

Washington Part B FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
Monitoring Priority: FAPE in the LRE		
<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 59%. The State also reported FFY 2004 data of 59% in its FFY 2005 APR submission. The State did not meet its FFY 2005 target of 66%.</p>	<p>The State revised the target for Indicator 1 to track the wording of the indicator. The State must revise the baseline for this indicator in its SPP to reflect FFY 2004 reported data. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>On page 5 of the FFY 2005 APR, the State indicated that students who graduate with an IEP diploma are considered graduates. Indicator 1 requires States to report on the percent of youth with IEPs who graduate from high school with a regular diploma. Since it does not appear to OSEP that an IEP diploma is the same as a regular diploma, the State must clarify whether students who graduate with an IEP diploma are included in its calculation for Indicator 1, and if they are, must exclude graduates with an IEP diploma from the FFY 2006 data reported for Indicator 1 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 5.7%. The State met its FFY 2005 target of 6.5%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance. The State revised its targets for Indicator 2 to track the wording of the indicator. The State provided a combined submission for Indicators 1 and 2 in the FFY 2005 APR. Since Indicator 1 measures the percent of youth with IEPs who graduate with a regular diploma and Indicator 2 measures the percent of youth with IEPs who drop out of school, the State must provide separate targets and report separately on Indicators 1 and 2 in its FFY 2005 APR, due February 1, 2008.</p>

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<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>The State’s reported FFY 2005 data for Indicator 3A are 56% for grade 4 reading, 50% for grade 4 math, 0% for grade 7 reading and 0% for grade 7 math based on district performance for the disability subgroup that met the State’s minimum “n” size in reading and math for each grade assessed. OSEP could not determine progress or slippage because the State’s FFY 2004 baseline data were reported differently.</p>	<p>OSEP could not determine whether there was progress or slippage because the State’s baseline data reported in its SPP measured district performance for the disability subgroup in reading and math for all grades, and the State’s FFY 2005 reported data and targets measure district performance for the disability subgroup in reading and math for each grade assessed. OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>The State must revise its baseline data from FFY 2004 to reflect district performance for the disability subgroup in reading and math across all grades assessed in the FFY 2006 APR, due February 1, 2008.</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>[Results Indicator]</p>	<p>The State’s FFY 2005 reported data for Indicator 3B are 95.76%. The State met its FFY 2005 target of 95%.</p>	<p>The State revised its target for Indicator 3B to track the language of the indicator, and OSEP accepts the revision. The State met its target and OSEP appreciates the State’s efforts to improve performance.</p>
<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 Indicator 3C are 49% for grade 4 reading. This represents progress from the State’s FFY 2004 reported data of 46.8%. The State did not meet its FFY 2005 target of 64.2% for grade 4 reading.</p> <p>The State’s FFY 2005 reported data for Indicator 3C for grade 4 math are 30.98%. This represents slippage from the State’s FFY 2004 reported</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>data of 32.2%. The State did not meet its FFY 2005 target of 47.6% for grade 7 reading.</p> <p>The State's FFY 2005 reported data for Indicator 3C for grade 7 math are 14.5%. This represents progress from the State's FFY 2004 reported data of 12.6%. The State did not meet its FFY 2005 target of 38% for grade 7 math.</p> <p>The State's FFY 2005 reported data for Indicator 3C for grade 10 reading are 46.1%. This represents progress from the State's FFY 2004 reported data of 26.6%. The State did not meet its FFY 2005 target of 61.5% for grade 10 reading.</p> <p>The State's FFY 2005 reported data for Indicator 3C for grade 10 math are 19.4%. This represents progress from the State's FFY 2004 reported data of 10.5%. The State did not meet its FFY 2005 target of 43.6% for grade 10 math.</p>	

