

Indiana Part B FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
Monitoring Priority: FAPE in the LRE		
<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 SPP reported data for this indicator are 69.46%. This represents slippage from FFY 2004 data of 72.7%. The State did not meet its FFY 2005 target of 73.0%.</p>	<p>OSEP’s March 2, 2006, SPP response letter required the State to review its activities to determine if additional activities were needed, or if the activities needed to be revised or modified to have the desired effect.</p> <p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</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 SPP reported data for this indicator are 30.54%. This represents slippage from FFY 2004 data of 27.3%. The State did not meet its FFY 2005 target of 27%.</p>	<p>OSEP’s March 2, 2006 SPP response letter required the State to review its activities to determine if additional activities were needed, or if the activities needed to be revised or modified to have a desired effect. OSEP’s letter further required the State to ensure that the dropout data that it provided in response to this indicator in the APR due February 1, 2007 were complete and included all high schools.</p> <p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State indicated in the APR that the State’s final graduation rate calculation included the three high schools that did not report dropout data for this indicator in the SPP.</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>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>The State’s FFY 2005 SPP reported data for this indicator are 81.9%. This represents slippage from FFY 2004 data of 91.1%. The State did not meet its FFY 2005 target of</p>	<p>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]	92%.	
<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 SPP reported data for this indicator are 96.87%. The State met its FFY 2005 target of 95%.</p>	<p>OSEP's March 2, 2006, SPP response letter required the State to include in the FFY 2005 APR, due February 1, 2007, an analysis of compliance data related to 34 CFR §§300.347(a)(5) (now 34 CFR §300.320(a)(6)) and 300.138 (now 34 CFR §300.160) to determine whether any students with disabilities did not participate in statewide assessments due to a failure by a public agency to meet the Part B requirements. OSEP first identified this issue in the State's FFY 2003 APR. OSEP's November 22, 2006 verification visit letter also noted this issue and required that the State provide the analysis in the FFY 2005 APR, due February 1, 2007. The State provided the same analysis that it reported in the December 2005 SPP, but it failed to provide the required analysis of compliance data for statewide assessments.</p> <p>In the FFY 2006 APR, due February 1, 2008, the State must provide the required analysis of compliance data related to 34 CFR §§300.320(a)(6) and 300.160 to determine whether any students with disabilities did not participate in statewide assessments due to a failure by a public agency to meet the Part B requirements.</p> <p>OSEP appreciates the State's efforts to improve performance and looks forward to the State reporting complete data in the FFY 2006 APR.</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>The State's FFY 2005 SPP reported data for this indicator are 33.31% for English/Language Arts (ELA) and 42.13% in Math. The State met its FFY 2005 targets of 32% in ELA and 38% in Math.</p>	<p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</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</p>	<p>The State's FFY 2005 reported data for this indicator are 3.0%. This represents slippage from FFY 2004 data</p>	<p>OSEP's March 2, 2006 SPP response letter required the State to review, and if necessary revise, its improvement strategies to ensure that they would enable the State to include data in the FFY 2005 APR, due February 1, 2007, demonstrating compliance with the requirements of 34 CFR §300.146(b)</p>

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<p>disabilities for greater than 10 days in a school year; and [Results Indicator]</p>	<p>of 2.3%. The State did not meet its FFY 2005 target of 2.25%.</p>	<p>(now 34 CFR §300.170(b)).</p> <p>The State identified significant discrepancies, but did not describe how the State reviewed, and if appropriate revised (or required the affected LEAs to revise), its 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, as required by 34 CFR §300.170(b). This represents noncompliance with 34 CFR §300.170(b).</p> <p>To correct the noncompliance, the State must describe, in its FFY 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 the LEAs identified as having significant discrepancies in FFY 2004. In its FFY 2006 APR, the State must also describe 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 LEAs identified as having significant discrepancies in the FFY 2005 APR; and (2) the LEAs identified as having significant discrepancies in the FFY 2006 APR.</p> <p>OSEP'S November 22, 2006 verification visit letter required the State to submit with its FFY 2005 APR, a plan for ensuring that the State's next submission of suspension/expulsion data under section 618 is accurate.</p> <p>The State did not submit a plan that addresses the accuracy of its suspension/expulsion data in the APR. The State must include this information in the FFY 2006 APR, due February 1, 2008.</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>4. Rates of suspension and expulsion: 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>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</p>

