

Arkansas 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 reported data for this indicator are 87.49% of children with disabilities. These data are the same as the State's FFY 2004 reported data. The State did not meet its FFY 2005 target of 88.0%.</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 reported data for this indicator are 2.59%. The State met its FFY 2005 target of 2.70%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 21.43% for literacy. The State met its FFY 2005 target of 9.00% for literacy.</p> <p>The State's FFY 2005 reported data for this indicator are 32.00% for math. This represents slippage from the State's FFY 2004 reported data of 32.43%. The State did not meet its FFY 2005 target of 36.48% for math.</p>	<p>OSEP appreciates the State's efforts to improve performance and 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>B. Participation rate for children with IEPs in</p>	<p>The State's FFY 2005 reported data for this indicator are 96.56%. The State met its</p>	<p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</p>

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<p>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>FFY 2005 target of 95.00%.</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 reported data for this indicator are 14.66% for literacy. The State met its FFY 2005 targets of 13.71% for literacy.</p> <p>The State's FFY 2005 reported data for this indicator are 19.09% for math. The State met its FFY 2005 target of 18.54% for 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 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 9.06%. This represents slippage from FFY 2004 data of 6.15%. The State did not meet its FFY 2005 target of 6.00%.</p>	<p>OSEP's March 10, 2006 FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR the number of children with disabilities who were subject to long-term suspension or expulsions of greater than 10 days in a school year. The SPP was revised to include the number of students for FFY 2004 and FFY 2005.</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 its FFY 2006 APR, the State 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</p>

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		2006 reporting period, so long as the State describes that review in the FFY 2006 APR.)
<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; 4.B. New]</p>		<p>Based upon our preliminary review of all State submissions for Indicator 4B, it appears that the instructions for this indicator were not sufficiently clear and, as a result, confusion remains regarding the establishment of measurements and targets that are race-based and for which there is no finding that the significant discrepancy is based on inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. As a result, use of these targets could raise Constitutional concerns. Therefore, OSEP has decided not to review this year's submissions for Indicator 4B for purposes of approval and will revise instructions for this indicator to clarify how this indicator will be used in the future. Based upon this, OSEP did not consider the submissions for Indicator 4B in making determinations under section 616(d). It is also important that States immediately cease using Indicator 4B measurements and targets, unless they are based on a finding of inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>5A. The State's FFY 2005 reported data are 48.33%. The State met its FFY 2005 target of 46.33%.</p> <p>5B. The State's FFY 2005 reported data are 12.11%. The State met its FFY 2005 target of 12.53%.</p> <p>5C. The State's FFY 2005 reported data are 2.60%. This represents slippage from the State's FFY 2004 reported data of 0.02%. The State did</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State met its targets for 5A and B and OSEP appreciates the State's efforts to improve performance.</p>

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	not meet its FFY 2005 target of 2.58%.	
<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 82.22%. The State met its FFY 2005 target of 63.35%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p> <p>The reported data for this indicator varied slightly from the reported 618 data of 81.74%.</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 with 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 reported FFY 2005 baseline data of 82.92% for parents of children in the early childhood programs and 95.35% for parents of children in the school-aged program.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>

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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>[Compliance Indicator; New]</p>	<p>The State reported FFY 2005 baseline data of 0%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported baseline data of 0% of districts with disproportionate representation that is the result of inappropriate identification. However, in reporting on disproportionate representation that is the result of inappropriate identification, the State reported that it reviewed data for some, but not all race ethnicity categories present in the State. Specifically, the State analyzed data regarding only African-American students. 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 race 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>
<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 reported FFY 2005 baseline data of 0%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported baseline data of 0% of districts with disproportionate representation in specific disability categories that is the result of inappropriate identification. However, while the State identified statewide risk ratios for the six specified disability categories for all five race ethnicity groups, it reported that it considered disproportionality only for minority students. 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 race 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,</p>

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		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 in specific disability categories that is the result of inappropriate identification for both FFY 2005 and FFY 2006.
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 reported FFY 2005 baseline data of 91.9%.</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 a State established timeframe within which the evaluation must be conducted.</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 correction of the 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>The State's FFY 2005 reported data for this indicator are 75.91%. This represents slippage from the State's FFY 2004 reported data of 84.15%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not report on correction of the prior noncompliance.</p>	<p>OSEP's March 10, 2006 FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR data and information indicating that the noncompliance identified in that letter was corrected within one year of its identification. The State provided no evidence of correction of this previously identified noncompliance.</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 §300.124, including correction of noncompliance identified in FFY 2004 and FFY 2005.</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 reported FFY 2005 baseline data of 98.4%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>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 §300.320(b), including 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</p>	<p>A plan that describes how data will be collected was</p>	<p>The State provided a plan that described how the data would be collected. The State must provide baseline data, targets, and improvement activities</p>

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<p>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>provided.</p>	<p>with the FFY 2006 APR, due February 1, 2008.</p> <p>The sampling plan for this indicator is not technically sound. Call your State Contact as soon as possible.</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 85.81%. This represents slippage from the State's FFY 2004 reported data of 99.60. The State did not meet its FFY 2005 target of 100%.</p>	<p>The State revised the baseline for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported that in three districts, prior noncompliance was still outstanding because of staff changes in those school districts.</p> <p>The State 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 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 responding to Indicators 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 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>OSEP appreciates the State'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>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through</p>	<p>The State reported FFY 2005</p>	<p>The State provided baseline data, targets and improvement activities and</p>

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resolution session settlement agreements. [Results Indicator; New]	baseline data of 50%.	OSEP accepts the SPP for this indicator.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State's FFY 2005 reported data for this indicator are 52.00%. This represents slippage from the State's FFY 2004 reported data of 72%. The State did not meet its FFY 2005 target of 72.2%.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.	The State's FFY 2005 reported data for this indicator is 100%. OSEP appreciates the State'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 IDEA section 618 and 34 CFR §§76.720 and 300.601(b).