

Oregon 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 did not report FFY 2005 data for this indicator. The State reported revised baseline data for FFY 2004 of 63%.</p> <p>The State did not provide the correct year's data in reporting on this indicator.</p>	<p>The State submitted baseline data for FFY 2004 and added one improvement activity in its SPP and OSEP accepts those revisions.</p> <p>Although the State did not report the correct year's data in the FFY 2005 APR, it indicated that it was taking steps to ensure that district-level data would be submitted more efficiently so that the State could report the correct year's data. OSEP's March 20, 2006 FFY response letter required the State to include, in its FFY 2005 APR, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006) in the FFY 2005 APR for Indicator 1.</p> <p>The State did not submit the progress data from FFY 2005 as required. The State must provide progress data for FFY 2005 and FFY 2006, 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>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 did not report FFY 2005 data for this indicator. The State reported revised baseline data for FFY 2004 of 4.3%.</p> <p>The State did not provide data for the correct year in reporting for this indicator.</p>	<p>The State submitted baseline data for FFY 2004 and added an improvement activity in its SPP and OSEP accepts those revisions. However, the State did not report the correct year's data for this indicator. The State indicated that it was taking steps to ensure that district-level data were submitted more efficiently to the State so that the State could report the correct year's data.</p> <p>OSEP's March 20, 2006 response letter required the State to include in its FFY 2005 APR both baseline data from FFY 2004 and progress data from FFY 2005.</p> <p>Although the State submitted baseline data from FFY 2004 in the FFY 2005 APR, the State did not submit the progress data from FFY 2005 as required. The State must provide the progress data for FFY 2005 and FFY 2006, in the FFY 2006 APR, due February 1, 2008.</p>

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		OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.
<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 9%. This represents slippage from the State's initial baseline data of 13%. The State did not meet its FFY 2005 target of 14%.</p>	<p>The State revised the baseline and targets for this indicator in its SPP and OSEP accepts those revisions. The State revised its baseline for FFY 2004 from 13% to 8% to reflect district proficiency for the disability subgroup in both reading and math.</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>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 reported data for Indicator 3B are 96.1% for English/language arts. This represents progress from the State's FFY 2004 baseline data of 95.6% for English/language arts. The State did not meet its FFY 2005 target of 96.3% for English/ language arts.</p> <p>The State's FFY 2005 reported data for Indicator 3B are 97.3% for math. The State met its FFY 2005 target of 96.1% for math.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance for Indicator 3B in English language arts in the FFY 2006 APR, due February 1, 2008. The State met its target for math 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>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 Indicator 3C are 39.1% for English/language arts. This represents progress from the State's FFY 2004 baseline data of 35.7% for English/language arts. The State did not meet its FFY 2005 target of 50% for English/language arts. The State's FFY 2005 reported data</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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	for math are 48.9%. This represents slippage from the State's FFY 2004 baseline data of 49.1% for math. The State did not meet its FFY 2005 target of 49% for Math.	
<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 reported that applying the chi-square analysis, the State identified 9 of its 127 districts as having greater than expected rates of suspensions/expulsions for students with disabilities.</p>	<p>The State revised its targets for this indicator in its SPP and OSEP accepts those revisions. The State reported that it will establish initial baseline data for FFY 2005 on the percent of districts with significant discrepancies comparing suspension and expulsion rates for students with and without disabilities for reporting in the FFY 2006 APR.</p> <p>Based on its two-tier definition of significant discrepancy, the State identified 9 of its 127 districts outside of its performance threshold for suspension/expulsion. The State reported that those districts identified in tier 1 have not completed the tier two reviews, the second part of the State's definition of significant discrepancy, in which the State determines whether the discrepancy is justified due to the unique characteristics of the district or whether verification of further analysis is required. The State reported that it would apply the two-tier definition to the 9 districts identified within tier-one in the 2006-2007 school year. OSEP finds that the State is not using an appropriate method for identifying significant discrepancies because the State's process could span more than one school year before identification of a district with a significant discrepancy. This is inconsistent with 34 CFR §300.170, which provides that the review of policies, procedures, and practices is a consequence of, and not a part of, identification of significant discrepancies. The State must demonstrate in the FFY 2006 APR that it has adopted and used a proper method for identifying significant discrepancies, based on both the FFY 2005 and FFY 2006 data.</p> <p>If the State identifies significant discrepancies, in accordance with 34 CFR §300.170(a), then the State must describe, in the 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, as required by 34 CFR §300.170(b) for: (1) the LEAs identified as having significant discrepancies in the FFY 2005 APR;</p>

