

District of Columbia Part B FFY 2006 SPP/APR Response

The State has not publicly reported on the performance of each local education agency (LEA) located in the State on the targets in the State’s performance plan as required by IDEA section 616(b)(2)(C)(ii)(I).

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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. [Results Indicator]</p>	<p>The State revised the baseline, targets, and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State’s FFY 2006 reported data for this indicator are 39%. These data represent slippage from the FFY 2005 data of 42%.</p> <p>The State did not meet its FFY 2006 target of 42.5%.</p> <p>The State reported it is unable to provide the information required by the FFY 2005 response table related to FFY 2004 data and that the FFY 2005 data will be used to establish baseline for this indicator.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, FFY 2004 baseline data and FFY 2005 progress data. The State reported it is unable to provide the FFY 2004 data and that the FFY 2005 data will be used to establish baseline for this indicator.</p> <p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</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. [Results Indicator]</p>	<p>The State revised the baseline, targets, and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported that the FFY 2004 data reported in the FFY 2005 APR were inaccurate and that accurate FFY 2004 data are not available. The State reported FFY 2005 data of 7.2% and indicated these data will be used to establish baseline for this indicator.</p> <p>The State’s FFY 2006 reported data for this indicator are 9.4%. These data represent slippage from the State’s FFY 2005 data of 7.2%.</p> <p>The State did not meet its FFY 2006 target of 7.0%.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, FFY 2005 progress data. OSEP also advised the State that the SPP targets did not reflect the requirements for this indicator and recommended the State revise them and provide documentation of the revisions with the FFY 2006 APR. The State reported FFY 2005 data as required and provided documentation of the revised targets.</p> <p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: A. Percent of districts that have a disability subgroup that meets the State’s minimum “n” size meeting</p>	<p>The State provided inconsistent FFY 2006 data for this indicator. On page 16 of the APR, the State reported 26.3% for Reading and 36.8% for Math (elementary grades) and 52.4% for Reading and 47.6% for Math (secondary grades).</p> <p>These data are not valid or reliable because it is unclear to OSEP: (1) whether DCPS, the LEA, is included in the 19 elementary and 21</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, progress data for FFY 2005 and other required information, consistent with the measurement and instructions for this indicator (i.e., reflect the <i>percent of districts meeting the minimum</i></p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>the State’s AYP objectives for progress for disability subgroup. [Results Indicator]</p>	<p>secondary “tested LEAs” used to calculate the results; and (2) whether the “tested LEAs” are those LEAs that have a disability subgroup that meets the State’s minimum “n” size. In addition, the data are not consistent with information the State reported on page 15 of the APR, which reflects FFY 2006 data for this indicator of 16%.</p> <p>Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>OSEP was unable to determine whether the State’s targets for this indicator reflect the requirements for this indicator (i.e., the <u>percent of districts</u> that have a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP objectives for progress for the disability subgroup).</p> <p>The State did not provide the information required by the FFY 2005 response table related to reporting progress data for FFY 2005.</p>	<p>“n” size that meet the State’s AYP objectives for progress in the disability subgroup).</p> <p>The State did not provide progress data for FFY 2005. Additionally, the State did not submit valid or reliable FFY 2006 data and did not ensure that the data reported were consistent with the required measurement and instructions for this indicator. The State must provide the required data, consistent with the measurement and instructions for FFY 2005, FFY 2006 and FFY 2007 in the FFY 2007 APR, due February 1, 2009.</p> <p>OSEP encourages the State to review its targets and revise them, as appropriate, to ensure they specifically address the requirements of this indicator. The State must provide documentation of any revisions to the targets with the FFY 2007 APR, due February 1, 2009.</p> <p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: 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. [Results Indicator]</p>	<p>The State’s FFY 2006 reported data for this indicator are 90.4%. However, OSEP recalculated the data to be 90.25%.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State’s FFY 2005 data were disaggregated by content area, rather than reported as an overall participation rate, and are not comparable.</p> <p>The State did not submit a copy of Table 6 for the correct reporting period.</p> <p>The State did not meet its FFY 2006 target of 92%.</p>	<p>The State must submit, consistent with the instructions for this indicator, a copy of Table 6 for the correct reporting period in the FFY 2007 APR, due February 1, 2009.</p> <p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 reported the number of children who scored proficient and above by content area and by the type of statewide assessment (standard assessment and alternate assessment). OSEP calculated the State's data to be 12.26% for Reading and 8.31% for Math. These data represent progress from the FFY 2005 data of 12.16% for Reading and progress from 7.6% for Math.