

**Table A— Part B**

**Issues Identified in the State Performance Plan**

SPP Indicator	Issue	Required Action
<p><b>Indicator 4:</b> 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>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>(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>4A – The State did not include the number of children with disabilities who were subject to long-term suspension or expulsions of greater than 10 days in a school year.</p>	<p>The State must include this information in the APR, due February 1, 2007. Failure to include this information may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>
<p><b>Indicator 12:</b> 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>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: The State reported an 85.10% level of compliance in the data reported for indicator 12 in the SPP, specifically the requirement at current 34 CFR §300.132.</p>	<p>The State must ensure that this noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 15:</b>            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.            (20 U.S.C. 1416 (a)(3)(B))</p>	<p>Noncompliance: The State reported a 97.06% level of compliance for indicator 15c in the SPP (correction of noncompliance identified through complaints, due process, etc. within one year of identification), specifically the requirement at 34 CFR §300.600 and 20 USC 1232d(b)(3). While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>