

Table A – Part B
Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 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. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>DCPS used 2003-2004 school year data for baseline information in response to this indicator. On page 2 of the SPP, DCPS reported its graduation rate for the 2003-2004 school year as 71%. On page 3, DCPS reported that, for the 2003-2004 school year, 87% of students without disabilities graduated with a diploma compared with 62.5% of students with disabilities. On page 2, DCPS reported that the final 2004-2005 data would be available at the end of February 2006, when the electronic system has been updated with the data.</p>	<p>DCPS must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>
<p>Indicator 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. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>DCPS did not provide baseline data in the SPP in response to this indicator. On page 5 of the SPP, DCPS reported that baseline data for the 2004-2005 would not be available until the end of February 2006, when the Office of Accountability updates the data system.</p>	<p>DCPS must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). After establishing baseline data, DCPS may need to adjust its targets and improvement strategies to reflect the baseline data. Failure to include these data may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>
<p>Indicator 3: Participation and performance of children with disabilities on statewide assessments:</p> <ul style="list-style-type: none"> A. Percent of districts meeting the State's AYP objectives for progress for disability subgroup. 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>On page 9 of the SPP, for indicator 3A, DCPS reported that there were three LEAs that had at least 40 children with disabilities in the grades tested and none of these LEAs made AYP. The other 39 did not have the 40 children with disabilities required to report AYP.</p>	<p>DCPS must include, in the FFY 2005 APR, due February 1, 2007, the number of LEAs that have a disability subgroup that meets the State's minimum "n" size, and the number of those LEAs that meet the State's AYP objectives for progress in the disability subgroup.</p>

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<p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>		
<p>Indicator 4:</p> <p>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>Noncompliance: See also Table B</p> <p>DCPS did not provide baseline data in the SPP in response to this indicator. On pages 15-16 of the SPP and in Attachment 3, DCPS did not provide data on the percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for more than 10 days in a school year.</p> <p>Other:</p> <p>For indicator 4B, DCPS did not provide the required plan to address this new indicator. Without a plan, OSEP is unable to determine if DCPS will be able to provide the required data by the submission of the APR, due February 1, 2007. Even though it submitted no plan, DCPS provided improvement strategies on page 18 of the SPP.</p>	<p>See also Table B</p> <p>DCPS must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>DCPS must ensure that any activities or strategies regarding this indicator result in the collection of the required baseline data, for the required period, and that the baseline data and any other required data are reported in the APR. 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>Indicator 7:</p> <p>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>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>OSEP is unable to determine whether the plan included for this new indicator will result in the collection of the required entry data by the submission of the APR due, February 1, 2007 and the progress data by the submission of the APR, due February 1, 2008. In addition, it is not clear to OSEP how DCPS was able to identify performance targets for this indicator, given that no baseline data currently exist and they are not expected until February 1, 2008.</p>	<p>DCPS 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 entry data, progress baseline data and any other required data are reported in the APR. 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>

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<p>Indicator 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. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: See also Table B</p> <p>On page 52 of the SPP and page 1 of Attachment 1 submitted with the SPP, DCPS reported that, during the 2004-2005 school year, 17% of children who received services in Part C and were referred to Part B for eligibility determination and found eligible, had IEPs developed and implemented by their third birthdays.</p> <p>Other:</p> <p>On page 51 of the SPP, DCPS reported that, for the 2004-2005 school year, 35 children from the Part C program were referred to Part B for eligibility determination. On page 52 of the SPP, DCPS reported, “of the 26 children referred, 9 of the children’s IEPs were delayed because referrals were made less than 30 days prior to the child’s third birthday. The remaining 15 referrals were delayed due to timeline violations due to assessments not being completed within 90 days.”</p> <p>DCPS provided data under indicator 12 in the SPP that is inconsistent and inaccurate. On pages 51 and 52, DCPS provides two different numbers, 35 and 26, as the number of children served in Part C and that were referred to Part B for eligibility determination. On page 52, DCPS reported 26 referrals, but only account for 24 referrals in the explanation.</p>	<p>See also Table B</p> <p>DCPS must include accurate data and calculations in reporting its performance on this indicator in the APR, due February 1, 2007. Failure to accurately include this information may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>
<p>Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school. (20 U.S.C. 1416(a)(3)(B))</p>	<p>On page 57 of the SPP, DCPS references a sample, but OSEP could not determine if DCPS plans to use sampling in collecting data for this indicator. If so, it is important that DCPS have a technically sound sampling plan to ensure that data used for entry, baseline, or to report on progress are valid and reliable. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B)</p>	<p>If DCPS intends to collect information through sampling, its SPP must include sampling methodology to ensure the collection of valid and reliable data on which to base its targets and improvement activities. DCPS must submit the sampling methodology that describes how data were collected with the its FFY 2005 APR, due February 1, 2007. If DCPS decides not to sample, but rather gather census data, please inform</p>

