

Louisiana Part B SPP/APR Response Table

| Monitoring Priorities and Indicators | Status | OSEP Analysis/Next Steps |
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| 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 13.6%. This represents slippage from the State's FFY 2004 reported data of 17.42%. The State did not meet its FFY 2005 target of 18%.</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 22.99%. The State met its FFY 2005 target of 26%.</p> | <p>The State met its target 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 Indicator 3A are 74.6%. The State met its FFY 2005 target of 68.1%.</p> | <p>The State met its target 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>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</p> | <p>The State's FFY 2005 reported data for Indicator 3B for English language arts (ELA) are 99.19%. The State met its FFY 2005 target of 98.71%.</p> <p>The State's FFY 2005</p> | <p>The State met its targets and OSEP appreciates the State's efforts to improve performance for Indicator B.</p> |

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| <p>alternate achievement standards. [Results Indicator]</p> | <p>reported data for Indicator 3B for math are 99.16%. The State met its FFY 2005 target of 98.68%.</p> | |
| <p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. [Results Indicator]</p> | <p>The State reported its FFY 2005 data for proficiency of students with disabilities in math and ELA by grade level. The State established one target for math and one target for ELA for all grades assessed. The State's FFY 2005 reported data for Indicator 3C are 28.41% for ELA and 31.25% for math. The State did not meet its FFY 2005 targets for ELA and math for all grades assessed.</p> | <p>OSEP looks forward to the State's data demonstrating improvement in performance for indicator 3C in the FFY 2006 APR, due February 1, 2008.</p> |
| <p>4. Rates of suspension and expulsion: 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 [Results Indicator]</p> | <p>The State's FFY 2005 reported data for this indicator are 26.5%. This represents slippage from the State's FFY 2004 reported data of 24.1%. The State did not meet its FFY 2005 target of 24.1%.</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>OSEP's March 13, 2006 SPP response letter instructed the State to address the requirements of 34 CFR §300.170(b) (formerly 34 CFR §300.146(b)) for local educational agencies (LEAs) identified with significant discrepancies in rates of long-term suspension and expulsion of children with disabilities in FFY 2004, and to provide, in the FFY 2005 APR, the results of its 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 Part B of the IDEA. In the FFY 2005 APR, the State described its ongoing efforts to reduce the number of inappropriate disciplinary removals of students with disabilities through its review and necessary revision of State policies, as well as through the review, and if appropriate, revision, of</p> |

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| | | <p>policies of LEAs with significant discrepancies in the number/percentage of students with disabilities removed for more than 10 days. However, the State did not indicate that the review by LEAs concerning policies, procedures and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure compliance with Part B of the IDEA, as required by 34 CFR §300.170(b). Further, in the FFY 2005 APR, the State did not describe the results of its review, and if appropriate revision, of the policies, procedures and practices of the LEAs identified in FFY 2004 and FFY 2005 with significant discrepancies in rates of long-term suspension and expulsion of students with disabilities. This represents noncompliance with 34 CFR §300.170(b). To correct this 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 Part B of the IDEA for: (1) all LEAs identified as having significant discrepancies in the SPP; (2) all LEAs identified as having significant discrepancies in the FFY 2005 APR; and (3) all LEAs identified as having significant discrepancies in the FFY 2006 APR.</p> <p>In addition, the State reported in the FFY 2005 APR that, as one of its improvement activities, it is reviewing policies of at least 25% of LEAs per year based on the most recent data available. It is not clear from the above activity and the State's reference to review of LEA policies, whether all affected LEAs with significant discrepancies are required to review, and if appropriate, revise their policies, procedures, and practices, consistent with 34 CFR §300.170(b), or whether the State reviews the policies of only 25% of affected LEAs each year based on the most recent data available. In the FFY 2006 APR, due February 1, 2008, the State must clarify this improvement activity and ensure that all LEAs identified with significant discrepancies are required to review, and if appropriate, revise their policies, procedures, and practices, consistent with 34 CFR §300.170(b) each year.</p> |
| 4. Rates of suspension and expulsion: | | Based upon our preliminary review of all State submissions for Indicator 4B, it appears that the instructions for this indicator were not sufficiently clear |