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<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 Indicator 4A are that 21% or 62 of Washington's school districts had significant discrepancies in the rate of long-term suspension and expulsion of students with disabilities. This represents slippage from the State's FFY 2004 baseline data of 20%. The State did not meet its target of 0% for Indicator 4A.</p>	<p>The State reported that 62 districts exceeded the acceptable high range in FFY 2005 based on the application of a 20% rule to the rate of long-term suspension and expulsion of students with disabilities in the district. OSEP looks forward to data in the FFY 2006 APR, due February 1, 2008, demonstrating improvement in performance.</p> <p>The State explained that regardless of any "n" size issues, it still notifies districts of their standings in comparison to the State percentage. However, it appears to OSEP that the State did not report data indicating that it compares the rate of long-term suspension and expulsion across LEAs in the State. In the FFY 2006 APR, the State must report data for FFY 2005 and FFY 2006 based on one of the comparisons specified in 34 CFR §300.170(a).</p> <p>The State also reported that at a minimum, districts identified as disproportionate will need to review and perhaps revise their 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 34 CFR §300.170(b). If the State identifies significant discrepancies in the rate of long-term suspension and expulsion based on one of the comparisons described in 34 CFR §300.170(a) based on data from FFY 2005 and FFY 2006, the State must describe in the FFY 2006 APR, due February 1, 2008, the 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 for: (1) the LEAs identified as having significant discrepancies in the FFY 2005 APR; and (2) the LEAs identified as having significant discrepancies in the FFY 2006 APR. (The review of the LEAs identified in the FFY 2006 APR may occur either during or after the FFY 2006 reporting period, so long as the State describes that review in the FFY 2006 APR.)</p>

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<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 Washington 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>

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<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>The State's FFY 2005 reported data for Indicator 5A are 49%. The State met its FFY 2005 target of 48.5%.</p> <p>The State's FFY 2005 reported data for Indicator 5B are 14.11%. The State met its FFY 2005 target of 14.81%.</p> <p>The State's FFY 2005 reported data for Indicator 5C are 1.09%. This represents slippage from the State's baseline data of 1.06%. The State did not meet its FFY 2005 target of 1% for Indicator 5C.</p>	<p>The State met its targets for Indicators 5A and 5B and OSEP appreciates the State's efforts to improve performance. OSEP looks forward to data demonstrating improvement in performance in the FFY 2005 APR, due February 1, 2008, for Indicator 5C.</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).</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 38.3%. The State met its FFY 2005 target of 38%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance.</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:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[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 in the FFY 2006 APR, due February 1, 2008.</p>

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<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.</p> <p>[Results Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 24%.</p>	<p>The State provided baseline data, targets and improvement activities in its SPP and OSEP accepts the SPP for this indicator.</p> <p>The State did not include the survey the State is using to collect the data for this indicator as required by the instructions for the FFY 2005 SPP/APR submission on February 1, 2007. The State must provide this information in the FFY 2006 APR, due February 1, 2008.</p>
Monitoring Priority: Disproportionality		
<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>The State provided data on the number of districts with significant disproportionality.</p>	<p>The State provided targets at 0% and improvement activities and OSEP accepts the SPP for this indicator. The State provided data on the number of districts with significant disproportionality. The State referred to its website for data on individual districts, but it is unclear from the SPP what data the State is referring to.</p> <p>The State provided a combined submission for Indicators 9 and 10 in its SPP. These indicators are separate and measure distinct requirements. The State must provide a separate submission for Indicator 9 in its FFY 2005 APR, due February 1, 2008, in accordance with OSEP's instructions for this indicator and the requirements described below.</p> <p>The State reported that it collects child count and LRE data to determine if significant disproportionality is occurring in identification, eligibility categories, or placement. Although the State described the methods it used for determining disproportionality, it did not provide its definition of disproportionate representation as required by OSEP's instructions for this indicator. The State must provide its definition of disproportionate representation in its FFY 2006 APR submission, as required by OSEP's instructions for Indicator 9. A State may choose to use the same definition for disproportionate representation and significant disproportionality.</p> <p>In reporting on this indicator, the State has used the term</p>

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		<p>“significant disproportionality,” and generally has not referred to disproportionate representation of racial and ethnic groups in special education and related services. OSEP reminds the State that requirements for disproportionate representation and significant disproportionality trigger different obligations, and that the requirements of 34 CFR §300.646, which are different from those in Indicator 9, are applicable when a State examines data and determines there is significant disproportionality based on race and ethnicity in identification, placement, or disciplinary actions.</p> <p>The State also indicated that in determining priorities for addressing significant disproportionality, it reviewed student achievement data, including proficiency rates by ethnicity for special education students as well as student performance data on statewide assessments, and graduation and drop-out rates for special education students and all students, and risk ratio trend data over the past seven years. Although the State reported that it had identified 26 districts with significant disproportionality and was incorporating disproportionality into its outcome-based focused monitoring system, the State did not determine whether the significant disproportionality in the 26 districts identified in FFY 2005 was the result of inappropriate identification for the purposes of this indicator.</p> <p>Indicator 9 requires the State to report on the disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification and to describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). Although the State indicated that it would review policies and procedures regarding identification, eligibility and placement for the 26 districts identified with significant disproportionality, the State has not identified the percent of districts with 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). In addition, the State must clarify why it believes that factors such as proficiency of students with</p>

