

### Vermont Part B 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 78.48%. This represents slippage from FFY 2004 data of 80%. The State did not meet its FFY 2005 target of 80%.</p>	<p>The State revised its targets and improvement activities for this indicator in its SPP. OSEP accepts the revised improvement activities.</p> <p>Indicator 1 requires that States report on the percent of youth with IEPs graduating with a regular diploma. Currently on page 3 of the State's SPP, the targets measure a percent of LEAs meeting or exceeding the graduation rates of a percent of youth with IEPs. The State should consider revising its targets to drop the percent of districts and to include only the percent of youth with IEPs graduating with a regular diploma. OSEP looks forward to reviewing these data in the FFY 2006 APR due, February 1, 2008, reflecting this change.</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 3.61%. The State met its FFY 2005 target of 4.61%.</p>	<p>The State revised its improvement activities for this indicator by including additional improvement activities in its SPP and OSEP accepts those revisions.</p> <p>Indicator 2 requires that States report on the percent of youth with IEPs dropping out of high school. Currently on page 10 of the State's SPP the targets measure a percent of LEAs with drop out rates at or below the State rate for grades 9-12. The State should consider revising its targets by eliminating the reference to the percent of districts and to include in its targets only the percent of students with IEPs dropping out. OSEP looks forward to reviewing these data in the APR due, February 1, 2008, reflecting this change.</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>A. The State's FFY 2005 reported data for this indicator are 31.1%. This represents progress from FFY 2004 data of 0%. The State did not meet its FFY 2005 target of 93%.</p>	<p>A. The State reported progress and OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>B. The State revised the targets and improvement activities for this sub-indicator in its SPP and OSEP accepts those revisions. The State met its targets and OSEP appreciates the State's efforts to improve</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<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>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]]</p>	<p>B. The State's FFY 2005 APR reported data for this indicator are 98.42% in math and 98.33% in reading. The State met its FFY 2005 targets of 82% in both math and reading.</p> <p>C. The State's FFY 2005 APR reported data for this indicator in math are 19.1%. The State met its FFY 2005 target for math of 20%.</p> <p>For reading, the State revised its targets in the SPP submitted on May 10, 2007. The State's FFY 2005 reported data for this indicator are 17.81%. This represents slippage from FFY 2004 data of 26%. The State did not meet its FFY 2005 revised target of 27%.</p>	<p>performance.</p> <p>C. The State revised its targets and improvement activities for this sub-indicator. The State met its FFY 2005 targets for math.</p> <p>For reading, OSEP accepts the State's revised targets submitted on May 10, 2007 in the revised SPP. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>B. 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 1.66%. This represents slippage from FFY 2004 data of 0%. The State did not meet its FFY 2005 target of 0%.</p>	<p>The State revised its definition of significant discrepancy and has also incorporated additional improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State identified significant discrepancies but did not describe how it 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 supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170. In the FFY 2006 APR, due February 1, 2008, the State</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
		<p>must 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. (The review for LEAs identified in the FFY 2006 APR may occur either during or after the FFY 2006 reporting period, so long as the State describes that review in the FFY 2006 APR.)</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>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</p>	<p>For Indicator 5A, the State's reported data are 77.89%. This represents progress from FFY 2004 data of 77.2%. The State did not meet its FFY 2005 target of 80%.</p>	<p>For Indicator 5A and 5B, the State revised its targets and included additional improvement activities for this indicator in its SPP. In its revised SPP, submitted May 10, 2007, the State revised its targets for 5C to indicate improvement during the full period of the SPP. OSEP accepts those revisions.</p> <p>OSEP looks forward to the State's data demonstrating improvement in</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<p>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>For Indicator 5B, the State's reported data are 8.59. This represents progress from FFY 2004 data of 10.53%. The State did not meet its FFY 2005 combined target of 14% (including segregated settings).</p> <p>For Indicator 5C, the State's reported data are 5.81%. This represents slippage from FFY 2004 data of 4.04%. The State did not meet its FFY 2005 combined target of 14%.</p>	<p>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>The State's reported FFY 2005 data for this indicator are 76.93%. The State met its FFY 2005 target of 76.29%.</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, 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>
<p>6. 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 with the FFY 2006 APR, due February 1, 2008.</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<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 data for this indicator are 28%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>