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| <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>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>The State's FFY 2005 reported data for Indicator 5A are 57.6%. The State met its FFY 2005 target of 55.3%.</p> <p>The State's FFY 2005 reported data for Indicator 5B are 16.7%. The State met its FFY 2005 target of 17.7%.</p> <p>The State's FFY 2005 reported data for Indicator 5C are 1.9%. The State met its FFY 2005 target of 2.22%.</p> | <p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</p> |
| <p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e.,</p> | <p>The State's FFY 2005 reported data for this indicator are 42.59%. The State met its</p> | <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p> |

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| <p>early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p> | <p>FFY 2005 target of 41.67%.</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>The State reported the required entry data.</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>The State did not provide a definition of “comparable to same aged peers,” as required by OSEP’s instructions for the February 1, 2007 SPP submission. The State must include a definition of the term “comparable to same aged peers” 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 data for this indicator are 39%.</p> | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State provided a percentage, but did not provide the corresponding numbers, as required by OSEP’s instructions for Indicator 8 in the February 1, 2007 SPP/APR submission. The State, in its submission for Indicator 8 in the FFY 2006 APR, due February 1, 2008, must provide both the percentage and number of respondent parents who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</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</p> | <p>The State’s FFY 2005 reported baseline data are that 0% of school districts had disproportionate</p> | <p>The State provided targets at 0% and improvement activities, and OSEP accepts the SPP for this indicator.</p> <p>The State explained that it uses multiple methods for determining</p> |

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| <p>the result of inappropriate identification. [Compliance Indicator; New]</p> | <p>representation that is the result of inappropriate identification. However, the State also reported that it could not determine whether the disproportionate representation in 10 districts was the result of inappropriate identification.</p> | <p>disproportionate representation. In FFY 2005, the State identified two districts for focused monitoring to determine if the disproportionate representation was the result of inappropriate identification. The State determined, based on review of district identification, evaluation, and eligibility policies, that no evidence was found. OSEP concludes that the State determined that the disproportionate representation in those two districts was not the result of inappropriate identification.</p> <p>The State also reported that in, what it referred to as FFY 2006, 10 districts identified with disproportionate representation were selected for closer scrutiny through on-site monitoring of their identification policies, procedures, practices and desk audits. The State reported that the requested data were not received until June 2006, and that the State anticipated that its monitoring activities and desk audits would be completed by June 2007 for reporting to OSEP in the State's FFY 2006 APR or earlier.</p> <p>It appears to OSEP that the State has incorrectly referred in its FFY 2005 APR submission to the period from September 2005 to June 2006 as FFY 2006, instead of FFY 2005 (July 1, 2005 through June 30, 2006), which is the correct reporting period for the FFY 2005 APR. Based on the information the State has provided about the date it received the requested information from the districts and their inability to provide the data in a timely manner because of Hurricanes Katrina and Rita, OSEP concludes that the State identified 10 districts with disproportionate representation of Black students in special education and related services in FFY 2005, but has not determined whether the disproportionate representation in those 10 districts was the result of inappropriate identification, as required by 34 CFR §300.600(d)(3).</p> <p>The State must recalculate its baseline data for FFY 2005 based on its determination of whether the disproportionate representation in special education and related services in the ten districts identified in FFY 2005 was the result of inappropriate identification.</p> <p>The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 (July 1, 2005 through June 30, 2006) on the percent of districts identified with disproportionate representation of racial and ethnic groups in special</p> |

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| | | <p>education and related services 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, on the percent of districts identified in FFY 2006 (July 1, 2006 through June 30, 2007) with disproportionate representation of racial and ethnic groups in special education and related services 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>OSEP's March 13, 2006 SPP response letter required the State to provide documentation under Indicator 9 in its FFY 2005 APR on the results of its review of policies, procedures and practices for districts identified with disproportionate representation of racial and ethnic groups receiving special education and related services in the FFY 2003 APR. The State reported under Indicator 9 on its procedure for reviewing district policies and procedures related to identification and evaluation in the 34 districts identified with disproportionate representation of Black students in special education and related services. OSEP appreciates the State's efforts, and no further action with regard to the finding made in the FFY 2003 APR is required.</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. [Compliance Indicator; New]</p> | <p>The State's FFY 2005 baseline data are that 0% of school districts had disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> | <p>The State provided baseline, targets at 0% and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported that it selected two districts for focused on-site monitoring based on disproportionate overrepresentation of all students with disabilities, disproportionate representation based on initial evaluations during the past three years, and disproportionate representation within a specific exceptionality. The State reported that in the two districts selected for focused monitoring, no evidence was found. OSEP interprets this statement to mean that the State determined, as required by 34 CFR §300.600(d)(3), that the disproportionate representation of racial and ethnic groups in specific disability categories in these two districts was not the result of inappropriate identification.</p> <p>OSEP looks forward to reviewing data and information in the FFY 2006</p> |