</p> <p>The State did not submit a copy of Table 6 for the correct reporting period.</p> <p>The State did not meet its FFY 2006 target of 38%.</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to submit, in the FFY 2006 APR, due February 1, 2008, data for this indicator that are consistent with its 618 State reported data (Table 6). Because the State did not submit a copy of Table 6 for the correct reporting period in the FFY 2006 APR, OSEP could not determine if the data for this indicator are consistent with the State's 618 State reported data (Table 6).</p> <p>In the FFY 2007 APR, due February 1, 2009, the State must submit FFY 2007 progress data in a manner consistent with the required measurement (i.e., a statewide percentage). In addition, the State must submit, consistent with the instructions for this indicator, a copy of Table 6 for the correct reporting period.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</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 revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State reported inconsistent FFY 2006 data for this indicator. On page 19 of the APR, the State indicated 11.5% of districts were identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. However, on page 20 of the APR, the State reported FFY 2006 data of 5.6% (see "2007 Indicator 4A Summary"). On that same page, the State also reported FFY 2006 data of 5.34%.</p> <p>On page 20 of the APR, the State reported FFY 2005 data of 33.3% (see "2006 Indicator 4A Summary"). However, on that same page, the State also reported FFY 2005 data of 14.8%.</p> <p>The State's reported FFY 2005 and FFY 2006 data are not valid or reliable because the data reported under this indicator are inconsistent. The State</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008: (1) FFY 2004 baseline data; (2) FFY 2005 progress data; and (3) a description of 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 any LEAs identified as having significant discrepancies.</p> <p>The State reported it is unable to provide FFY 2004 data. The State did not submit valid or</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>reported three different numbers for FFY 2006 and two different numbers for FFY 2005 and OSEP could not determine which data are accurate.</p> <p>The State did not establish baseline data for this indicator and did not submit valid or reliable data for FFY 2005 and FFY 2006. Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>The State reported it is unable to provide the information required by the FFY 2005 response table related to reporting FFY 2004 data and that FFY 2005 data will be used to establish baseline for this indicator.</p> <p>It is unclear to OSEP whether the State reviewed, and if appropriate, revised (or required the affected LEAs to revise), its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b), for any LEA identified with significant discrepancies based on FFY 2005 data.</p>	<p>reliable data for FFY 2005 and FFY 2006. It is unclear to OSEP whether the State reviewed, and if appropriate, revised (or required the affected LEAs to revise), its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b), for any LEA identified with a significant discrepancy based on the State’s examination of the FFY 2005 data. This constitutes noncompliance with the requirements of 34 CFR §300.170(b).</p> <p>The State must provide the required data for FFY 2005 and FFY 2006, consistent with the measurement for this indicator, in the FFY 2007 APR, due February 1, 2009.</p> <p>In reporting on this indicator in the FFY 2007 APR, due February 1, 2008, the State must describe the results of the State’s examination of data from FFY 2007 (2007-2008). In addition, 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 behavior intervention and supports, and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2005 and FFY 2006, as required by 34 CFR §300.170(b).</p> <p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																
<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]</p>	<p>Reporting on Indicator 4B was not required for the FFY 2006 APR.</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 revised the targets for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 792 1419 1174"> <thead> <tr> <th></th> <th>FFY 2005 Data</th> <th>FFY 2006 Data</th> <th>FFY 2006 Target</th> </tr> </thead> <tbody> <tr> <td>A. Removed from regular class less than 21% of the day.</td> <td>22.91%</td> <td>19.17%</td> <td>12.5%</td> </tr> <tr> <td>B. Removed from regular class greater than 60% of the day.</td> <td>18.6%</td> <td>18.25%</td> <td>14.5%</td> </tr> <tr> <td>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td>24.4%</td> <td>25.72%</td> <td>29.0%</td> </tr> </tbody> </table> <p>These data represent progress for 5B and slippage for 5A and 5C from the FFY 2005 data. The State met its FFY 2006 targets for 5A and 5C and did not meet its target for 5B.</p>		FFY 2005 Data	FFY 2006 Data	FFY 2006 Target	A. Removed from regular class less than 21% of the day.	22.91%	19.17%	12.5%	B. Removed from regular class greater than 60% of the day.	18.6%	18.25%	14.5%	C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	24.4%	25.72%	29.0%	<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 2007 APR, due February 1, 2009.</p> <p>OSEP reminds the State it must ensure that the SPP as posted on its website is revised to reflect the revised targets for this indicator.</p>
	FFY 2005 Data	FFY 2006 Data	FFY 2006 Target															
A. Removed from regular class less than 21% of the day.	22.91%	19.17%	12.5%															
B. Removed from regular class greater than 60% of the day.	18.6%	18.25%	14.5%															
C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	24.4%	25.72%	29.0%															
<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</p>	<p>Reporting on Indicator 6 was not required for the FFY 2006 APR.</p>																	