<p><b>Monitoring Priority: Disproportionality</b></p>		
<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 data for this indicator are 0%.</p>	<p>The State provided targets at 0% and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>The State described its two criteria for defining disproportionate representation and stated that if an LEA meets the two criteria, it will be reviewed by the State for potential inappropriate identification. The State described this review process, which includes contacting the LEAs identified with significant disproportionality and reviewing the files of those students impacted. If inappropriate identification is determined to be the cause of the disproportionality after this review, the LEA will receive technical assistance and training to address the problem.</p> <p>In describing its review process to determine inappropriate identification, the State reported that districts with significant disproportionality would be contacted and reviewed. 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. In its FFY 2006 APR, the State must describe how it determines that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification (e.g., monitoring data, review of policies, practices and procedures, etc.).</p> <p>The State identified 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. OSEP looks forward to reviewing data and information in the FFY 2006 APR, due February 1, 2008, that demonstrate that the State has in effect policies and procedures that prevent the inappropriate overidentification or disproportionate representation by</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
		race or ethnicity of children as children with disabilities, as required by 34 CFR §300.173.
<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 targets at 0% and improvement activities. OSEP accepts the SPP for this indicator.</p> <p>The State uses the same definition and review process for Indicators 9 and 10.</p> <p>In describing its review process to determine inappropriate identification, the State reported that districts with significant disproportionality would be contacted and reviewed. Indicator 10 requires that States report on the percent of districts with <i>disproportionate representation</i> of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. In its FFY 2006 APR, the State must describe how it determines 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 0% of districts with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification. OSEP looks forward to reviewing data and information in the FFY 2006 APR, due February 1, 2008, that demonstrate that the State has in effect policies and procedures that prevent the inappropriate overidentification or disproportionate representation by race or ethnicity of children as children with disabilities, as required by 34 CFR §300.173.</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 69.74%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. The State reported data based on the Federal timeline within which the evaluation must be conducted.</p> <p>The State must review its improvement activities and revise, 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 34 CFR §300.301(c)(1), including data demonstrating correction of noncompliance identified in FFY 2005.</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<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>The State's FFY 2005 reported data for this indicator are 86.44%. This represents progress from the State's FFY 2004 reported data range of 62.8 – 68%. The State did not meet its FFY 2005 target of 100%.</p>	<p>The State revised improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>In response to the State's data being reported as a percentage range, OSEP's March 21, 2006 SPP response letter, Table A, required the State to include the required data and information in reporting its performance on this indicator in the FFY 2005 APR, due February 1, 2007, and that failure to do so may affect OSEP's determination of the State's status under section 616(d) of the IDEA. In the FFY 2005 APR, the State provided one percentage and the raw data for this indicator and noted that improvements in its data collection and verification system now allow it to identify a single percentage of children served in Part C and referred for Part B services that had an IEP developed and implemented by their third birthday.</p> <p>OSEP's March 21, 2006 SPP response letter, Table B, required the State to 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 and noted that failure to demonstrate compliance in the FFY 2005 APR may affect OSEP's determination of the State's status under section 616(d) of the IDEA. The State has submitted the required data and added improvement activities to its revised SPP that are designed to allow for continued improvement on this indicator. OSEP accepts those revisions.</p> <p>OSEPS 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, including data demonstrating correction of noncompliance identified in FFY 2005, and 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 76.36%.</p> <p>The State used the wrong measurement for this indicator.</p>	<p>The State provided baseline data, targets of 100%, and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 21, 2006 SPP response letter, Table B, required the State to ensure that it is implementing its improvement strategies to enable the State to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement and noted that failure to demonstrate compliance may affect OSEP's determination of the State's status under</p>

