

### Oklahoma Part B FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<b>Monitoring Priority: FAPE in the LRE</b>		
<p>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.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 88.26%. This represents slippage from FFY 2004 data of 88.78%. The State did not meet its FFY 2005 target of 89.28%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>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.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 4.65%. The State met its FFY 2005 target of 6.71%.</p>	<p>The State met its target. OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 78.62% for math and 76.10% for reading. The State met its FFY 2005 targets of 31.00% and 45.00%.</p>	<p>The State met its targets. OSEP appreciates the State's efforts to improve performance.</p> <p>See below.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>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> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 98.78% for math and 98.60% for reading. This represents slippage from FFY 2004 data of 100% for math and reading. The State did not meet its FFY 2005 targets of 100%.</p>	<p>The Oklahoma State Department of Education (OSDE) reported in its APR that the slippage might be the result of more accurate measurement procedures and the addition of assessments in grades 6 and 7.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>See below.</p>

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<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 34.19% for math and 35.04% for reading. The State met its FFY 2005 targets of 30.00% for math and reading.</p>	<p>The State revised the baseline and targets for this indicator in its SPP. OSEP accepts those revisions.</p> <p>The State met its targets. OSEP appreciates the State's efforts to improve performance.</p> <p>OSEP's October 26, 2006 letter regarding our verification visit required the State to demonstrate compliance with the requirements of 20 U.S.C. 1412 (a)(16)(D) regarding the reporting of participation and performance of students with disabilities on statewide assessments by June 30, 2007. Based upon OSEP's review of the State's website the week of June 11, 2007, the State has met these requirements.</p>
<p>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>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 7.59% using a new definition of significant discrepancy. Although the State reported that it met its FFY 2005 target of 14.19%, that target was established using baseline data based on a different definition of significant discrepancy and may no longer be appropriate.</p>	<p>With stakeholder input, the State revised the definition of significant discrepancy for this indicator in its SPP, changing it from a risk ratio of 1.5 to 2.5. As would be expected with such a change, a smaller percentage of districts met this new definition. However, the State did not recalculate FFY 2004 baseline data using this new definition or determine if targets needed to be revised in the SPP to demonstrate progress over baseline using this new definition. Therefore, in the FFY 2006 APR, due February 1, 2008, the State must either recalculate the FFY 2004 baseline data and, if appropriate, revise targets to demonstrate progress over the new baseline, or continue to use the prior definition and report the FFY 2005 and FFY 2006 data using the old definition.</p> <p>Although the State reported that it met its target, that target was established from baseline data that used a different definition of significant discrepancy and may no longer be appropriate. Therefore, OSEP cannot determine whether the target remains appropriate.</p> <p>The State indicated that LEAs with "significant discrepancy in the rates of suspensions/expulsions of children with disabilities... that is the result of inappropriate policies, procedures, and/or practices would be required to review and revise the policies, procedures, and/or practices to comply with the requirements of the Individuals with Disabilities Education Act (IDEA)." This is not consistent with the requirement, at 34 CFR §300.170(b), that where significant discrepancies are occurring, the SEA must review, and if appropriate revise (or require the affected LEA to revise) policies, procedures and practices relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The State must demonstrate in the FFY 2006 APR</p>

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		that when it identified significant discrepancies it has reviewed, and if appropriate revised (or required the affected LEAs to revise) policies, practices and procedures relating to each of the following topics: development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.
<p>4. Rates of suspension and expulsion:</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>[Results Indicator; New]</p>		<p>Based upon our preliminary review of all State submissions for Indicator 4B, it appears that the instructions for this indicator were not sufficiently clear and, as a result, confusion remains regarding the establishment of measurements and targets that are race-based and for which there is no finding that the significant discrepancy is based on inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. As a result, use of these targets could raise Constitutional concerns. Therefore, OSEP has decided not to review this year's submissions for Indicator 4B for purposes of approval and will revise instructions for this indicator to clarify how this indicator will be used in the future. Based upon this, OSEP did not consider the submissions for Indicator 4B in making determinations under section 616(d). It is also important that States immediately cease using Indicator 4B measurements and targets, unless they are based on a finding of inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p>	<p>A. The State's FFY 2005 reported data are 49.27%. The State met its FFY 2005 target of 48.54%.</p> <p>B. The State's FFY 2005 reported data are 9.70%. The State met its FFY 2005 target of 10.34%.</p> <p>C. The State's FFY 2005 reported data are 1.84%. This represents slippage from FFY</p>	<p>The State met its targets for Indicators 5A and 5B but did not meet its target for Indicator 5C. OSEP appreciates the State's efforts to improve performance. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>