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</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 did not provide FFY 2005 entry data or FFY 2006 progress data for this indicator.</p> <p>The State provided improvement activities for this indicator covering the remaining years of the SPP.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, progress data and improvement activities. The State provided improvement activities but did not report the required data for FFY 2005 and FFY 2006.</p> <p>The State provided a plan to collect the required data and indicated that baseline data will be reported with the FFY 2008 APR, due February 1, 2010. The State reported that it would provide entry-level data results in February 2009. The State must provide entry data with the FFY 2007 APR, due February 1, 2009, and baseline data and targets with the FFY 2008 APR, due February 1, 2010.</p> <p>The SPP currently posted on the State’s website includes targets for this indicator. It is not clear to OSEP how the State was able to establish targets, given no baseline data currently exist. The State may wish to adjust its targets after baseline data have been established for this indicator.</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]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2006 reported data for this indicator are 78%. These data represent progress from the FFY 2005 data of 68.2%.</p> <p>The State met its FFY 2006 target of 68.5%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p> <p>OSEP reminds the State it must ensure that the SPP as posted on its website is revised to reflect the improvement activities.</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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]</p>	<p>The State did not report the actual number of districts determined in FFY 2005 and FFY 2006 to have disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State reported that 8.3% of districts with a minimum “n” size of 40 have disproportionate representation of racial and ethnic groups in special education and related services for FFY 2006.</p> <p>The State’s reported data are not valid or reliable because they do not reflect the measurement for this indicator. Specifically, the State identified districts with disproportionate representation of racial or ethnic groups in special education and related services but did not determine if the disproportionate representation was the result of inappropriate identification for FFY 2006. Further, the State reported three districts did not report data and three districts had data problems and were excluded from the State’s analysis. The State also reported on page 34 of the APR, “[d]istricts that have more than 40 IEP students, but whose disproportionality calculations are influenced by the presence of low numbers of students of particular racial or ethnic groups in the general and special education populations are not included” in the State’s analysis.</p> <p>The State did not provide the information required by the FFY 2005 response table related to reporting FFY 2005 baseline data 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 describing how it made the determination.</p> <p>Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, 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 describe how the State made that determination. The State did not provide the required FFY 2005 data and description in the FFY 2006 APR.</p> <p>The State did not provide valid or reliable FFY 2006 data that are consistent with the measurement for this indicator. The State must provide FFY 2005 baseline data, and FFY 2006 and FFY 2007 progress data that are consistent with the required measurement in the FFY 2007 APR, due February 1, 2009. In addition, in the FFY 2007 APR, the State must clarify its criteria for determining what constitutes a “low number” of students of particular racial or ethnic groups that would result in the exclusion of a district’s data from the analysis of the State’s data for this indicator.</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]</p>	<p>The State did not report the actual number of districts determined in FFY 2005 and FFY 2006 to have disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported that 19.6% of districts with a minimum “n” size of 40 have disproportionate representation of racial and ethnic groups in specific disability categories for FFY 2006. However, the State’s reported data are</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, 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 to</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>not valid or reliable because they do not reflect the measurement for this indicator. Specifically, the State identified districts that have disproportionate representation of racial and ethnic groups in specific disability categories, but did not determine if the disproportionate representation was the result of inappropriate identification for FFY 2006. Further, although the State indicated on page 36 of the APR that data from charter schools that are public schools of the DCPS LEA have been “aggregated with data from DCPS”, the information reported on page 42 of the APR indicates the State reported and analyzed the data for charter schools without consideration of each charter school’s legal status as an LEA or public school of the DCPS LEA. Based on the information reported on page one of the APR, the total number of LEAs for the purposes of calculating the results for this indicator is 36 (unless the State establishes a minimum “n” size for the number of students with disabilities enrolled in an LEA for this indicator).</p> <p>The State reported on page 42 of the APR that three districts did not report (two districts have no special education students) and 24 districts had data problems. It is unclear to OSEP whether the data from these districts were excluded from the State’s analysis. The State reported on page 43 of the APR that “[d]istricts whose disproportionality calculations are influenced by the presence of a very low number of students in the special education population are not included” but the State did not specify the number of districts excluded from the analysis.</p> <p>The State did not provide the information required by the FFY 2005 response table related to reporting FFY 2005 baseline data 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 describing how it made the determination.</p> <p>Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>describe how the State made that determination. The State did not provide the required data and description in the FFY 2006 APR.