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		<p>disabilities by racial and ethnic groups, graduation, and dropout rates for students with disabilities are relevant to its determination of the percent of districts that have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>The State must provide in its FFY 2005 APR, due February 1, 2008, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in special education and related services that was 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 must also provide data, in its FFY 2006 APR, due February 1, 2008, on the percent of districts identified in FFY 2006 with 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, the State must provide data and information that demonstrate that the districts identified with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 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>The State provided data on the number of districts with significant disproportionality.</p>	<p>The State provided targets at 0% and improvement activities and OSEP accepts the SPP for this indicator. The State provided data on the number of districts with significant disproportionality of racial and ethnic groups in specific disability categories. The State provided a combined submission for Indicators 9 and 10, and made reference to data on individual districts posted on its website. It is unclear from the State's SPP what these data are referring to, but the State has not determined the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of</p>

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		<p>inappropriate identification, which the State is required to report under Indicator 10. The State must also report separately under Indicator 10 in its FFY 2006 APR in accordance with OSEP's instructions for this indicator and the requirements described below.</p> <p>The State reported that, in accordance with OSEP's instructions for Indicator 10, it selected six child count categories by racial/ethnic groupings and identified 26 districts with significant disproportionality for Blacks and American Indians in these disability categories. Since the State did not provide its definition of disproportionate representation, OSEP cannot determine whether it was using the terms disproportionate representation and significant disproportionality interchangeably. The State must provide its definition of disproportionate representation in its FFY 2006 APR, due February 1, 2008, in accordance with OSEP's instructions for Indicator 10, and may choose to define disproportionate representation as significant disproportionality. OSEP reminds the State that significant disproportionality and disproportionate representation trigger different obligations, and that the requirements in 34 CFR §300.646, which are different from those in Indicator 9, are applicable when a State examines data and determines that there is significant disproportionality based on race or ethnicity in identification, placement, or disciplinary actions. Further, in reporting on Indicator 10, the State must report on the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories and determine if that disproportionate representation is the result of inappropriate identification, as required by 34 CFR §300.600(d)(3). The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories that was 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 must also provide data, in its FFY 2006 APR, on the percent of districts identified in FFY 2006 with disproportionate</p>

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		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, even if the determination occurs in the fall of 2007.
Monitoring Priority: Effective General Supervision		
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 baseline data for this indicator are 98.1%. Valid and reliable baseline data not provided.</p>	<p>The State provided targets and improvement activities and OSEP accepts the SPP for this indicator. The State reported data based on the State-established timeline within which the evaluation must be conducted.</p> <p>The State reported data on the number of children for whom parental consent to evaluate was received and the number of children whose evaluations were not completed within the State-established timeline, reporting that 1.9% or 11 of 573 evaluations were not conducted within the State-established timeline. The State reported that it did not collect data on measurement 11C, the number of children determined eligible whose evaluations were completed within the State-established timeline, but reported that it had revised its data collection to include all required measurements for Indicator 11. The State did not indicate the range of days beyond the timeline when the evaluation was completed and did not specify the reasons for the delays, as required by OSEP's instructions. In the FFY 2006 APR, due February 1, 2008, the State must report FFY 2006 data that reflect all required measurements for this indicator. The State must also provide the range of days beyond the timeline when the evaluation was completed and any reasons for the delay.</p> <p>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 correction of noncompliance identified in FFY 2005.</p>

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<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 implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 87%. However, according to OSEP's calculations, the State's FFY 2005 reported data for this indicator are 83%. This represents slippage from the State's FFY 2004 reported data of 84%. The State did not meet its FFY 2005 target of 100%.</p>	<p>The State revised its improvement activities in its SPP, and OSEP accepts those revisions.</p> <p>OSEP has determined that the State's FFY 2005 reported data of 87% should be 83% based on an accurate calculation of Washington's raw data for this indicator. The State did not report on correction of noncompliance with Indicator 12 under Indicator 15.</p> <p>The State also reported that it was unable to provide data on the reasons why children were not found eligible by their third birthdays. The State must provide the range of days beyond the third birthday when eligibility was determined and the reasons for the delays, and must report data for all required measurements for Indicator 12, in its FFY 2006 APR, due February 1, 2008.</p> <p>The State indicated that it is making some improvements to its data collection to ensure more accurate data through its outcome-based monitoring system, and that based upon the new transition data, it would be providing assistance to districts as needed. The State must review its improvement activities, and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 34 CFR §300.124, including data on correction of noncompliance identified in FFY 2005 and remaining noncompliance from FFY 2004.</p>