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| | | <p>APR, due February 1, 2008, that demonstrate that the State has in effect policies and procedures that prevent the inappropriate overidentification or disproportionate representation of racial and ethnic groups in specific disability categories, as required by 34 CFR §300.173.</p> <p>OSEP notes that if the State has not properly reported its FFY 2005 baseline data for Indicator 10, because of its misunderstanding of the applicable reporting period, as reflected in our response to the State’s submission for Indicator 9, the State must recalculate its baseline for FFY 2005 based on districts identified in FFY 2005 with disproportionate representation of racial and ethnic groups in specific disability categories and must determine whether the disproportionate representation was the result of inappropriate identification, as required by 34 CFR 300.600(d)(3).</p> <p>In its submission for Indicator 10, the State also noted that the language has changed in the current report to identify disproportionate representation rather than significant disproportionality. A State may choose to define disproportionate representation as significant disproportionality. However, if it does so, the State must comply both with requirements for Indicators 9 and 10 and with 34 CFR §300.646. The State should clarify whether it is defining disproportionate representation as significant disproportionality in its FFY 2006 APR submission.</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 100%.</p> <p>Valid and reliable baseline data not provided.</p> | <p>The State provided 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 its State timeline begins at receipt of parental consent to evaluate and that districts were successful in ensuring that 100% of children were evaluated and had eligibility determined within the State-established timeline or allowable extensions during FFY 2005. However, the State did not provide any of the required measurements for this indicator, including the number for whom parental consent to evaluate was received (Measurement A), the number determined not eligible whose evaluations were completed within 60 days or the State-established timeline</p> |

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| | | <p>(Measurement B), and the number determined eligible whose evaluations were completed within 60 days (or State-established timeline) (Measurement C). In addition, the State provided no raw data in support of its 100% baseline calculation.</p> <p>The State did not indicate that it was refining its data collection system to include the required measurements for Indicator 11, but did indicate the steps it is taking to track the timeliness of evaluations and to require timely corrective actions when noncompliance is identified.</p> <p>The State must report, in the FFY 2006 APR, due February 1, 2008, FFY 2006 data that reflect the required measurements for this indicator, on the percent and number of children with parental consent to evaluate whose evaluations were completed within the State-established timeline. The State must also provide the range of days beyond the timeline when the evaluations were completed and any reasons for delays, if applicable, in accordance with OSEP's instructions for Indicator 11 in the FFY 2006 APR submission.</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)(ii).</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 64.6%. This represents progress from the State's FFY 2004 reported data of 31.62%. The State did not meet its FFY 2005 target of 100%.</p> <p>In the table the State provided under Indicator 15 of FFY 2004 findings, the State indicated no findings with the requirements regarding the implementation of IEPs at age</p> | <p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>Although the State's FFY 2005 reported data for this indicator are 64.6%, the State reported that in the first quarter of FFY 2006, 88.72% of children served in Part C who are found eligible for services under Part B have IEPs developed and implemented by their third birthdays. OSEP's March 13, 2006 SPP response letter required the State to include data demonstrating compliance with the requirement at 34 CFR §300.124(b) (formerly 34 CFR §300.132(b)) that children served in Part C and found eligible for services under Part B have an IEP developed and implemented by their third birthdays, and to include data in the FFY 2005 APR that reflect all required measurements for Indicator 12. In its February 2007 APR, the State reported which of the children who had IEPs developed and implemented</p> |