</p> <p>The State did not provide valid or reliable FFY 2006 data that are consistent with the measurement for this indicator. The State must provide FFY 2005 baseline data and FFY 2006 and FFY 2007 progress data, consistent with the required measurement in the FFY 2007 APR, due February 1, 2009. In addition, the State must clarify its criteria for determining what constitutes a “very low number” of students of particular racial or ethnic groups that would result in the exclusion of a district’s data from the analysis of the State’s data for this indicator.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]</p>	<p>The State reported FFY 2005 baseline data of 22.3% and OSEP accepts this revision to the State’s SPP.</p> <p>The State’s FFY 2006 reported data for this indicator are 42.08%. These data represent progress from the FFY 2005 data of 22.3%.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, baseline data for FFY 2005. The State provided the FFY 2005 data as required. The State did not report that noncompliance</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State did not report on the correction of the noncompliance related to this indicator (identified in FFY 2005).</p>	<p>identified in FFY 2005 with the timely evaluation requirements in 34 CFR §300.301(c)(1) was corrected in a timely manner.</p> <p>OSEP has imposed <u>Special Conditions</u> on the State's FFY 2007 Part B IDEA grant, due in part, to the State's longstanding noncompliance with the requirements in 34 CFR §300.301(c). The State submitted updated data with the FFY 2006 APR on the percent of initial evaluations completed within the required timeline. OSEP's review of the State's updated data is addressed in the <u>Special Conditions</u> section of this table.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in future submissions to OSEP demonstrating that the State is in compliance with the requirements in 34 CFR §300.301(c). The State must provide in the FFY 2007 APR, due February 1, 2009, FFY 2007 progress data, including reporting correction of the noncompliance identified in the FFY 2006 APR.</p> <p>OSEP reminds the State it must ensure that the SPP as posted on its website is revised to reflect the FFY 2005 baseline data.</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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 40.06%. However, based on the actual numbers provided by the State, OSEP recalculated the FFY 2006 data to be 40.62%. These data represent progress from the State's FFY 2005 data of 37%.</p>	<p>The State did not report that noncompliance identified in FFY 2005 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected in a timely manner. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR,</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State did not report on the correction of the noncompliance related to this indicator (identified in FFY 2005).</p>	<p>due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.124(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.</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]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State’s FFY 2006 reported data for this indicator are 54%. These data represent progress from the FFY 2005 data of 39%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that two of seven LEAs corrected findings of noncompliance identified in FFY 2005 in a timely manner. For the uncorrected noncompliance, the State reported that it provided specific training targeted toward correction of the noncompliance. The State further reported that the State revised the forms and instructions related to transition requirements and required LEAs to begin implementing the State’s policies and procedures included in the State’s Transition Manual.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was partially corrected. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the uncorrected noncompliance was corrected.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.</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 postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>The State provided targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator.</p> <p>The State did not provide FFY 2006 baseline data for this indicator.</p> <p>The State provided definitions of competitive employment and post secondary school enrollment. However, references to another State are included within the State’s definitions. Additionally, the information included in the State’s “Discussion of Baseline Data” on pages four and five of the SPP does not relate to the State’s performance on this indicator.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the State’s definitions of competitive employment and postsecondary school.</p> <p>The State did not submit definitions applicable to the State and did not provide FFY 2006 baseline data for this indicator. The State provided a plan to collect and report the required data beginning in FFY 2007. The State reported that the survey being used to gather the required data was mailed on January 30, 2008 to 496 students that exited from public schools in the State for the 2005-</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>2006 school year. The State further reported that on February 1, 2008, the survey would be mailed to 77 students that exited from nonpublic schools for the 2005-2006 school year.</p> <p>The State must provide the FFY 2006 baseline data and FFY 2007 progress data in the FFY 2007 APR, due February 1, 2009. The State must also include in the FFY 2007 APR, the State's definitions of competitive employment and postsecondary school.</p> <p>The State has established targets for this indicator. It is not clear to OSEP how the State was able to identify targets, given no baseline data currently exist. The State may wish to adjust its targets after baseline data have been established for this indicator.</p> <p>OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.</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 2006 reported data for this indicator are 0%. The State reported that 43 findings of noncompliance were identified in FFY 2005 (2005-2006) and 0% were corrected in a timely manner.</p> <p>Because the State did not identify findings of noncompliance during FFY 2004, OSEP required the State to report in the FFY 2005 APR, the status of correction of noncompliance the State identified in 2005-2006. In the FFY 2005 APR, the State reported 69% of the findings made in the State's monitoring reports were corrected within one year of identification. However, on page 58 of the FFY 2006 APR, the State reported none of the findings identified in the 2005-2006 monitoring reports were corrected within one year of identification. It is OSEP's assumption that the State's FFY 2006 APR data of 0% replace the data submitted in the State's FFY 2005 APR.