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
		<p>section 616(d) of the IDEA.</p> <p>The State reported that 76.36% of, or 210 of 275, transition plans for youth aged 16 and above with an IEP included coordinated, measurable, annual IEP goals and transition services to reasonably enable those students to meet their post-secondary goals. Indicator 13 requires States to report the percent of youth, not the percent of transition plans. The State must ensure that its reported data aligns with the indicator.</p> <p>The State must review its improvement activities and revise, 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 34 CFR §300.320(b), including data demonstrating correction of the remaining 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>	<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>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>The State's FFY 2005 reported data for this indicator are 98.53%. This represents progress from the FFY 2004 data of 91%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not provide evidence of timely correction of prior noncompliance.</p>	<p>The State revised the collapsed reporting category for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported that prior noncompliance was corrected.</p> <p>OSEP's March 21, 2006 SPP response letter required the State to include in the February 1, 2007 APR data to verify that the State had monitored programs for students with disabilities in correctional facilities run by the Community High School of Vermont and report on the percent of noncompliance identified and corrected within one year. In addition, OSEP's SPP response letter, Table B, required the State to submit documentation that it has ensured the correction of noncompliance related to: 1) transition service participants at IEP meetings pursuant to 34 CFR §300.344(b)(now 34 CFR §300.321(b)); and 2) notice regarding secondary transition pursuant to 34 CFR §300.345(b)(2)(now 34 CFR §300.322(b)(2)). The State must ensure that it is implementing improvement strategies to enable the State to include data in the APR that demonstrate correction of</p>



Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
		<p>these specific areas of noncompliance. OSEP’s SPP response letter required the State to include the number of findings of noncompliance made in 2004-2005 and the number of findings that were corrected as soon as possible, but no later than one year from identification in 2005-06. The SPP response letter noted that the failure to demonstrate compliance in the FFY 2005 APR may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p> <p>The State reported that a monitoring report for the nine prison-based sites was issued in Spring 2006 and those corrective actions are being implemented. It also reported that it completed monitoring of the community-based sites in December 2006 and that monitoring reports will be issued and corrective actions will be tracked for completion within one year. It is not clear, however, whether the noncompliance has been corrected through the corrective actions. The State did not submit data on the correction of noncompliance regarding transition service participants at IEP meetings and notice regarding secondary transition.</p> <p>The State reported that 100% of noncompliance was corrected within one year for administrative complaints, dispute resolution and due process hearings and non-priority monitoring areas, while 97.67% of noncompliance related to monitoring areas was corrected within one year. The State reported that it did not meet its 100% target due to the performance of one LEA, which was experiencing transition due to a change in administration. The State included the number of findings of noncompliance that were corrected within one year related to dispute resolution and priority and non-priority areas. The State did not break these data down by indicator. 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 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 disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in reporting on Indicators 11, 12, and 13, specifically identify and address the the noncompliance identified in this table for those indicators.</p>
16. Percent of signed written complaints with	The State’s FFY 2005	OSEP’s March 21, 2006 SPP response letter, Table B, required the State to

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<p>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>reported data for this indicator are 100%. This represents progress over the FFY 2004 baseline of 83.33%. The State met its FFY 2005 target of 100%.</p>	<p>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 demonstrated compliance with this indicator. The State has successfully demonstrated a 16.67% increase in compliance resulting in 100% compliance with this indicator.</p> <p>The State met its target. OSEP appreciates the State's efforts 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>
<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>The State met its target. OSEP appreciates the State's efforts 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 data for this indicator are 55%.</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 63%. This represents slippage from the FFY 2004 data of 64%. The State did not meet its FFY 2005 target of 67%.</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>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 reported FFY data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>The State reports timely and accurate submission of required data and reporting requirements. OSEP notes, however, that the State used the wrong measurement of Indicator 13.</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</p>

<b>Monitoring Priorities and Indicators</b>	<b>Status</b>	<b>OSEP Analysis/Next Steps</b>
		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).