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	of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.	OSEP and revise the SPP accordingly.
<p>Indicator 15:</p> <p>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>(20 U.S.C. 1416 (a)(3)(B))</p>	<p>Noncompliance: See also Table B</p> <p>Because DCPS did not make any findings of noncompliance during school year 2003-2004, it was unable to provide baseline data on the percent of noncompliance identified in 2003-2004 that was corrected within one year of identification (in 2004-2005). DCPS provided no data under indicator 15A. In information reported on page 61 of the SPP for indicator 15B, DCPS reported that it monitored the high school (HS) and middle/junior high school (MS) divisions during the 2004-2005 school year. 40 schools were monitored and DCPS reported that, under indicator 15B, the noncompliant areas included:</p> <ul style="list-style-type: none"> • Implementation of Hearing Officer Decisions; • Timely completion of Initial Evaluations and Reevaluations; • Completion of Functional Behavioral Assessments; • Failure to involve a sufficient number of other agencies in the student's secondary transition plan by age 16; • LEA representatives do not attend IEP meetings; • ESY is not being considered or addressed adequately; and • IEP Report Cards are not provided to parents. <p>Under indicator 15C, DCPS reported that it had 14 findings of noncompliance from the State Complaint Office. For none of the areas reported in indicators 15B and 15C did DCPS include evidence of timely correction of identified noncompliance.</p>	<p>See also Table B</p> <p>While DCPS monitored in 2004-2005, it did not make any findings of noncompliance until the HS and MS monitoring reports were issued on December 8, 2005. Because DCPS did not make any findings of noncompliance during the 2004-2005 school year, in order to demonstrate compliance with this indicator, DCPS must submit data on the percent of findings of noncompliance made in the December 8, 2005 HS and MS monitoring reports that was corrected within one year (no later than December 8, 2006). DCPS must include the required data and measurements in reporting its performance on this indicator in the APR, due February 1, 2007.</p>
<p>Indicator 17:</p> <p>Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day</p>	<p>Noncompliance:</p> <p>On page 68 of the SPP, DCPS reported a 96.7% level of compliance with this indicator, specifically the</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with</p>

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<p>timeline or a timeline that is properly extended by the hearing officer at the request of either party. (20 U.S.C. 1416(a)(3)(B))</p>	<p>requirements at 34 CFR §300.511(a) and (c). While this level of compliance is below 100% and requires continued implementation of improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p>	<p>this requirement.</p>
<p>Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Because Indicator 3A is aligned with NCLB, as noted above under Indicator 3, DCPS must report on all LEAs that have a disability subgroup that meets the State's minimum "n" size.</p> <p>Indicators 4 (suspension and expulsion), 9 and 10 (disproportionality) require the State to report on the percent of districts. Under the District of Columbia School Reform Act of 1995 and section 923.3(a) of Chapter 9 of Title 5 of the DC Municipal Regulations, each public charter school elects whether to be treated as an LEA or a DCPS public school for purposes of Part B of IDEA. On January 25, 2006, DCPS reported that there were 52 charter schools; 29 were their own LEAs and 23 elected to have DCPS be their LEA for Part B of the IDEA. When reporting the percent of districts, DCPS must report on DCPS (the LEA, including all charter schools which have elected to have DCPS be their LEA) and the charter schools that have elected to be treated as LEAs for the purpose of Part B of IDEA.</p>	<p>DCPS must include accurate data when reporting on the percent of districts under indicators 3A, 4, 9, and 10. Failure to provide accurate data may affect OSEP's determination of the State's status under section 616(d) of IDEA.</p>