</p> <p>OSEP was unable to determine if there was progress or slippage, because</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the status of timely correction of the noncompliance findings identified by the State during FFY 2005 (2005-2006), including the 31 findings of noncompliance identified in FFY 2005 through State complaints. In addition, OSEP noted that the State did not clearly indicate that the data included the status of findings of noncompliance that were made through the due process hearings component of the State's general supervision system. The State did not provide the required information.</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>the State established baseline data for this indicator in FFY 2006.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p><u>FFY 2007 Special Conditions Related to Indicator 15:</u></p> <p>The FFY 2007 <u>Special Conditions</u> require that the State provide as part of its response to Indicator 15, an updated description of the components included in the State’s general supervision system (i.e., monitoring and dispute resolution), including a written explanation of how the State uses these components (such as on-site visits, dispute resolution processes, data collection, etc.), to monitor implementation of IDEA requirements by the State’s LEAs. The State did not provide the updated description and explanation as required by the <u>Special Conditions</u>.</p> <p>The FFY 2007 <u>Special Conditions</u> require that the State provide data that include the number of findings of noncompliance identified in the State’s monitoring reports issued between December 2005 and February 1, 2007, and the number of corrections the State verified were completed as soon as possible but in no case later than one year from identification. The State did not specifically report the number of findings of noncompliance identified in the State’s monitoring reports issued between December 2005 and February 1, 2007 in either its FFY 2006 APR or February 1, 2008 <u>Special Conditions</u> Progress Report. The FFY 2006 APR includes the number of findings of noncompliance “identified through monitoring, compliance, hearings, etc.” but the State did not report the number of findings identified in the monitoring reports as required by the FFY 2007 <u>Special Conditions</u>.</p> <p>The State reported that no findings of noncompliance identified in the State-monitoring reports issued for the 2005-2006 school year were corrected within one year of identification. The State submitted a document, “<i>Tracking Corrective Action Plans</i>” that includes the specific areas of noncompliance identified for the LEA monitored; the date the State received the LEA’s Corrective Action Plan (CAP); and the status of whether the LEA has corrected the noncompliance. The <i>Tracking Corrective Action Plans</i> document is not complete in that several LEAs for whom the State issued a monitoring report with findings of noncompliance are not reported. The document does not include the DCPS High School Division, DCPS Middle/Junior High School Division; DCPS Elementary Schools; and five charter schools. Therefore, OSEP could not fully</p>	<p>While the State reported that 0 of 43 findings of noncompliance identified in FFY (2005-2006) were corrected within one year of identification, the State did not report on the status of correction of the 31 findings of noncompliance identified in FFY 2005 through State complaints. The State reported that “the SEA is addressing the nonresponsiveness of LEAs to state complaints” and that “the mechanism to address the noncompliance of complaint investigations will be reported in the 2007 APR.” In addition, while the table on page 56 of the FFY 2006 APR is titled “compliance issues identified through monitoring, compliance, hearings, etc.,” the State did not specify that the 43 findings of noncompliance the State identified in FFY 2005 included findings identified through dispute resolution (i.e., State complaints and due process hearings).</p> <p>The State must demonstrate in the FFY 2007 APR, due February 1, 2009, that the State has corrected the noncompliance identified in Indicator 15 from FFY 2005, including the 31 findings of noncompliance identified in FFY 2005 through State complaints. The State must also clarify that its FFY 2007 progress data on the timely correction of findings of noncompliance identified in FFY 2006 (2006-2007) includes findings of noncompliance that were identified through dispute resolution (i.e., State complaints and due process hearings).</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>determine the status of correction based on this document.</p> <p>The State reported that no enforcement process had been developed for the uncorrected findings from the 2005-2006 school year monitoring. The State further reported it has developed and is beginning to implement a system of “graduated sanctions” to address noncompliance that remains uncorrected beyond the one year timeline. The three-step process is outlined in the State’s document, “<i>Monitoring Through Corrective Action Plans.</i>”</p> <p>The State submitted monitoring reports and corrective actions plans in effect for each LEA issued a written monitoring report since February 1, 2007 as required by the <u>Special Conditions</u>. The State did not specifically report the number of findings of noncompliance identified in those monitoring reports as required by the FFY 2007 <u>Special Conditions</u>. The State provided copies of CAPs in effect for each LEA with findings of noncompliance. According to the documentation provided, the one-year timeline to demonstrate correction of noncompliance identified in the monitoring reports issued since February 1, 2007 has not expired for any LEA.</p> <p>The State’s monitoring reports include a statement that “quantitative noncompliance is indicated if any finding is greater than 10% for negative responses, excluding any non-applicable items.” While the State may take into account the extent of the noncompliance in determining what corrective action is needed, the State must ensure the correction of any noncompliance, notwithstanding the extent of the noncompliance.</p>	<p>data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State timely corrected noncompliance identified in FFY 2006 (2006-2007) under this indicator in accordance with the requirements of 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600.</p> <p>In addition, in responding to Indicators 4A, 11, 12, and 13, the State must specifically identify and address the noncompliance identified in this table under those indicators.