



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Susan Castillo  
Superintendent  
Oregon Department of Public Instruction  
255 Capital Street NE  
Salem, Oregon 97310-0203

MAR 20 2006

Dear Superintendent Castillo:

Thank you for your timely submission of Oregon's State Performance Plan (SPP) for review under Part B of the Individuals with Disabilities Education Act (IDEA). Section 616(b) requires States to submit, within one year after the date of enactment of the reauthorized IDEA, an SPP that evaluates the State's efforts to implement the requirements and purposes of IDEA and describes how the State will improve implementation. We appreciate the State's efforts in preparing the SPP under a short timeline and in the face of many other competing priorities. In the SPPs, due by December 2, 2005, States were to include: (1) baseline data that reflect the State's efforts to implement Part B of the IDEA; (2) measurable and rigorous targets for the next six years for each of the indicators established by the Secretary in the priority areas under section 616(a) of the IDEA; and (3) activities the State will undertake to improve implementation of Part B.

The SPP included a description of the broad stakeholder input that went into its development and clearly delineated both how the State solicited that involvement and how the State used the responses received through that process. On September 9, 2005, 53 key constituents attended a stakeholder input meeting where indicators for both Part C and Part B were addressed; at an administrators' conference on September 19-21, 2005, 700 administrators and educators had the opportunity to provide input on the indicators for both Part C and Part B; at an early childhood conference on September 21, 2005, 64 Early Intervention and Early Childhood Special Education (EI/ECSE) contractors and subcontractors provided input on the Part C and the Part B early childhood indicators; and on October 7, the Special Education Advisory Committee provided input on the Part B secondary transition and disproportionality indicators. Additionally, the Oregon Department of Education (ODE) circulated the drafts of the SPP to the State Interagency Coordinating Council (SICC) and the State Advisory Committee for Special Education (SACSE) for comment and final review, and considered the comments in the development of the final draft of the SPP.

The Office of Special Education Programs (OSEP) is pleased to inform you that your State's SPP under Part B meets the requirements of section 616(b) to include measurable and rigorous targets and improvement activities. The State must make its SPP available through public means, including posting on the State educational agency's (SEA's) website, distribution to the media, and distribution through public agencies. (Section 616(b)(2)(C)(ii)(I)).

Under section 616(b)(2)(C)(ii)(II), the State must annually report to OSEP on its performance under the SPP. The State's first Annual Performance Report (APR) on its progress in meeting its targets is due to OSEP by February 1, 2007. Attached to this letter you will find Table A addressing issues

identified during our review of the SPP that – while not requiring disapproval of your plan – will affect our annual determination of State performance and compliance based on data presented in the State's APR. As a result, your State needs to provide additional information as part of its February 2007 APR submission. Table B includes OSEP's analysis of your submission related to previously-identified noncompliance or other issues included in our January 14, 2005 and September 8, 2005 letters that responded to your State's FFY 2002 and 2003 APRs and your progress to date in satisfying the Special Conditions attached to your State's FFY 2005 Part B grant award.

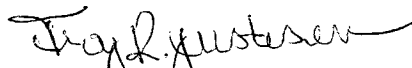
The State's noncompliance, reported under indicator 3, Participation and Performance of Children with Disabilities in Statewide Assessments, in Table B and related to the requirements under 34 CFR §300.139 and 20 U.S.C. 1412(a)(16) is the subject of Special Conditions on the State's FFY 2005 grant award. The State must provide data demonstrating compliance with these requirements by May 31, 2006. Failure to demonstrate compliance at that time may result in the State's continuing designation as a "high-risk" grantee or may otherwise affect its FFY 2006 grant award.

In addition to reporting to OSEP, the State must report annually to the public on the performance of each local educational agency (LEA) located in the State on the targets in the State's performance plan. (Section 616(b)(2)(C)(ii)(I)). The requirement for public reporting on LEA performance is a critical provision related to ensuring accountability and focusing on improved results for children with disabilities. OSEP will be providing technical assistance regarding the reporting on LEA performance, at the National Accountability Conference, September 18 and 19, 2006 in Denver and through periodic technical assistance conference calls.

We hope that your State found the August 5, 2005 guidance on submission of the SPPs and the technical assistance that we provided through the August 11-12, 2005 Summer Institute, periodic conference calls, and the SPP Resources website helpful in this endeavor. If you have any feedback on our past technical assistance efforts or the needs of States for guidance, we would be happy to hear from you as we work to develop further mechanisms to support State improvement activities.

Thank you for your continued work to improve results for children and youth with disabilities and their families. We encourage you to work closely with your State Contact as you proceed in implementing improvement activities and developing your APR. If you have any questions regarding the SPP or the APR, please contact Linda Whitsett at 202-245-7573.

Sincerely,



Troy R. Justesen  
Acting Director  
Office of Special Education  
Programs

Enclosures  
Table A  
Table B

cc: Dr. Nancy Latini  
State Director of Special Education