

**Table A – Arizona 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><b>Indicator 7:</b> Percent of preschool children with individualized education programs (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>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>The State did not submit a plan for new indicator 4B that will result in the collection of the required data by the submission of the Annual Performance Report (APR), due February 1, 2007. OSEP also noted that indicator 4 addressed long-term suspensions of children with disabilities for greater than 10 days in a school year, but it is not clear that expulsions, if any, were included and addressed.</p> <p>An evaluation of the sampling plan for indicator 7 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>The State must ensure that any activities or strategies regarding this indicator result in the collection of the required baseline data, for the required time period, and that the baseline data and any other required data are reported in the APR. The State must also include, in the February 1, 2007 APR, clarification that expulsions of children with disabilities for greater than 10 days in a school year, if any, are included and addressed in the data and targets. Failure to report the required data in the APR may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology with the State's FFY 2005 APR, that describes how data were collected. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your State Performance Plan accordingly.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 8:</b> 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. (20 U.S.C. 1416(a)(3)(A))</p>	<p>On page 32 of the SPP, Arizona reported that it will be using the National Center for Special Education Accountability Monitoring Parent Survey to collect data for indicator 8; however, a copy of the survey was not included in the SPP, as required in the directions in the Part B Measurement Table for this indicator.</p>	<p>The State must submit a copy of the survey that it is using as soon as possible, but no later than its February 1, 2007 APR submission.</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. (20 U.S.C. 1416(a)(3)(B))</p>	<p><b>Noncompliance:</b> On pages 42-43 of the SPP, Arizona reported that, based upon its monitoring findings, 83% of districts monitored were in compliance with the requirements related to indicator 12; specifically, the requirements at 34 CFR §§300.300(a), 300.121(c), and 300.132 (b) ensuring: (1) a free appropriate public education is available to all children with disabilities beginning at age three; and (2) an individualized education program (IEP) or individualized family service plan (IFSP), if appropriate, is in effect on the child's third birthday. If the child's third birthday occurs during the summer, the child's IEP team must determine the date when services under the IEP or IFSP will begin, based on the individual needs of the child. Arizona reported it was changing its data system to ensure that the data is better aligned to this indicator. Arizona's improvement activities address both program and data issues related to this indicator.</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 statewide 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>