</p> <p><u>FFY 2007 Special Conditions Related to Indicator 15:</u></p> <p>OSEP’s July 9, 2007 correspondence awarding the State’s FFY 2007 grant under Part B of the IDEA, specifically Enclosure E (FFY 2007 <u>Special Conditions</u>), required the State to include in the FFY 2006 APR, due February 1, 2008 APR, as part of its response to this indicator: (1) an updated description of the components included in the State’s system of general supervision; (2) data related to the number of findings of noncompliance identified in the State’s monitoring reports, correction of findings, including the status of any findings not yet corrected, and actions taken, including enforcement, when findings were not corrected within one year of identification; and (3) copies of all monitoring reports issued since February 1, 2007. The State did not provide all information required under the FFY 2007 <u>Special Conditions</u>.</p> <p>The State did not provide the updated description and explanation of its system of general supervision and did not report the specific number of findings identified in the</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>monitoring reports issued between December 2005 and February 1, 2007 and since February 1, 2007 as required. The State's documentation does not include the findings for the DCPS High, Middle/Junior High, and Elementary School Divisions and five charter schools that were monitored during the 2005-2006 school year, and therefore, the State's <u>Special Conditions</u> Progress Report is incomplete.</p> <p>The State reported none of the findings from the 2005-2006 school year were corrected within one year of identification and documentation submitted by the State indicates these findings remain uncorrected. The State reported that it had not taken appropriate enforcement action regarding the uncorrected findings of noncompliance from FFY 2005.</p> <p>With the FFY 2006 APR, the State provided copies of 25 monitoring reports issued since February 1, 2007 and the CAPs in effect for each LEA with identified noncompliance. These documents reflect that the State is making progress toward improving its system of monitoring LEAs. For example, the State's documentation indicates: (1) each monitoring report is dated; (2) the State reviewed a larger sample of student records upon which to base conclusions whether the LEA is in compliance with IDEA requirements; (3) as part of its monitoring protocol, the State examined data from multiple sources, including interview information, student records, and the LEA's section 618 data; and (4) the State documented receipt of each LEA's CAP and the State's follow up</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>activities with LEAs that failed to provide a required CAP.</p> <p>Notwithstanding the progress noted above, OSEP continues to have concerns about the State's monitoring system. For example, in some cases, the LEA's CAP did not address all findings of noncompliance. In addition, there are some instances in which the State issued commendations to the LEA for performance in areas that are not applicable to the student population served (e.g., commendation for early childhood transition for an LEA that does not serve children under five years of age). There are, although to a lesser extent than in the 2005-2006 school year monitoring reports, findings that do not accurately reflect the legal requirements. For example, one LEA was cited for failure to comply with the early childhood transition conference requirements at 34 CFR §300.124(c), but the LEA does not serve children under four years of age.</p> <p>The State must clarify in the FFY 2007 APR, due February 1, 2009, that the State ensures the correction of any noncompliance, notwithstanding the extent of the noncompliance.</p> <p>The State must provide the final Progress Report required under the FFY 2007 <u>Special Conditions</u> by June 1, 2008. OSEP will respond to that submission with the State's FFY 2008 grant award.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for</p>	<p>The State's FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%.</p> <p>The State met its FFY 2006 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>exceptional circumstances with respect to a particular complaint. [Compliance Indicator]</p>		<p>§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. [Compliance Indicator]</p>	<p>The State’s FFY 2006 reported data for this indicator are 81.9%. These data are not valid or reliable because the State used the wrong measurement. The information reported by the State on page 61 of the APR indicates the State used the wrong denominator (i.e., the total number of due process hearing requests) which resulted in the State reporting the percent of due process hearing requests that resulted in fully adjudicated hearings, rather than the percent of fully adjudicated 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>The State’s section 618 reported data on Table 7 indicate that 1,097 of the 1,893 fully adjudicated hearings resulted in timely due process hearing decisions (57.9%). These data are not valid or reliable because they are not consistent with the information reported under the indicator in the APR. Under the indicator the State reported 2,313 due process hearing requests were fully adjudicated, whereas in Table 7 the State reported 1,893 due process hearing requests were fully adjudicated.</p> <p>Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>OSEP’s June 15, 2007 FFY 2005 SPP/APR response table required the State to ensure the information submitted in the FFY 2006 APR, due February 1, 2008, is consistent with the requirements at 34 CFR §300.515 and this indicator. The State did not submit the required information in a manner consistent with the indicator.</p> <p>The State did not submit valid or reliable data in that they do not reflect the measurement for the indicator. Further, the data reported under the indicator are not consistent with the State’s reported section 618 data (Table 7). The State must provide the required FFY 2006 data in the FFY 2007 APR, due February 1, 2009.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely due process hearing resolution requirements in 34 CFR §300.515.</p> <p>OSEP reminds the State it must ensure that the SPP targets for this indicator as posted on its website are revised to reflect the requirements for this indicator.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution</p>	<p>The State’s FFY 2006 reported data for this indicator are 9%. These data represent progress from the FFY 2005 data of 3%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p> <p>The State must ensure that the target in the</p>

