

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

SPP Indicator	Issue	Required Action
<p>Indicator 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>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>The method that FDE chose to determine significant discrepancies is to compare children with and without disabilities within a district. On page 28 of the SPP, FDE included a description of improvement activities designed to address this indicator. These activities did not include a description of the State's plan to review and, if appropriate, revise the policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures and practices comply with the Act, as required by 34 CFR §300.146.</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>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.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance:</p> <p>On page 56 of SPP, FDE reported that only 35% of children served, and referred, by Part C prior to age three, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays, as required by 34 CFR §300.132(b). FDE explained that this figure is the State's first effort to merge data from two different databases. The State included a variety of activities designed to achieve full compliance with this requirement, including implementation of a new interagency agreement between Part B and Part C, allowing data sharing between these two programs, in order to address 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 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 34 CFR §300.132(b). 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>Indicator 14 : Postsecondary Outcomes</p> <p>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.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>FDE's October 19, 2005 letter requested flexibility in measuring and reporting on this indicator. Specifically, FDE requested that it be allowed to continue gathering data for this indicator for the quarter from October to December 2005, that differs from the current requirements of the SPP between April and June 2005, inclusive.</p> <p>States' post-school outcomes data collection must include the following: (1) data on all exiters, including dropouts; (2) data that will allow the State to report annually to the Department and the public on the State's performance; and (3) data that will allow the State to report annually to the public on the performance of each LEA on the indicator.</p> <p>We have determined that your proposed post-school outcome data collection is consistent with the above requirements.</p>	<p>The State may use the system described in its October 19, 2005 letter, to collect and report post-school outcome data in the SPP. The State must ensure that "competitively employed" and "enrolled in some type of postsecondary school" are operationally defined when it collects and reports baseline data and sets targets in the FFY 2005 APR, due February 1, 2008. This is critical to ensure that consistent data are collected from one year to the next.</p>
<p>Indicator 17:</p> <p>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>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: See Table B</p>	<p>See Table B</p>