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[Results Indicator]	2004 data of 1.74%. The State did not meet its FFY 2005 target of 1.69%.	
<p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p>	The State's FFY 2005 reported data for this indicator are 65.47%. This represents slippage from FFY 2004 data of 66.22%. The State did not meet its FFY 2005 target of 66.72%.	Please note that, due to changes in the 618 State-reported data collection, the measurement for this indicator will change for the FFY 2006 APR due February 1, 2008. States will be required to describe how they will collect valid and reliable data to provide baseline and targets in the FFY 2007 APR, due February 1, 2009.
<p>7. 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>[Results Indicator; New]</p>	Entry data provided.	<p>The State reported the required entry data and activities. The State must provide progress data and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's February 17, 2006 FFY 2004 SPP response letter required the State to revise its sampling plan for this indicator. In the SPP, OSDE reported that it had discontinued sampling and would collect census data for this indicator. No further action required on this issue.</p>
<p>8. 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.</p> <p>[Results Indicator; New]</p>	The State's FFY 2005 reported baseline data for this indicator are 82.11%.	The State provided baseline data, targets, and improvement activities. OSEP accepts the SPP for this indicator.

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<b>Monitoring Priority: Disproportionality</b>		
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 0%.</p>	<p>The State provided baseline data, targets, and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>OSEP noted that the State's definition of "disproportionate representation" is having a risk ratio of 2.5 or above. Therefore, it appears that the State based its determination and data only on overrepresentation of racial and ethnic groups. However, the State also indicated that the "underidentification of Hispanic students into special education and related services" has been designated as a "focused monitoring priority for FFY 2006 (based on FFY 2005 data); thus, the OSDE-SES will monitor the progress of both local efforts and statewide initiatives through focused monitoring activities for FFY 2006." The State reported a lower risk ratio for Asian students (.57) than for Hispanic students (.67).</p> <p>Indicator 9, pursuant to 34 CFR §300.600(d)(3), requires States, on an annual basis, to identify disproportionate representation, both overrepresentation and underrepresentation, of races and ethnicities in special education and related services and to determine whether this is the result of inappropriate identification. Therefore, we conclude that the State is not complying with 34 CFR §300.600(d)(3). To correct this noncompliance, the State must provide, in its FFY 2006 APR, information demonstrating that it has examined data for FFY 2005 and FFY 2006 for both overrepresentation and underrepresentation of all races and ethnicities in special education and related services, including, as appropriate, revising its definition of disproportionate representation. The State also must report on whether the disproportionate representation is the result of inappropriate identification.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 0%.</p>	<p>The State provided baseline data, targets, and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>OSEP noted that the State provided a definition of "disproportionate representation" as having a risk ratio of 2.5 or above, but in reporting baseline data the State used the term "some type of disproportionality" and in its discussion of baseline data, used the term "significant disproportionality." Therefore, OSEP cannot determine whether the State used its definition of disproportionate representation to calculate its data. In addition, the State only provided data based on overidentification of racial</p>

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		<p>and ethnic groups in specific disability categories.</p> <p>Indicator 10, pursuant to 34 CFR §300.600(d)(3), requires States to identify disproportionate representation, both overrepresentation and underrepresentation, of races and ethnicities in specific disability categories. Therefore, we conclude that the State is not complying with 34 CFR §300.600(d)(3). To correct this noncompliance, the State must provide, in its FFY 2006 APR, information demonstrating that it has examined data for FFY 2005 and FFY 2006 for both overrepresentation and underrepresentation of races and ethnicities in specific disability categories, including a revised definition of disproportionate representation, as appropriate. The State also must include, in its FFY 2006 APR, clarification that its data is based on its definition of disproportionate representation.</p>
<b>Monitoring Priority: Effective General Supervision</b>		
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator; New]</p>	<p>The State’s FFY 2005 reported baseline data for this indicator are 90.89%. However, the State’s calculation appears to be incorrect. OSEP recalculated OSDE’s baseline for this indicator at 90.62%</p>	<p>The State provided baseline data, targets, and improvement activities. OSEP accepts the SPP for this indicator. The State reported data based on a State-established timeline within which the evaluation must be conducted.</p> <p>The State’s calculation for this indicator appears to be incorrect. OSDE included children whose evaluations were late due to one of the IDEA-listed exceptions to the timeline requirement as being timely evaluated in their calculation. However, under 34 CFR §300.301(d), the timeframe “does not apply” for children who fall under these exceptions. OSEP recalculated OSDE’s baseline for this indicator at 90.62%. The State must either adopt OSEP’s recalculation subtracting this group of children from both the numerator and denominator, or provide an appropriate recalculation of the baseline data. The State must provide the revised SPP baseline data for this indicator with the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 34 CFR §300.301(c)(1), including data demonstrating correction of noncompliance identified in FFY 2005.</p>
<p>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>The State’s FFY 2005 reported data for this indicator are 87.44%. However, this calculation appears to be incorrect. Based upon the</p>	<p>The State revised its baseline data for this indicator from 72.27% to 85.33% based on a change in measurement. OSEP accepts this revision.</p> <p>The State’s calculation of its FFY 2005 actual target data appears to be incorrect. Because OSDE provided the raw data, OSEP was able to</p>