District of Columbia Part B FFY 2006 SPP/APR Response

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
session settlement agreements. [Results Indicator]	The State met its FFY 2006 target of 6%. The State's targets included in the SPP accurately reflect the requirements for this indicator. However, the State's FFY 2006 target as written on page 62 of the APR does not reflect the requirements of the indicator.	FFY 2007 APR, due February 1, 2009, accurately reflects the requirements for this indicator. OSEP reminds the State it must ensure that the SPP as posted on its website is revised to reflect the FFY 2005 baseline data of 3% for this indicator.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that one of six mediations held resulted in a mediation agreement. The State reported fewer than ten mediations held in FFY 2006. The State is not required to meet its targets until any FFY in which ten or more mediations were held.	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 82.9%. OSEP's calculation of the data for this indicator is 81.1%. The State did not meet its FFY 2006 target of 100%.	The State did not provide valid or reliable data in the FFY 2006 APR for Indicators 3A, 4A, 9, 10, and 17 and did not submit any data for Indicators 7 and 14. In addition, the State did not submit complete section 618 educational environments data. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely and accurate data requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).

High-Risk Special Conditions:

Pursuant to 34 CFR §80.12, OSEP imposed Special Conditions on the State's FFY 2007 grant award under Part B of the IDEA (FFY 2007 Special Conditions), related to the State's noncompliance with the requirements to:

- Provide timely initial evaluations and reevaluations (sections 614(a)(1), (b) and (c) and 614(a)(2), (b) and (c) of IDEA and 34 CFR §§300.301(c)(1) and 300.303);

District of Columbia Part B FFY 2006 SPP/APR Response

- Implement due process hearing decisions in a timely manner (section 615(f) and (i));
- Ensure placement in the least restrictive environment (section 612(a)(5)(A) and 34 CFR §§300.114 through 300.120); and
- Identify and correct noncompliance with the requirements of Part B of the IDEA (20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600).

