

**Bureau of Indian Education (BIE) 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>BIE's FFY 2005 reported data for this indicator are a reduction in 10 of 17 States of at least 1/6<sup>th</sup> from the baseline year in the gap between the graduation rate of students with disabilities in BIE funded high schools in the State and the NCLB target graduation rate in the State. BIE did not provide valid and reliable FFY 2005 data because the data are not complete. Therefore, OSEP could not determine if BIE made progress or met its FFY 2005 target that the gap would be reduced by 1/6<sup>th</sup> in all States that have BIE-funded high schools.</p>	<p>BIE reported for FFY 2005 (2005-2006) a graduation rate of 48% for students with disabilities. OSEP recommends that BIE use a simpler measure and revise its targets and provide data based on the percent of students with IEPs in BIE funded high schools graduating with a regular diploma. BIE is required to report these data as a Government Performance and Results Act (GPRA) indicator. OSEP is available to provide any needed technical assistance.</p> <p>As noted in the introduction to the FFY 2005 APR and in a footnote to the chart, because of problems with the collection of assessment data in New Mexico, BIE did not receive Annual Reports from 6 of the 8 BIE funded high schools in New Mexico. The Annual Report includes graduation rates. In addition, as noted in a footnote to the chart, one high school in Oklahoma did not report graduation data. Therefore, the graduation data are incomplete. BIE must provide complete FFY 2005 progress data and FFY 2006 progress data in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP looks forward to BIE'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>BIE's FFY 2005 reported data for this indicator are 10.65%. BIE did not provide valid and reliable FFY 2005 data because the data are not complete. Therefore, OSEP could not determine if BIE made progress or met its FFY 2005 target of 9.89%.</p>	<p>BIE did not submit raw data. BIE must provide both the percentage and actual numbers in the FFY 2006 APR due February 1, 2008.</p> <p>As noted in the introduction to the FFY 2005 APR, because of problems with the collection of assessment data in New Mexico, BIE did not receive Annual Reports from 6 of the 8 BIE-funded high schools in New Mexico. The Annual Report includes dropout rates. Therefore, the dropout data are incomplete. BIE must provide complete FFY 2005 progress data and FFY 2006 progress data in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP looks forward to BIE's data demonstrating improvement in</p>

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<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>BIE’s FFY 2005 reported data for this indicator are 4 schools with special education populations meeting the required ‘n’ size met the State’s AYP objectives for progress for the disability subgroup. BIE did not submit valid and reliable FFY 2005 data. The data are inconsistent with the required measurement and incomplete. Therefore, OSEP could not determine if BIE made progress or met its FFY 2005 target of 4 schools meeting AYP for the disability subgroup.</p>	<p>performance in the FFY 2006 APR, due February 1, 2008.</p> <p>The SPP/APR instructions for Indicator 3 require States to attach Table 6 of their 618 submission. While BIE stated that a copy of Table 6 was included, Table 6 was not submitted with the FFY 2005 APR. In the FFY 2006 APR, due February 1, 2008, BIE must submit Table 6 of its 618 submission.</p> <p>In calculating the data for this indicator, BIE provided the number of schools meeting the required “n” size that met the State’s AYP objectives for progress for the disability subgroup. However, BIE did not provide the total number of schools that have a disability subgroup that meets the State’s minimum “n” size. Consistent with the required measurement, BIE must provide FFY 2006 progress data on the percent of schools that have a disability subgroup that meets the State’s minimum “n” size meeting the State’s AYP objectives for progress for the disability subgroup in the FFY 2006 APR, due February 1, 2008. OSEP recommends that rather than setting its targets based on the number of schools meeting AYP for the disability subgroup, BIE revise its target to more accurately reflect the indicator by establishing a target based on the percent of schools that have a disability subgroup that meets the State’s minimum “n” size meeting the State’s AYP objectives for progress for the disability subgroup.</p> <p>In addition, as noted in the introduction to the FFY 2005 APR, because of problems with the collection of assessment data in New Mexico, BIE did not receive Annual Reports from 44 BIE-funded schools in New Mexico. The Annual Report includes assessment participation and assessment results. Therefore, the data for this indicator are incomplete. In the FFY 2006 APR, due February 1, 2008, BIE must provide complete FFY 2005 progress data and FFY 2006 progress data consistent with the required measurement.</p> <p>OSEP appreciates BIE’s efforts to improve performance.</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</p>	<p>BIE’s FFY 2005 reported participation data are 90.23% for Reading and 87.82% for Math. BIE did not provide valid and reliable FFY 2005 data because the data are not</p>	<p>BIE reported that it met its FFY 2005 target of 95% because the participation rate for FFY 2005 in grades 3-8 was 97% and the participation rate in grade 10 which BIE stated was the single most grade used for high school assessments, was 96.87%. However, because of the variation of assessment models across the States with BIE-funded schools, coupled with BIE’s limited data collection abilities for school year 2005-2006, BIE</p>