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		<p>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>OSEP's March 20, 2006 SPP response letter required the State to include the results of the review of policies, procedures, and practices in the 2 districts identified with significant discrepancies in the SPP.</p> <p>The State reported that it had reviewed the policies and procedures of the two districts identified with significant discrepancies in 2004-2005 and found no issues of noncompliance relating to, or requiring the revision of either districts policies or procedures in accordance with 34 CFR §300.170(b).</p> <p>The State reported that it had reviewed the most recent data from these districts for suspension and expulsion and found them within the performance threshold, with no further action required. OSEP is satisfied with the State's response with respect to the two districts identified with significant discrepancies in 2004-2005.</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>

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<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>A. The State's FFY 2005 reported data for this indicator are 70.6%. This represents slippage from the State's FFY 2004 baseline data of 71.4%. The State did not meet its FFY 2005 target of 72% or more.</p> <p>B. The State's FFY 2005 reported data for this indicator are 11.3%. This represents slippage from the State's FFY 2004 baseline data of 10.3%. The State did not meet its FFY 2005 target of 10.2% or less.</p> <p>C. The State's FFY 2005 reported data for indicator 5C are 2.2%. The State met its FFY 2005 target of 2.4% or less.</p>	<p>The State submitted revisions to its SPP improvement activities in the APR and OSEP accepts those revisions. The State also must update its SPP to reflect its revised improvement activities for this indicator.</p> <p>OSEP looks forward to the State's data for 5A and 5B demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>The State met its target for 5C 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., 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 50%. This represents slippage from the State's FFY 2004 baseline data of 51%. The State did not meet its FFY 2005 target of 53%.</p>	<p>The State revised its improvement activities in the APR and OSEP accepts those revisions. The State also must update its SPP to reflect its revised improvement activities.</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>Entry data provided.</p>	<p>The State provided the required entry data and activities. The State must provide progress data and improvement activities with the FFY 2006 APR,</p>

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<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>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 baseline data for Part B-619 are 44% of respondent parents reported that programs facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>For Part B school aged, 25% of respondent parents reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 20 2006 SPP response letter required the State to either submit a revised sampling plan for collecting data for this indicator that addressed the deficiencies in data collection noted in the attachment to OSEP's February 14, 2006 Memorandum, either prior to or with the State's FFY 2005 APR submission. If the State decided not to sample, but rather gather census data, it was required to inform OSEP and revise the SPP accordingly.</p> <p>The State decided to continue to use sampling and submitted a revised sampling plan as requested. The State's sampling plan has been approved.</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>[Compliance Indicator; New]</p>	<p>The State provided data on the number of districts with disproportionate representation of racial and ethnic groups in special education and related services.</p>	<p>The State reported targets at 0% and improvement activities and OSEP accepts the SPP for this indicator. The State provided its definition of disproportionate representation and its multi-step process for determining whether disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification or is justified by the unique characteristics of the district. The State also indicated that its process may span more than one year before final identification of districts could occur.</p> <p>Although the State reported that in FFY 2005, 0% of districts in the State had disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate</p>

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		<p>identification, the description of the State’s multi-step process makes clear that the State did not complete its review of these districts to determine whether the disproportionate representation was the result of inappropriate identification in FFY 2005. The State also reported that in FFY 2005, 33 of its 198 districts, or 16%, were “currently identified” as having disproportionate representation. However, the State indicated that its process for determining whether the disproportionate representation was the result of inappropriate identification, which began in April of 2006, would not be completed until August of 2007, and that the results of its determinations regarding these districts would be reported in the FFY 2006 APR in February of 2008.</p> <p>The measurement for Indicator 9 requires the State to report on the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification, as required by 34 CFR §300.600(d)(3), and to describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). Although the State identified 33 districts with disproportionate representation of racial and ethnic groups in special education and related services, the State did not determine whether the disproportionate representation was the result of inappropriate identification. The State must demonstrate, in its FFY 2006 APR, that it makes an annual determination of whether disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification is occurring in districts in the State, as required by 34 CFR §300.600(d)(3), and must describe how the State made that determination (e.g., monitoring data, review of policies, practices, and procedures, etc.). In addition, 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 special education and related services that was the result of inappropriate identification, and must describe how the State made that determination. The State must also provide data, in its FFY 2006 APR, on the percent of districts identified in FFY 2006 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. If the State determines that any districts have disproportionate representation that</p>