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[Results Indicator; New]		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>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>[Results Indicator]</p>	<p>5A. The State reported FFY 2005 data of 59.54%. The State's 618 data for FFY 2005 are 61.71%. The 618 data for FFY 2005 represent progress from the State's FFY 2004 data of 60.35%. Based on the State's 618 data, the State met its FFY 2005 target of equal to or greater than 60.36%.</p> <p>5B. The State reported FFY 2005 data of 14.33%. The State met its FFY 2005 target of equal to or less than 15.31%.</p> <p>5C. The State reported FFY 2005 data of 1.99%. This represents slippage from the State's FFY 2004 data of 1.24%. The State did not meet its FFY 2005 target of equal to or less than 1.23%.</p>	<p>5A. The State's FFY 2005 APR data are inconsistent with the State's 618 data, therefore OSEP used the 618 data to determine whether the FFY 2005 target was met. In the FFY 2006 APR, the State must report data that are consistent with its 618 data. Based on the State's 618 data, the State met its target for this indicator and OSEP appreciates the State's efforts to improve performance.</p> <p>5B. The State met its target, and OSEP appreciates the State's efforts to improve performance.</p> <p>5C. 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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<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>The State's FFY 2005 reported data for this indicator are 58.3%. The State met its FFY 2005 target of 43%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p> <p>Please note that, due to changes in the 618 State-reported data collection, 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>
<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>	<p>Entry data provided.</p>	<p>The State reported the required entry data and activities. The State must provide progress data and improvement activities in the FFY 2006 APR, due February 1, 2008.</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>	<p>The State's FFY 2005 reported baseline for this indicator are 88%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 2, 2006, SPP response letter required the State to include a revised sampling methodology, with its FFY 2005 APR, due February 1, 2007, that describes how data were collected.</p> <p>The sampling plan for this indicator is not technically sound. Please call your State Contact as soon as possible.</p>
Monitoring Priority: Disproportionality		
<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>The State reported that 0% of districts identified "a disproportionate number of African-American students due to inappropriate</p>	<p>The State provided targets at 0% and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>On page 62 of the revised SPP, submitted on February 1, 2007, the State provided a definition of significant disproportionality. The State identified the number and percent of districts having a disproportionate incidence rate</p>

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[Compliance Indicator; New]	identification.”	<p>of racial and ethnic groups in special education and related services finding that ten (10) of 293 districts were identified as having a disproportionate incidence rate of African-American students identified as students with disabilities. The State reported that in the Fall of 2006, it required six of those 10 districts to examine and review: policies and procedures in place to assure non-discriminatory evaluation and decision-making; use of non-biased assessments; staff training on non-discriminatory decision-making; training of psychological service personnel; and pre-referral activities to help assure appropriate identification.</p> <p>On page 64 of the revised SPP, the State indicated that the districts responding to the Fall 2006 inquiry reported that most of the disproportionality was due to private residential facilities serving students with disabilities placed there by other agencies, e.g., juvenile justice, welfare, courts, etc. Thus, the State reported that 0% of those districts had disproportionate representation of racial and ethnic groups in special education and related services that was due to inappropriate identification. It is unclear from the State’s information, however, whether all of the six districts responded to its Fall 2006 inquiry. Further, the State failed to include any information about the other four districts that were identified with a disproportionate incidence rate for African-American students. The State should clarify these issues in the FFY 2006 APR, due February 1, 2008.</p> <p>It appears that the State is using a definition of significant disproportionality to determine disproportionate representation of racial and ethnic groups. OSEP reminds the State that Indicator 9 requires that States report on the percent of districts with <i>disproportionate representation</i> of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>The State indicated that it only concentrated on overidentification of racial and ethnic groups in special education and related services. Indicator 9, pursuant to 34 CFR §300.600(d)(3), requires States to identify disproportionate representation, both overrepresentation and underrepresentation, of races and ethnicities in special education and related services. 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</p>