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<p>standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>complete. Therefore, OSEP could not determine if BIE made progress or met its FFY 2005 target of 95%.</p>	<p>reported that reliable data for FFY 2005 were not collected at the high school level.</p> <p>In addition, as noted in the introduction to the FFY 2005 APR, because of problems with the collection of assessment data in New Mexico, BIE did not receive Annual Reports from 44 BIE-funded schools in New Mexico. The Annual Report includes assessment participation. Therefore, the data for this indicator are incomplete. BIE must provide complete FFY 2005 progress data and FFY 2006 progress data that includes valid and reliable data for its high school students in the FFY 2006 APR, due February 1, 2008.</p>
<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>BIE's FFY 2005 reported data for this indicator are a gap in the proficiency rate of 21.4% for Math and 18.1% for Reading between general education students and students with disabilities. BIE did not provide valid and reliable FFY 2005 data because the data are not complete. Therefore, OSEP could not determine if BIE made progress or met its FFY 2005 target of reducing the gap between the percentage of all students achieving at the proficient or advanced level and the percentage of students with disabilities achieving at the proficient or advanced level by 20% of the baseline year gap.</p>	<p>The required measurement for this indicator does not ask for a comparison between students with disabilities and all students. In the FFY 2006 APR, due February 1, 2008, OSEP recommends that rather than setting its targets based on reducing the gap in the proficiency rate, BIE revise its target to more accurately reflect the indicator by establishing a target and providing data based on the proficiency rates of children with IEPs. In addition, as noted in the introduction to the FFY 2005 APR, because of problems with the collection of assessment data in New Mexico, BIE did not receive Annual Reports from 44 BIE-funded schools in New Mexico. The Annual Report includes assessment results. Therefore, the data for this indicator are incomplete. BIE must provide complete FFY 2005 progress data and FFY 2006 progress data.</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</p>	<p>BIE's FFY 2005 reported data for this indicator are four agencies with greater than two</p>	<p>BIE was instructed in OSEP's March 20, 2006 SPP response letter to demonstrate in the February 1, 2007 APR that it reviewed, and if appropriate revised (or required the affected agencies to revise) its policies,</p>

