>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 early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]</p>	<p>Entry data provided.</p>	<p>The State reported the required entry data and activities. The State must provide progress data and improvement activities with the FFY 2006 APR, due February 1, 2008.</p>
<p>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. [Results Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 34%.</p>	<p>The State provided baseline data, targets, and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 23, 2006 SPP response letter required the State to: (1) clarify whether parents of preschool-aged children with disabilities participate in the survey; and (2) submit a copy of the survey with the February 1, 2007 APR. The State reported that parents of preschool children participate in the parent survey and that the State's baseline data reflects this</p>

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		<p>participation. However, the State did not include a copy of the survey as was required by the instructions for the SPP/APR submission for this indicator. The State must submit a copy of the parent survey in the FFY 2006 APR due February 1, 2008.</p>
<p>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.</p> <p>[Compliance Indicator; New]</p>	<p>Baseline data not provided.</p>	<p>The State provided targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State provided its definition for determining whether significant disproportionality was occurring as well as its process for determining whether the disproportionality was inappropriate. The State reported that it used a weighted risk ratio above 1.0 to determine disproportionality, and that for the 2005-2006 school year, risk ratios above the set criteria of 1.0 were evident in all ethnic groups, with the exception of Asian/Pacific Islander. The State speculated that the weighted risk ratio of 1.0 may possibly be set too low to yield meaningful results and indicated that discussions with stakeholders about raising the weighted risk ratio criterion are ongoing. As a result, the State indicated that it could not determine whether racial or ethnic groups are over or underrepresented in special education and related services and indicated that the risk ratios for FFY 2005 would be used in determining baseline for FFY 2006.</p> <p>Indicator 9 requires States to report on the disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification, as required by 34 CFR §300.600(d)(3), and to describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). This is a two-step process, which requires States to first determine whether there is disproportionate representation of racial and ethnic groups in special education and related services, and if so, to determine if the disproportionate representation is the result of inappropriate identification. Hawaii did not satisfy either step for Indicator 9. Because the State is in the process of reevaluating its standard for determining the existence of disproportionate representation of racial and ethnic groups in special education and related services in the State, Hawaii was unable to determine whether inappropriate identification was occurring. The State also referred to significant disproportionality in describing the examination of data reviewed for this indicator. OSEP points out that the requirements for significant disproportionality are not the same as requirements for</p>

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		<p>disproportionate representation described above. If a State identifies significant disproportionality in identification, placement or disciplinary action, the requirements in 34 CFR §300.646, which are separate from the requirements governing this indicator, are applicable.</p> <p>The State must provide in its FFY 2006 APR, baseline data from FFY 2005 on the percent identified in the State of disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification and must describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). The State must also provide data in the FFY 2006 APR on the percent identified in the State in FFY 2006 of disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification and describe how the State made that determination, even if the determination occurs in the fall of 2007. Additionally, for any disproportionate representation that is the result of inappropriate identification, the State must provide data and information on compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111 and 300.301 through 300.311.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator; New]</p>	<p>Baseline data not provided.</p>	<p>The State provided targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State provided its definition of disproportionality and its process for determining whether significant disproportionality of racial and ethnic groups in specific disability categories was inappropriate. Although the State acknowledged that there was significant disproportionality in all racial and ethnic groups in the State in the six specific disability categories identified in OSEP's instructions for this indicator, it did not establish a baseline for FFY 2005 because it determined that the data collected for this indicator were statistically inconclusive.</p> <p>The State reported that it is in the process of reviewing its standard for determining disproportionality and its policies, procedures and practices in the referral, evaluation and identification processes related to this indicator. The State uses the terms disproportionate representation and significant disproportionality interchangeably, and the requirements for significant disproportionality are not the same as the requirements for this indicator. If a State determines that there is significant disproportionality in</p>

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		<p>identification, placement, or disciplinary action, the requirements of 34 CFR §300.646 are applicable.</p> <p>Indicator 10 requires the State to report on the disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, as required by 34 CFR §300.600(d)(3), and to describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). The State must provide in its FFY 2006 APR, due February 1, 2008, baseline data from FFY 2005 on the percent identified in the State of disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, and describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). The State also must provide data in its FFY 2006 APR, due February 1, 2008, on the percent identified in the State in FFY 2006 of disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, and must describe how the State made that determination, even if the determination occurs in the fall of 2007. Additionally, for any disproportionate representation that is determined to be the result of inappropriate identification, the State must provide data and information that demonstrate compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111 and 300.301 through 300.311.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline). [Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 93.77%.</p>	<p>The State provided baseline, targets and improvement activities and OSEP accepts the SPP for this indicator. The State reported data based on the State-established timeframe within which the evaluation must be conducted. The State did not indicate the range of days beyond the timeline when evaluations were completed as required in the instructions for this indicator.</p> <p>The State must include this information in the FFY 2006 APR, due February 1, 2008. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 34 CFR §300.301(c)(1), including data demonstrating correction of noncompliance identified in FFY 2005.</p>
<p>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</p>	<p>The State's FFY 2005 reported data for this indicator are 96%. This represents</p>	<p>OSEP's March 23, 2006 SPP response letter required the State to demonstrate compliance with 34 CFR §300.132(b) [now 34 CFR §300.124(b)], which requires that children served in Part C, who are eligible</p>

