

UTAH
Table B – Part B
Previously-Identified Issues

| Issue | State Submission | OSEP Analysis | Required Action |
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| <p><u>Indicator 3 -Participation and performance of children with disabilities on statewide assessments</u></p> <p>OSEP imposed Special Conditions on Utah's FFY 2004 and 2005 grant awards concerning compliance with the requirements at 34 CFR §§300.138-139 and 20 U.S.C.1412 (a)(16) because USOE was not developing and administering alternate assessments in science and reporting publicly and to the Secretary on the participation and performance of children with disabilities on these alternate assessments. OSEP required USOE to submit a Progress Report by January 31, 2006 and a final report by May 30, 2006 documenting that these Special Conditions have been satisfied.</p> | <p>On page 4 of an Addendum (<u>Utah's Response to Issues of Compliance and Special Conditions</u>), USOE provided information on the status of the Special Conditions attached to the FFY 2005 grant award. Specifically, USOE has scheduled the UAAS (Utah Alternate Assessment for Science) for administration in May 2006, simultaneously with the general science assessment, but has not specified when public reporting will occur.</p> | <p>The information in the Addendum demonstrates that, to date, the State has not satisfied the Special Conditions as required in its FFY 2005 grant award.</p> | <p>USOE must submit a final report by May 30, 2006 demonstrating that USOE has satisfied the Special Conditions attached to its FFY 2005 Part B grant award. Failure to demonstrate compliance with these Special Conditions by June 1, 2006 may result in the State's continued designation as a "high-risk" grantee or may otherwise affect the State's FFY 2006 grant award.</p> |
| <p><u>Indicator 12 – Early Childhood Transition</u></p> <p>OSEP's August 19, 2004 letter, responding to USOE's FFY 2002 APR, required USOE to:</p> <ul style="list-style-type: none"> • Provide a plan in the FFY 2003 APR designed to ensure compliance with the | <p>On page 60 of the SPP and on page 2 of the Addendum submitted with the SPP, USOE indicated that in 2002-2003, 11% of children transitioning from Part C to Part B were not tracked. In 2004-2005, this percentage</p> | <p>In the FFY 2002 and 2003 APRs and on page 60 of the SPP, the State provided data demonstrating continued noncompliance with the requirement at 34 CFR §300.132(b). The level of compliance declined between 2002 and 2003. As USOE reported, the</p> | <p>The State must review and, if necessary, revise its improvement strategies to ensure they will enable the State to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. Failure to</p> |

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| <p>requirement at 34 CFR §300.132(b) that individualized education programs (IEPs) are developed and implemented for children transitioning from Part C and found eligible for services under Part B by their third birthdays.</p> <p>OSEP's September 1, 2005 letter, responding to USOE's FFY 2003 APR, accepted USOE's plan for correcting this noncompliance and required USOE to:</p> <ul style="list-style-type: none"> • Submit data and analysis in the SPP, demonstrating progress toward compliance with this requirement. | <p>increased to 19%.</p> <p>Utah's improvement activities included plans to coordinate with Part C and develop a data system more effective in tracking these children. Also, USOE has a General Supervision Enhancement Grant (GSEG) to develop a method to collect more accurate and complete transition information.</p> | <p>percentage of children transitioning from Part C to Part B that were not tracked slipped from 11% to 19%.</p> <p>Please refer to Table A for a description of OSEP's concerns regarding the required measurements for indicator 12.</p> | <p>demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> |
| <p><u>Indicator 16-Complaint Timelines</u></p> <p>OSEP's September 1, 2005 letter required USOE to provide data and analysis in the SPP, demonstrating that all complaints are resolved within the timelines required by 34 CFR §300.661.</p> | <p>On page 82 of the SPP and on page 3 of the Addendum, USOE reported an upward trend. The baseline data show that 90% of written complaints were resolved within 60 calendar days after a complaint was filed, unless an extension of time was granted for exceptional circumstances with respect to a particular complaint.</p> | <p>The State reported data showing a 90% level of compliance with the requirements at 34 CFR §300.661. While this level of compliance is below 100% and requires continued implementation of improvement activities to achieve full compliance, OSEP recognizes the efforts 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> |