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<p>suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>[Results Indicator]</p>	<p>times the Office of Indian Education (OIEP) average for suspensions and expulsions (BIE's definition of significant discrepancy). The data remains unchanged from BIE's FFY 2004 data of four agencies with significant discrepancies.. BIE did not meet its FFY 2005 target of no more than 2 of BIE agencies with suspensions and expulsion rates greater than two times the OIEP average.</p>	<p>procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the agencies identified with significant discrepancies in FFY 2004. BIE reported that it would not review policies, procedures and practices of schools that have significant discrepancies until school year 2007-2008. This represents noncompliance with 34 CFR §300.170. To correct the noncompliance, BIE must describe, in its 2006 APR, the review, and if appropriate revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for (1) the four agencies identified in the FFY 2004 APR as having a significant discrepancy, (2) the four agencies identified in the FFY 2005 APR as having a significant discrepancy, and (3) any agencies identified in the FFY 2006 APR as having a significant discrepancy.</p> <p>OSEP looks forward to BIE's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<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>N/A</p>	<p>This indicator is not applicable to BIE as the only racial/ethnic group present is the American Indian.</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>A. BIE's FFY 2005 reported data for this indicator are 57.56%. This represents progress from FFY 2004 data of 56.64%. BIE did not meet its FFY 2005 target of 57.64%, at least a 1% growth in the numbers of students</p>	<p>A. Although BIE reported meeting its target of at least a 1% growth for this indicator, OSEP's review shows that a result of at least 57.64% (56.64% plus 1%) was needed to meet BIE's target for this indicator. This means that BIE fell .08% short of meeting its FFY 2005 target. BIE must provide clarification on its calculation method in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP looks forward to BIE's data demonstrating improvement in</p>

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<p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>receiving appropriate special education services outside general education &lt; 21% of the time.</p> <p>B. BIE's FFY 2005 reported data for this indicator are 9.50%. This represents progress from FFY 2004 data of 9.95%. BIE did not meet its FFY 2005 target of 9.45%, at least a 0.5% decrease in the numbers of students receiving appropriate special education services outside the general education &gt;60% of the time.</p> <p>C. BIE's FFY 2005 reported data for this indicator are 0.74%. This represents slippage from FFY 2004 data of 0.45%. BIE did not meet its FFY 2005 target of no more than 0.45% of the students with disabilities receiving services in separate schools, residential placements, in hospital settings, or in homebound settings.</p>	<p>performance in the FFY 2006 APR, due February 1, 2008.</p> <p>B. OSEP looks forward to BIE's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>C. OSEP looks forward to BIE's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<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>	<p>N/A</p>	<p>BIE does not serve the referenced population.</p>

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<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>	N/A	BIE does not serve the referenced population.
<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>	BIE's FFY 2005 reported baseline data for this indicator are 31%.	<p>BIE provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>BIE did not submit raw data. BIE did not provide the number of respondent parents who report schools facilitated parent involvement or the total number of respondent parents of children with disabilities. BIE must provide all of the required data in the FFY 2006 APR, due February 1, 2008.</p>
<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>	N/A	<p>This indicator is not applicable to BIE as the only racial/ethnic group present is the American Indian.</p> <p>BIE chose to self-report on the special education identification rates of various agencies. OSEP will not address this indicator.</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>	N/A	<p>This indicator is not applicable to BIE as the only racial/ethnic group present is the American Indian.</p> <p>BIE chose to self-report on the identification rates in agencies of students with disabilities in specific disability categories. OSEP will not address this indicator.</p>

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<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>BIE's FFY 2005 reported baseline data for this indicator are 86.9%.</p> <p>Data not valid and reliable. The State did not submit FFY 2005 data consistent with the required measurement.</p>	<p>BIE provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>BIE reported data based on the Federal timeline within which the evaluation must be conducted.</p> <p>As required by the SPP/APR instructions, BIE did not provide the number of children for whom parental consent to evaluate was received, the number of children determined not eligible whose evaluations were completed within the State timeline, and the number of children determined eligible whose evaluations were completed within 60 days. The State also did not account for children whose evaluations were not completed within the 60 day timeline by indicating the range of days beyond the timeline when the evaluation was completed and any reasons for the delays. BIE must provide the required data and information in 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>[Compliance Indicator]</p>	<p>N/A</p>	<p>BIE does not serve the referenced population.</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>BIE's FFY 2005 reported baseline data for this indicator are 86%.</p>	<p>BIE provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</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 §300.320(b), including data demonstrating correction of noncompliance identified in FFY 2005.</p>
<p>14. Percent of youth who had IEPs, are no</p>	<p>BIE provided a plan that</p>	<p>BIE must provide baseline data, targets, and improvement activities with the</p>