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		<p>examined data for FFY 2005 and FFY 2006 for both overrepresentation and underrepresentation of races and ethnicities in special education and related services.</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 provided data on the percent of districts with “significant disproportionality.”</p>	<p>The State provided targets at 0% and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>The State reported the percent of districts with significant disproportionality of racial and ethnic groups in special education and related services. Indicator 10 requires that States report on the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The State must include, in its FFY 2006 APR, its definition of disproportionate representation and describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification (e.g., monitoring data, review of policies, practices and procedures, etc.).</p> <p>The State identified districts with significant disproportionality of racial and ethnic groups in specific disability categories but did not determine if the disproportionality was the result of inappropriate identification, as required by 34 CFR §300.600(d)(3). The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification, and describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). The State must also provide data, in its FFY 2006 APR, due February 1, 2008, on the percent of districts identified in FFY 2006 with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, and describe how the State made that determination, even if the determination occurs in the fall of 2007.</p> <p>The State indicated that it only concentrated on over identification of racial and ethnic groups in specific disability categories. 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 special education and related services. Therefore, we conclude that the State is not complying with 34 CFR §300.600(d)(3). To</p>

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		<p>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.</p> <p>It appears that the State only analyzed data on African-American students for this indicator. Under 34 CFR §300.600(d)(3), a State may, in reviewing data for each race ethnicity category, do so in a statistically appropriate manner, and may set an “n” size that applies to all racial and ethnic groups, but it must review data for all race ethnicity categories in the State and must do the analysis at the LEA level for all racial and ethnic groups meeting that “n” size that are present in any of its LEAs. Therefore, we conclude that the State is not complying with 34 CFR §300.600(d)(3). To correct this noncompliance, the State, in its FFY 2006 APR, must describe and report on its review of data and information for all race ethnicity categories in the State to determine if there is disproportionate representation that is the result of inappropriate identification for both FFY 2005 and FFY 2006.</p>
Monitoring Priority: Effective General Supervision		
<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 78%.</p>	<p>The State provided baseline data, 100% targets and improvement activities and 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 reported that all LEAs and school corporations falling below target performance would be required to submit a corrective action plan including research as to probable causes and complete within timelines to achieve target performance.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrates compliance with the requirements in 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 95.8%. This represents progress from the State’s FFY</p>	<p>The State did not include data regarding the range of days beyond the third birthday for children for whom an IEP was not implemented by the third birthday. The State must provide the required data in the FFY 2006 APR, due February 1, 2008.</p>

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[Compliance Indicator]	2004 reported data of 84%. The State did not meet its FFY 2005 target of 100%.	OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 34 CFR §300.124.
<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>	The State's FFY 2005 reported baseline for this indicator are 88%.	<p>The State provided baseline data, 100% targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State did not submit actual numbers for this indicator and the State must provide the required raw data in the FFY 2006 APR, due February 1, 2008.</p> <p>The State's data includes 14 year olds, according to a State rule that requires transition plans beginning at age 14, or earlier if determined appropriate by the case conference committee. The State must revise its targets to align with the State reported data.</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)(1), including data demonstrating correction of noncompliance identified in FFY 2005.</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>	The State provided a plan that describes how data will be collected.	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>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>	The State reported that 100% of noncompliance corrected within one year was not achieved.	<p>The State revised the improvement activities for this indicator in its SPP, and OSEP accepts those revisions.</p> <p>As further detailed below, the State provided no quantification of its performance for this indicator.</p> <p>In its SPP submitted in December 2005, the State reported that it had identified noncompliance in 73 special education planning districts through its monitoring and ensured correction of the noncompliance in <i>all</i> 73 planning districts within one year. (The State did not provide data in the SPP regarding the percentage of monitoring <i>findings</i> that were corrected within one year.) During the August 2006 verification visit, the State explained that it required noncompliance to be corrected as soon as possible</p>