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		<p>was the result of inappropriate identification, the State must include data and information that demonstrate that the districts identified in FFY 2005 and FFY 2006 are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p> <p>OSEP's March 20, 2006 SPP response letter required the State to report on its review, in accordance with 34 CFR §300.755(b) [now 34 CFR §300.646(b)], of policies, procedures, and practices relating to the LEAs identified with significant disproportionality based on race and ethnicity with respect to identification and placement in the FFY 2003 APR. The State reported that it requires corrective action based on review of district policies but that it identified no findings of noncompliance requiring the revision of district policies and procedures for those districts identified with significant disproportionality in the FFY 2003 APR. OSEP is satisfied with the State's response regarding the results of the review, consistent with 34 CFR §300.646, of policies, procedures, and practices of those districts identified with significant disproportionality in the FFY 2003 APR and no further action 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.</p> <p>[Compliance Indicator; New]</p>	<p>The State provided data on the number of districts with disproportionate representation of racial and ethnic groups in specific disability categories.</p>	<p>The State provided targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State provided the same definition of disproportionate representation as the one it provided under Indicator 9 and described its multi-step process for determining whether disproportionate representation of racial and ethnic groups in specific disability categories was justified by the unique characteristics of the district or was the result of inappropriate identification. As was true for Indicator 9, the State was explicit that it could take more than one year before a determination that a district had disproportionate representation that was the result of inappropriate identification could occur.</p> <p>Although the State reported that 0% of districts had disproportionate representation that was the result of inappropriate identification in FFY 2005, the description of the State's multi-step process makes clear that it had not completed its review of those districts to determine whether the disproportionate representation was the result of inappropriate identification. In particular, the State reported that in FFY 2005, 33 of its</p>

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		<p>198 districts, or 16%, were “currently identified” as having disproportionate representation. However, the State indicated that its multi-step process for determining whether the disproportionate representation was the result of inappropriate identification, which began in April of 2006, would not be completed until August of 2007 and that the results of its determinations regarding these districts would be reported in the FFY 2006 APR in February of 2008.</p> <p>The measurement for Indicator 10 requires the State to 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, as required by 34 CFR §300.600(d)(3), and to describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). 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 must 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 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. If the State determines that any districts have disproportionate representation that was the result of inappropriate identification, the State must include data and information that demonstrate that the districts identified in FFY 2005 and FFY 2006 are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p> <p>OSEP’s instructions for Indicator 10 also require States, at a minimum, to examine data for six disability categories—mental retardation, specific learning disability, emotional disturbance, speech or language impairments, other health impairments, and autism. The State must provide data in the FFY 2006 APR, due February 1, 2008, demonstrating that, at a minimum, it has examined data for these disability categories for the districts identified with disproportionate representation of racial and ethnic groups</p>

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		in specific disability categories in 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's FFY 2005 reported baseline data for this indicator are 94.3%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>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 data demonstrating 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 97%, but OSEP recalculated this percentage as 98%. This represents progress from the State's FFY 2004 reported data of 86%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported timely correction of prior noncompliance.</p>	<p>OSEP's March 20, 2006 SPP response letter required the State to include information in the FFY 2005 APR demonstrating compliance with 34 CFR §300.132(b) [now 34 CFR §300.124(b)] and to include all required data and calculations in reporting its performance on this indicator, including revised baseline data from FFY 2004. The State revised its FFY 2004 baseline data as requested.</p> <p>The State reported progress data reflecting the required calculations in its revised SPP submitted February 1, 2007, except for Measurement 12-d (number of children for whom parent refusal to consent caused delays in evaluations or initial services). When OSEP added the one child that the State identified for whom parent refusal to consent caused delays in initial services in FFY 2005, the State FFY 2005 data should be recalculated as 98%. It is not clear to OSEP whether the State's revised baseline calculation of 86%, which was based on data from 24 out of 28 children, reflected all required measurements for Indicator 12.</p> <p>The State also outlined the steps that have been taken to correct the noncompliance identified in the two early childhood special education programs in FFY 2004 and reported that this noncompliance had been corrected in FFY 2005. 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 34 CFR §300.124(b), including data on correction of noncompliance identified in FFY 2005.</p>