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<p>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>describes how this data will be collected.</p>	<p>FFY 2006 APR, due February 1, 2008.</p> <p>BIE did not submit the definitions of competitive employment and postsecondary education that the instructions for the SPP/APR required the State to include in the February 1, 2007 APR. BIE must submit this information in the FFY 2006 APR due February 1, 2008.</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>[Compliance Indicator]</p>	<p>BIE's FFY 2005 reported data for this indicator are 74%. This represents progress from the FFY 2004 data of 65%. BIE did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 20, 2006 SPP response letter required BIE to include in the February 1, 2007 APR FFY 2005 progress data and data indicating that the noncompliance identified in the FFY 2004 APR, which had not been corrected within one year of identification (44 noncompliance citations and 31 findings made in 10 complaint investigations) had been corrected. BIE provided FFY 2005 progress data. However, BIE did not report on the status of correction of outstanding noncompliance identified in the FFY 2004 APR.</p> <p>OSEP's January 20, 2006, Verification Visit response letter required BIE to submit to OSEP: (1) revisions to the plan in Appendix C of the December 2005 SPP that include additional activities specifically designed to address the barriers to ensuring correction of noncompliance in tribally-operated schools within one year of identification; (2) either: (a) documentation that complaints are investigated and decisions issued within 60 days of receipt by BIA (including BIA's Agency Line Offices), unless an extension is granted due to exceptional circumstances with regard to a particular complaint; or (b) a plan to ensure correction within one year from the date of this letter and documentation demonstrating that corrective actions resulting from complaints filed during 2004 have been completed; and (3) a clarification of whether there is a provision in the Tribally Controlled Schools Act (TCSA) or Indian Self-Determination Act that authorizes the designation of Part B funds as "no year funds." If there is no such provision, BIA must clarify the extent to which this practice is occurring in tribally-controlled schools. If BIA finds that this practice is occurring, it must submit a plan to ensure that it enforces the provisions of 34 CFR §76.709 with respect to Part B funds provided to tribes.</p> <p>The March 15, 2006 and November 8, 2006 progress reports submitted by BIE and the FFY 2005 APR address the status of correction in all BIE-funded schools, including tribally controlled schools. BIE provided draft complaint procedures with the November 8, 2006 letter and documentation</p>



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		<p>demonstrating that corrective actions resulting from complaints filed during 2004 have been completed. The draft complaint procedures include an Appendix A describing the changes made to the State Complaint Procedures in the final regulations implementing the IDEA Improvement Act of 2004. However, the draft complaint procedures do not incorporate these changes. BIE did not address the issue of "no year funds".</p> <p>Within 60 days of receipt of this Table, BIE must submit revised complaint procedures that address the requirements of 34 CFR §§300.151-300.153, including the changes made in the final regulations implementing the IDEA Improvement Act of 2004. The draft complaint procedures state, "if received by mail, the complaint is stamped with the date received by OIEP/CSI. The 60 day timelines begin when the complaint is received by OIEP/CSI." Because of the reorganization, it is our understanding that OIEP and Center for School Improvement (CSI) no longer exist. Therefore, the draft procedures must be revised to reflect the current organizational scheme. OSEP found in the January 20, 2006 verification letter that agency line offices did not understand their responsibility to forward complaints to CSI in a timely manner. Depending on the reorganization, the complaint procedures must clarify that when the complaint is received by either BIE or an Education Line Office, the 60-day timeline begins. BIE must also provide clarification of whether there is a provision in the Tribally Controlled Schools Act (TCSA) or Indian Self-Determination Act that authorizes the designation of Part B funds as "no year funds." If there is no such provision, BIE must clarify the extent to which this practice is occurring in tribally-controlled schools. If BIE finds that this practice is occurring, it must submit a plan to ensure that it enforces the provisions of 34 CFR §76.709 with respect to Part B funds provided to tribes.</p> <p>In the FFY 2004 and FFY 2005 APR, BIE provided data on the percentage and number of schools that "still had uncorrected noncompliance one year later." In OSEP's July 14, 2006 correspondence to BIE's regarding its March 15, 2006 response to the January 20, 2006 Verification Visit letter, OSEP required the BIE to report on: (1) the number of tribally-operated schools that have findings of non-compliance that have not been corrected within one year of identification; and (2) the actions BIA is taking, including follow-up visits and technical assistance, to ensure correction. BIE has not provided this information. In the FFY 2006 APR, due February 1, 2008, BIE must include the number of tribally controlled schools and the</p>