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[Compliance Indicator]	<p>State's raw data as provided in the APR, OSEP recalculated the data as 86.72%. This represents progress from the FFY 2004 data of 85.33%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not report on timely correction.</p>	<p>recalculate the data to 86.72%. The State must either adopt OSEP's recalculation in its APR, or explain why the State's calculation is appropriate.</p> <p>OSEP's February 17, 2006 FFY 2004 SPP response letter (Table A) required the State to include in the February 1, 2007 APR, data demonstrating the correction of noncompliance identified in the SPP. The State did not do so and OSEP cannot determine whether the State corrected prior noncompliance identified in the SPP. OSDE reported in Indicator 15 that no findings of noncompliance were made in FFY 2004 in the area of early childhood transition. However, in the FFY 2004 SPP, OSDE reported a compliance level of 85.33% (revised from 72.27%). The State must review its improvement activities and revise them, if appropriate, to ensure that they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate full compliance with the requirements of 34 CFR §300.124, including correction of noncompliance identified in FFY 2005 and any remaining noncompliance identified in FFY 2004.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 97.53%.</p>	<p>The State provided baseline data, targets, and improvement activities and OSEP accepts the SPP for this indicator.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>The State provided a plan that describes how data will be collected.</p>	<p>The State provided a plan that describes how data will be collected. The State must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's February 17, 2006 FFY 2004 SPP response letter required the State to revise its sampling plan for this indicator. In the SPP, OSDE reported that it had discontinued sampling and would collect census data for this indicator. No further action is required.</p>
<p>15. 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>The State's FFY 2005 reported data for this indicator are 100% and include noncompliance identified through its general supervision system (including</p>	<p>The State revised the baseline for this indicator in its SPP to 98.15% and revised the improvement activities. OSEP accepts these revisions. The State met its FFY 2005 target. OSEP appreciates the State's efforts in achieving compliance.</p> <p>OSEP's February 17, 2006 FFY 2004 SPP response letter required the State</p>

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[Compliance Indicator]	monitoring, complaints, etc.) and related to monitoring priorities and indicators. The State met its FFY 2005 target of 100%.	demonstrate compliance under this indicator. OSDE met this requirement. The State must provide in the FFY 2006 APR, due in February 2008, data demonstrating correction of all previously identified noncompliance, and timely correction of the noncompliance identified in 2005-2006, as required by 20 U.S.C. 1232(b)(3)(E) and 34 CFR §§300.149 and 300.600. As noted under Indicator 12, in the FFY 2004 SPP, OSDE reported a compliance level of 85.33% (revised from 72.27%). OSDE did not report on correction of this noncompliance in its 2007 submission and must do so in the FFY 2006 APR. Further, the State must continue to report in the FFY 2006 APR, under Indicator 15, on the status of timely correction of the noncompliance findings identified during FFY 2005 (listing findings by indicator). In addition, the State must, in reporting on Indicators 11 and 12 in the FFY 2006 APR, report on the correction of noncompliance identified in FFY 2005 for those indicators.
16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.	The State met its FFY 2005 target. OSEP appreciates the State's efforts in achieving compliance.
17. 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. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.	The State met its FFY 2005 target. OSEP appreciates the State's efforts in achieving compliance.
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator; New]	The State's FFY 2005 reported baseline data for this indicator are 95%.	The State provided baseline data, targets, and improvement activities and OSEP accepts the SPP for this indicator.



<b>Monitoring Priorities and Indicators</b>	<b>Status</b>	<b>OSEP Analysis/Next Steps</b>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 92.31%. This represents progress from FFY 2004 data of 91.67%. The State met its FFY 2005 target of 85.00%.</p>	<p>OSEP's February 17, 2006 FFY 2004 SPP response letter advised OSDE that it could change its targets for this indicator. OSDE revised its targets for this indicator. OSEP accepts those revisions. No further action required.</p> <p>The State met its FFY 2005 target. OSEP appreciates the State's efforts in achieving compliance.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>The State met its FFY 2005 target. OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements in IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p>