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| | three. | <p>after their third birthdays had previously received Part C services and explained the reasons for the delays, and also included data regarding the number of children referred from Part C to Part B who were determined to be NOT eligible and whose eligibility determinations were made prior to their third birthdays.</p> <p>The State did not provide the number of children for whom parental refusal to consent caused delays in initial services but indicated that it was working with districts to collect data on this field for reporting in the FFY 2006 APR. The State also indicated that it had instituted monthly monitoring of its LEAs, and that it has taken additional actions to address LEA noncompliance in FFY 2005, including stronger follow-up action to achieve compliance. The State also reported that compliance has improved significantly in the first quarter of the FFY 2006 reporting period.</p> <p>The State must provide all required measurements for Indicator 12 in the FFY 2006 APR, due February 1, 2008.</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 in 34 CFR §300.124, including data on correction of noncompliance identified in FFY 2005 and data on correction of remaining noncompliance identified in FFY 2003 and 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 31%. The State reported that it is taking steps to correct this noncompliance.</p> | <p>The State provided baseline, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported the percentage of youth aged 16 and above with IEPs that included coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. However, the State did not provide actual numbers of youth with IEPs that included annual IEP goals and transition services, to correspond to the reported percentage. The State must provide both the percentage and the actual number of youth aged 16 and above with IEPs that included coordinated, measurable, annual IEP goals and transition services that are reasonably designed to enable the student to reach the post-secondary goals</p> |

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| | | <p>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 §300.320(b), 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> | <p>The State provided a plan that describes how data will be collected.</p> | <p>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 84%. This represents slippage from the State's FFY 2004 revised baseline data of 86%. The State did not meet its FFY 2005 target of 100%.</p> <p>In the table the State provided under Indicator 15 of FFY 2004 findings, the State indicated no findings with the requirements regarding the implementation of IEPs at age three.</p> | <p>The State revised the baseline and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported the percentage of the findings that it made during FFY 2004 that were timely corrected in FFY 2005, and the actual number of findings of noncompliance that were identified during FFY 2004. The State did not, however, also report the actual number of those findings that were corrected within one year from the date of identification in FFY 2005, as it was required to report under Indicator 15.</p> <p>OSEP's March 13, 2006 SPP response letter required the State to provide data in the FFY 2005 APR demonstrating correction of identified noncompliance within one year of its identification. Although the State reported slippage, it demonstrated that the districts impacted by Hurricanes Katrina and Rita were significantly impeded in their efforts to achieve correction. The State reported that timely correction of identified noncompliance occurred 92% of the time in those districts not impacted by the hurricanes, as compared with 74% correction of noncompliance in those districts that were impacted by the hurricanes. The State also outlined the steps it is taking to ensure timely correction of identified noncompliance. 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> |

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| | | <p>FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 20 U.S.C. 1232d(b)(3)(E), and 34 CFR §300.149 and 300.600.</p> <p>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 12 and 13 in the FFY 2006 APR, specifically identify and address the noncompliance identified in this table under those indicators, including correction of noncompliance identified in FFY 2003, FFY 2004 and FFY 2005 under Indicator 12.</p> <p>OSEP's March 13, 2006 SPP response letter required the State to include in the FFY 2005 APR data demonstrating correction of the noncompliance with least restrictive environment requirements identified in Jefferson Parish. The State provided detailed information in the FFY 2005 APR regarding its ongoing actions to ensure compliance in Jefferson Parish, including a mediation process and appointment of a special master. OSEP appreciates the State's ongoing efforts to correct this noncompliance.</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 34 CFR §300.152. The State has corrected the noncompliance with this requirement that was identified in OSEP's March 13, 2006 SPP response letter.</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 reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements in 34 CFR §300.515.</p> |
| <p>18. Percent of hearing requests that went to resolution sessions that were resolved through</p> | <p>The State's FFY 2005 reported baseline data for this</p> | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> |

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| <p>resolution session settlement agreements. [Results Indicator; New]</p> | <p>indicator are 60%.</p> | |
| <p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p> | <p>The State's FFY 2005 reported data for this indicator are 81.8%. This represents slippage from the State's FFY 2004 data of 88%. The State did not meet its FFY 2005 target of 88.2%.</p> | <p>The State revised the targets and the timelines for the improvement activities for this indicator in its SPP and OSEP accepts those revisions. 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. [Compliance Indicator]</p> | <p>The State's FFY 2005 reported data for this indicator are 100%. Data for Indicator 11 are not valid and reliable. The State has not met its FFY 2005 target of 100%.</p> | <p>The State's FFY 2005 reported data for this indicator are 100%. However, the State did not provide an analysis or explanation of how it made this determination. In addition, the State's FFY 2005 baseline data for Indicator 11 are not valid and reliable. 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> |