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		<p>number of BIE-operated schools with uncorrected noncompliance one year later and what actions, including follow-up visits and technical assistance, BIE has taken to ensure correction in these schools.</p> <p>BIE must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 20 U.S.C. 1232d(b)(3)(E), and 34 CFR §§300.149 and 300.600. In its response to Indicator 15 in the FFY 2006 APR, due February 1, 2008, the State must provide: (1) data on the correction of outstanding noncompliance identified in the FFY 2004 APR; (2) data on the correction of outstanding noncompliance identified in the FFY 2005 APR; and (3) data, disaggregated by APR indicator, on the status of timely correction of the noncompliance of findings identified by the State during FFY 2005 (2005-2006). In addition, the State must, in responding to Indicators 4A, 11, and 13 specifically identify and address the noncompliance identified in this table under those indicators.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>BIE's FFY 2005 reported data for this indicator are 100 % (4 out of 4). BIE met its FFY 2005 target of 100%.</p>	<p>In OSEP's July 14, 2006 correspondence to BIE regarding its March 15, 2006 response to the January 20, 2006 Verification Visit letter, OSEP required that BIE clarify that when reporting in Attachment 1 on the number of complaint reports issued within timelines, the BIA is reporting on the number of reports issued not more than 60 days after receipt of the complaint by BIE (including BIE's Agency Line Offices), not 60 days after CSI receives the complaint. In the FFY 2006 APR, due February 1, 2008, BIE must clarify that when reporting in Attachment 1 and Indicator 16 on the number of complaint reports issued within timelines, BIE is reporting on the number of reports issued not more than 60 days after receipt of the complaint by BIE (including BIE's Education Line Offices).</p> <p>OSEP appreciates the BIE's efforts in achieving compliance and looks forward to data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of 34 CFR §300.152.</p>
<p>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</p>	<p>BIE's FFY 2005 reported data for this indicator are 100% (1 out of 1). BIE met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates BIE's efforts in achieving compliance and looks forward to data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of 34 CFR §300.515(a).</p>

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request of either party. [Compliance Indicator]		
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator; New]	No resolution sessions were held.	BIE is not required to provide baseline, targets or improvement activities until any FFY in which 10 or more resolution meetings were held.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	One mediation was held.	BIE is not required to provide baseline, targets or improvement activities until any FFY in which 10 or more mediations were conducted. OSEP recommends that BIE delete the targets of 100% for FFY 2006-FFY 2010 established in the FFY 2005 APR and set targets in a year in which 10 or more mediations are held.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	BIE FFY 2005 reported data was 100%. BIE reported that it met its FFY 2005 target of 100%	<p>BIE reported that 618 State-reported data tables and the SPP were submitted on time in FFY 2005 (2005-2006). BIE also reported that its final data submission contained no known errors or otherwise inaccurate data. However, in the introduction to the FFY 2005 APR, BIE reported that “data reported herein do not represent all schools in the BIE educational system. Annual reports are completed at a school level which report enrollment data, attendance, graduation rates, drop-out rates, assessment participation, and assessment results; all data that are needed for the SPP.” Because of problems in the data collection of assessment results in New Mexico, 44 BIE schools are now completing their reports and the “Annual Report to OSEP will be updated when all schools’ Annual Reports are received.” Therefore, the data for Indicators 1, 2, and 3 are incomplete. In addition, BIE did not provide valid and reliable data for Indicator 11.</p> <p>BIE must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008 that demonstrate compliance with the requirements in IDEA section 618 and 34 CFR §§76.720 and 300.601.</p>