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<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 baseline data for this indicator are 91% of students aged 16 and above had an IEP that included coordinated, measurable annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.</p>	<p>The State provided baseline data, targets, and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State indicated that it determines whether transition IEPs for youth aged 16 and above are compliant based on whether the IEPs meet three standards: appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; transition services, including courses of study, needed to assist the student in reaching post-secondary goals; and a statement of measurable annual goals including academic and functional goals. The State reported that 454 of 499 IEPs met all three standards.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 34 CFR §300.320(b), including data on 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 94%. This represents progress from the State's FFY 2004 reported data of 89%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported on correction of prior noncompliance.</p>	<p>The State submitted revised baseline data for this indicator for FFY 2004 of 89% in its APR and additional improvement activities and OSEP accepts those revisions. The State must update its SPP to reflect these changes.</p> <p>OSEP's March 20, 2006 SPP response letter required the State to include in the February 1, 2007 APR documentation that the State ensured the correction of identified noncompliance, as soon as possible but in no case later than one year from identification. The State reported on its completion of the correction of prior noncompliance identified in FFY 2003.</p> <p>The State provided FFY 2005 data indicating that in FFY 2004, the State made 374 findings of noncompliance. The State reported that 353 findings, or 94%, were corrected within one year of identification in FFY</p>

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		<p>2005 in 72 of 74 districts with findings. The State reported that it provided focused assistance to the two districts that had not timely corrected noncompliance in FFY 2005, including an onsite visit for additional data collection, focused discussion and technical assistance. The State also reported that by the time it submitted its APR to OSEP in February of 2007, additional documentation had been received from one of the districts documenting completion of correction of the identified noncompliance and that focused interventions would be implemented for the one remaining school district if facilitated assistance did not result in correction of prior noncompliance. The State also reported that of 16 of 20 school districts that had complaint findings in FFY 2004, 33 of 35 findings, or 94%, were corrected within one year of identification.</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 in 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 reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 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 reported no fully adjudicated hearings in FFY 2005.</p>	<p>In addition to reporting that there were no fully adjudicated hearings in FFY 2005, the State reported that it had one fully adjudicated hearing in FFY 2004 and that the decision was issued one day late. The State must revise its baseline data in its SPP to reflect this information.</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</p>

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		§300.515.
<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>	Not applicable.	The State is not required to provide baseline, targets or improvement activities until any FFY in which 10 or more resolution meetings were held.
<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 77%. This represents slippage from the State's FFY 2004 baseline data of 86.3%. The State did not meet its FFY 2005 target of 86.5%.</p>	<p>The State reported that 30 of 39 mediation requests resulted in agreement. OSEP looks forward to reviewing data in the FFY 2005 APR, due February 1, 2008, that demonstrate improvement in performance.</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 reported many percentages and did not report its data in a single percentage for this indicator. OSEP cannot determine whether progress was made because the State did not report its baseline data as a percentage.</p>	<p>The State submitted additional and revised improvement activities for this indicator and OSEP accepts those revisions. The State must update its SPP to reflect its revised improvement activities.</p> <p>OSEP cannot determine whether progress was made because the baseline data for FFY 2004 and the data for FFY 2005 were not reported in percentages and the methods of reporting the data do not appear comparable.</p> <p>The State analyzed each type of report that LEAs/programs submitted to the State and that the State submitted to OSEP and whether the reports were timely and accurate. OSEP commends the State for its thorough analysis of the data for Indicator 20. Although the State provided data on the timeliness and accuracy of all of its required 618 and APR submissions, the State did not submit data for the correct year for indicators 1 and 2 and submitted incomplete data for Indicator 4a, 9 and 10 in its FFY 2005 APR.</p> <p>The State must report its FFY 2006 data for this indicator as a composite percentage, in accordance with OSEP's instructions for the February 2008 SPP/APR submission. 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</p>

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		§§76.720 and 300.601(b).