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<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.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported data for this indicator are as follows:</p> <p>Of the 200 transition IEPs reviewed, 120 files, or 60%, did not include transition services, 158 files, or 79% did not include age appropriate post-secondary goals, and 16 files, or 8% did not document that the student was invited to the IEP meeting.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported that it reviewed 200 transition files during the FFY 2005 monitoring cycle, and that of those, 170 did not meet Federal requirements, 120 of the 200 files, or 60%, did not include transition services, 158 files, or 79% did not include age appropriate post-secondary goals, and 16 files, or 8% did not document that the student was invited to the IEP meeting. The State acknowledged that many students older than age 16 have IEPs with transition services based on assessments conducted in general education settings, and that there is a need to include appropriate documentation in students' IEPs.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §300.320(b), including correction of noncompliance identified in FFY 2005.</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.</p> <p>[Results Indicator; New]</p>	<p>The State provided a plan that described how data will be collected.</p>	<p>The State provided a plan that described 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>OSEP's March 14, 2006 SPP response letter requested the State to clarify whether it would be collecting data for this indicator using sampling or census data, and if it was using sampling, to submit a sampling plan prior to, or with, its FFY 2005 APR submission. The State indicated in its FFY 2005 APR that it will be using census data to collect data for this indicator. OSEP's letter responding to the State's SPP also required the State to include in its FFY 2005 APR its definitions of competitively employed and post-secondary school. The State submitted these definitions in its February 1, 2007 submission, as required by OSEP's instructions.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. As explained in the OSEP Analysis</p>	<p>The State revised its targets to track the language of Indicator 15, and OSEP accepts those revisions.</p>

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<p>but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>column, the State has not demonstrated that it met its FFY 2005 target of 100%.</p> <p>Valid and reliable data not provided.</p>	<p>The State reported that 100% of findings identified through complaints, due process and mediation were corrected within one year of identification. However, the State did not provide a percentage or number on timely correction of findings as it was required to report under Indicator 15.</p> <p>The State reported that it identified 109 findings of student-specific noncompliance through monitoring in FFY 2004 across 73 school districts. However, the State did not report on the number of those findings corrected within one year of identification during FFY 2005, as required by Indicator 15. Instead, the State explained that each district was notified of the noncompliance, the timeline for correction was unique to the date that the noncompliance was identified, and the outside date for correction was August 29, 2006. Since the State provided no specific data on the timely correction in FFY 2005 of noncompliance that it identified through monitoring in FFY 2004, as required by Indicator 15, the State has not demonstrated that it met its FFY 2005 target of 100% for Indicator 15.</p> <p>OSEP's March 14, 2006 SPP response letter required the State to report on timely correction of longstanding noncompliance related to inviting students to transition IEP meetings, and the provision of specially designed instruction for students with behavioral disorders and the provision of psychological counseling services for students whose IEPs required such services. Washington submitted a final progress report responding to this noncompliance dated March 20, 2006 and amended on May 5, 2006 and May 15, 2006. By letter of July 3, 2006 issuing Washington's FFY 2006 grant awards under Part B of the IDEA, OSEP acknowledged the State's progress in these areas and requested the State to submit additional data in the FFY 2005 APR, due February 1, 2007, under Indicator 15 that demonstrate correction of noncompliance in these areas within one year of its identification. In particular, the State reported to OSEP that correction of noncompliance for students requiring psychological counseling services was due by August 29, 2006. The State did not provide updated data on the correction of this</p>

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		<p>noncompliance as requested.</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), 34 CFR §§300.149 and 300.600, including data on the correction of noncompliance within one year of its identification regarding inviting students with disabilities to transition IEP meetings, provision of specially designed instruction to students with behavior disorders, and provision of psychological counseling services in accordance with students' IEPs. 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 in 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 98%. This represents progress from the State's FFY 2004 baseline data of 96%. The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008 that demonstrate compliance with the requirements in 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 34 CFR §300.515.</p>

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<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 baseline data for this indicator are 18.5%.</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>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 87%. The State met its FFY 2005 target of 85%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p>
<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 Indicator 20 are 100%. The State did not meet its FFY 2005 target of 100%. The State reported on timeliness of its data submissions but did not report on accuracy.</p>	<p>Although the State noted that its APR was timely, the State did not provide valid and reliable data for Indicators 11 and 15. The State indicated that it was making some improvements to its data collection system to address these issues. The State must provide the required measurement for Indicator 20 in the FFY 2006 APR, due February 1, 2008.</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 IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p>