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<p>implemented by their third birthdays. [Compliance Indicator]</p>	<p>progress from the State's FFY 2004 reported data of 60.8%. The State did not meet its FFY 2005 target of 100%.</p>	<p>for services under Part B, have an IEP developed and implemented by their third birthdays. The State has made substantial progress under this indicator. The State has indicated that it issues a monthly report on early childhood transition and is conducting staff training on early childhood transition requirements. The State also reported that it will be making enhancements to its data collection system to ensure data accuracy.</p> <p>OSEP looks forward to data in the FFY 2005 APR, due February 1, 2008, that demonstrate compliance with 34 CFR §300.124, including data demonstrating correction of noncompliance identified in FFY 2005.</p>
<p>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; New]</p>	<p>The State's reported data are 82% for youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals, and 85% for youth aged 16 and above with an IEP that includes transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>Valid and reliable baseline data not provided.</p>	<p>The State provided targets, and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>Hawaii reported data for this indicator as follows: (1) the percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals; and (2) the percent of youth aged 16 and above with an IEP that includes transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>In the FFY 2006 APR, due February 1, 2008, the State must provide a composite baseline that reflects the required measurement for this indicator. OSEP looks forward to reviewing data in the FFY 2006 APR that demonstrate compliance with the requirements at 34 CFR §300.320(b), including data on correction of noncompliance identified in FFY 2005 and data on correction of any remaining noncompliance with applicable IEP requirements governing transition services reflected in the State's FFY 2004 APR.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school. [Results Indicator; New]</p>	<p>The State provided a plan that describes how the data will be collected. The State must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>Even though the State was not required to provide baseline</p>	<p>The State provided a plan that describes how data will be collected for this indicator. However, the State provided baseline, targets and improvement activities, which it was not required to provide until its FFY 2006 APR submission, due February 1, 2008. Please note that the State provided two sets of baseline data for this requirement: 24.96% of youth enrolled in post-secondary school, and 66.9% of youth who have been employed. The State did not include a definition of competitive employment or post-secondary school as required in the narrative for this indicator. In the FFY 2006 APR, due February 1, 2008, the State must: (1) provide a composite baseline according to the measurement required for this indicator and must resubmit</p>

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	data until its FFY 2006 submission, the State provided baseline data, which were not valid and reliable.	its targets and improvement activities in accordance with its revised baseline. The State also must include in the FFY 2006 APR, due February 1, 2008, the definition of competitive employment and post-secondary school.
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 94%. This represents progress from the State's FFY 2004 reported revised baseline data of 89%. The State did not meet its FFY 2005 target of 100%.</p>	<p>The State recalculated its baseline as 89% in its revised SPP based on findings of noncompliance made in FFY 2003 that were due for correction in FFY 2004. In the FFY 2005 APR, the State reported that it made 53 findings of noncompliance from monitoring, complaints and due process hearings in FFY 2004 and that 50 of 53 findings were corrected within one year of identification in FFY 2005, and that the three outstanding findings represented systemic noncompliance. Although the State described the general process it has in place for correction of outstanding noncompliance, it did not describe the specific actions it was taking to address the three findings of systemic noncompliance identified in FFY 2004 that were not corrected in FFY 2005.</p> <p>OSEP's March 23, 2006 FFY 2004 SPP response letter required the State to ensure that noncompliance identified through monitoring and other mechanisms is corrected within a reasonable period of time, not to exceed one year from identification. The State has addressed this concern by clearly identifying findings of noncompliance not corrected within one year of identification. OSEP also required the State to include in the FFY 2005 APR data demonstrating that corrective action plans include activities to ensure the correction of <u>all</u> identified noncompliance. Since States are required to report data on timely correction of identified noncompliance under Indicator 15, no further action is required.</p> <p>OSEP's March 23, 2006 SPP response letter also required the State to provide data demonstrating that the remaining 13 findings of noncompliance related to the previous Indicator 15A and the five findings of noncompliance related to the previous Indicator 15C were corrected within one year of identification. The State has addressed this concern in its report of correction in FFY 2005 of noncompliance identified in FFY 2004. In addition, the State was required to report on compliance with 34 CFR §300.342(b)(2) [now 34 CFR §300.323(d)(1)] relating to the accessibility of the child's IEP to the child's regular education teacher and 34 CFR §300.347(b)(2) [now §300.320(b)] regarding when IEPs must contain a statement of needed transition services. OSEP is satisfied that the State has</p>

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		<p>reported on correction of prior noncompliance with 34 CFR §300.323(d)(1) and has directed the State to report on the correction of prior noncompliance with 34 CFR §300.320(b) when it reports on Indicator 13.</p> <p>The State must review its improvement strategies, and revise them, if appropriate, to ensure that they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600, including data on the correction of remaining noncompliance identified in FFY 2004. In its response to Indicator 15 in the FFY 2006 APR, due February 1, 2008, the State must disaggregate by APR indicator, the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State, in responding to Indicators 11, 12, and 13, must specifically identify and address the noncompliance identified in this table under those indicators.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of 34 CFR §300.152.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 16%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p>	<p>Not Applicable.</p>	<p>The State is not required to report targets or improvement activities until any FFY in which ten or more mediations were conducted.</p>

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[Results Indicator]		
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. However, data for Indicator 13 are not valid and reliable.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>As noted in this table, OSEP has identified issues with the accuracy of the State's data for Indicator 13. Although the State's APR was timely, the State must consider the accuracy of its APR data when reporting data for this indicator. The State must review its improvement strategies, and revise them, if appropriate, to ensure that they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with IDEA section 618, and 34 CFR §§76.720 and 300.601(b).</p>