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		<p>and no later than one year from identification. The State further clarified, however, that it considered noncompliance to be corrected, in reporting in the SPP, if a planning district or school corporation made sufficient progress toward compliance, whether or not it fully corrected the noncompliance. The State acknowledged that there were districts and school corporations that did not correct all noncompliance within one year.</p> <p>During the verification visit, OSEP requested that the State provide more detailed information regarding the status of correction of identified noncompliance. Following the verification visit, the State provided a chart that showed, for each of the State's eight compliance indicators, the level of compliance for 2003, 2004, and 2005. That chart showed a number of planning districts and school corporations with noncompliance that persisted from 2003 through 2004 and 2005.</p> <p>In its November 22, 2006 verification visit letter, OSEP required the State to provide in its FFY 2005 APR, due February 1, 2007, either: (1) documentation that the State was implementing effective procedures for ensuring the timely correction of noncompliance, including being able to demonstrate that each special education planning district has corrected noncompliance identified for more than one year previously; or (2) the State's plan for correcting and demonstrating, within one year from the date on which OSEP accepted the plan, that IDE is effectively ensuring correction. OSEP also required that the State provide, as part of its response to Indicator 15 in its FFY 2005 APR, data regarding its effectiveness in correcting noncompliance identified during the 2004-2005 reporting period.</p> <p>In the FFY 2005 APR, the State reported only that, "100% of noncompliance corrected within one year was not achieved." The State did not provide any data regarding the number of findings made during 2004-2005, the percent or number of those findings timely corrected in 2005-2006, or any other documentation of its effectiveness in correction of noncompliance. Further, the State did not provide a plan for ensuring correction of the noncompliance with the requirement that it ensure the timely correction of noncompliance. The State indicated only that: (1) improvement activities have been greatly expanded (OSEP notes that the State added two new improvement activities to its SPP: "Monitoring results for all school corporations will be posted on the website, and "Determination of school district compliance/performance"); (2) the August</p>

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		<p>2006 OSEP verification visit helped identify areas needing improvement; (3) the correction of noncompliance within 12 months will be a top State priority for 2006-2007; and (4) performance and compliance results will be posted on the State website and the posting will serve as the notification of local districts of their noncompliance and the start of the 12 month period for eliminating noncompliance.</p> <p>OSEP's November 22, 2006 verification visit letter also required the State to include in its FFY 2005 APR due February 1, 2007, either: (1) documentation that IDE has corrected the noncompliance with the requirements of sections 612(a)(16) and 614(d)(1)(A)(i)(VI) of the IDEA with respect to districtwide assessments; or (2) the State's plan for ensuring, within one year from the date on which OSEP approves the plan, that IDE is monitoring to ensure that school districts that administer districtwide assessments are complying with the requirements of sections 612(a)(16) and 614(d)(1)(A)(i)(VI) of the IDEA with respect to districtwide assessments. The State did not provide either documentation that it corrected this noncompliance or a plan for its correction.</p> <p>The State must review its improvement strategies 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 compliance with the requirements of 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600, including data on the correction of outstanding noncompliance identified in FFY 2004. In its response to Indicator 15 in the FFY 2006 APR, due February 1, 2008, the State must disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005, and the noncompliance identified in OSEP's November 22, 2006 verification visit letter. In addition, the State must, in responding to Indicators 4A, 9, 10, 11, 12, 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>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>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 of 34 CFR §300.152.</p>

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<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 request of either party.</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>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 of 34 CFR §300.515(a).</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator; New]</p>	<p>The State's FFY 2005 reported baseline for this indicator are 30.2 %.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>
<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 52.0%. This represents slippage from FFY 2004 data of 66.0%. The State did not meet its FFY 2005 target of 66.2%.</p>	<p>OSEP's November 22, 2006 verification visit letter noted that in the SPP, the State indicated that if the mediation process was successful in reaching an agreement, the mediation agreement would include findings and decisions of the mediator. In a follow-up call on November 13, 2006, the State clarified that the SPP language indicating that mediators make findings and decisions was an error and would be deleted. OSEP's verification visit letter required the State to correct this error as part of its response to Indicator 19 in the APR due February 1, 2007. The State's revised SPP submitted in February 2007 includes the necessary revision.</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%.</p>	<p>The State reports that it met its FFY 2005 target of 100%, however, as explained above, the State did not submit FFY 2005 data for Indicator 15.</p> <p>OSEP'S November 22, 2006 verification visit letter required the State to submit with its FFY 2005 APR, a plan for ensuring that the State's next submission of educational environments data under section 618 meet the reporting requirements in OSEP's instructions. The State did not submit the required plan. The State must submit this information in the FFY 2006 APR, due February 1, 2008. The State must review its improvement strategies 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 compliance with the requirements in IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p>