The noncompliance related to each FFY 2007 Special Condition is addressed below.

Note: These issues were initially identified in the 1998-2001 Compliance Agreement between the State and the Department. All, with the exception of the identification and correction of noncompliance, have been Special Conditions on each grant award from 2001 to present.

**FFY 2007 Special Condition:
Provide timely initial evaluations
and reevaluations**

An **initial evaluation** that meets the requirements of section 20 U.S.C. 614(a)(1), (b) and (c) of Part B of IDEA and 34 CFR §300.301(c)(1) must be completed for all children with disabilities, and an appropriate placement must be made within the maximum number of days established by the State’s policy.

At the end of the final reporting period for FFY 2006, 364 initial evaluations and placements had not been completed within the required timeline at the conclusion of the reporting period with an average number of overdue days of 53. The State reported that 43% of initial evaluations and placements were provided within the required timeline to children with disabilities whose initial evaluation deadlines fell within the final FFY 2006 reporting period.

A **reevaluation** that meets the requirements of 20 U.S.C. 614(a)(2), (b) and (c) of Part B of IDEA and 34 CFR §300.303 must

For the May 12, 2007 through December 31, 2007 reporting period, the State reported that 286 initial evaluations and placements had not been completed within the required timeline at the conclusion of the reporting period with an average number of overdue days of 69.79. The State reported that the percent of timely initial evaluations and placements provided to children with disabilities whose initial evaluation deadlines fell within the reporting period was 42.7%.

For the May 12, 2007 through December 31, 2007 reporting period, the State reported that 2,364 children had not been provided a timely reevaluation at the conclusion of the reporting period, with an average number of overdue days of 199.22. The State reported that the percent of timely reevaluations provided to children whose reevaluation deadlines fell within the reporting period was 37.2%.

Under the FFY 2007 Special Conditions, the State was required to describe the strategies it is implementing to reduce the number of overdue initial evaluations and placements and reevaluations. The State was also required, if there is no progress in reducing the number of overdue initial evaluations and placements and reevaluations, to provide an explanation for the lack of progress and to reevaluate the procedures it is implementing to reduce the number of overdue initial evaluations and placements and reevaluations. In the first FFY 2007 Special Conditions Progress Report, the State identified strategies that are being implementing to reduce the number of untimely initial evaluations and placements and reevaluations as required. The State also provided information regarding the lack of progress in reducing the number of overdue initial evaluations and placements and reevaluations and described a proposed plan that the State is considering to address the lack of progress.

Data provided by the State in the first FFY 2007 Special Conditions Progress Report reflect a decrease in the percent of initial evaluations and placements that were completed timely. The Progress Report also reflects a decrease in the percent of reevaluations that were completed timely.

The State’s first FFY 2007 Special Conditions Progress Report demonstrates that the State is not making progress toward satisfying this Special Condition. The State’s FFY 2007 data reflect lower levels of compliance with meeting required timelines for initial evaluations and placement and reevaluations than reported in FFY 2006.

Initial Evaluations and Placements			
	FFY 2006 First Progress Report 02/07	FFY 2006 Second Progress Report 06/07	FFY 2007 First Progress Report 02/08
Percent Completed Timely	47%	43%	42.7%
Average Number of Overdue Days	112	53	69.79

District of Columbia Part B FFY 2006 SPP/APR Response

be completed for all children with disabilities no later than three years after the date on which the previous evaluation or reevaluation was completed, unless the parent and the LEA agree that a reevaluation is unnecessary.

At the end of the final reporting period for FFY 2006, 2,257 reevaluations had not been conducted in a timely manner, with an average number of overdue days of 67. The State reported that 41% of reevaluations were provided within the required timeline to children with disabilities whose reevaluation deadlines fell during the final FFY 2006 reporting period.

The data in the table below demonstrate the State has continued to report a decrease in the percent of reevaluations that are completed timely. Further, the average length of delays for untimely reevaluations has increased to more than six months:

Reevaluations			
	FFY 2006 First Progress Report 02/07	FFY 2006 Second Progress Report 06/07	FFY 2007 First Progress Report 02/08
Percent Completed Timely	54%	41%	37.2%
Average Number of Overdue Days	115	67	199.22

The State's data demonstrate continued noncompliance with the requirements of 20 U.S.C. 1414(a), (b) and (c) and 34 CFR §§300.301(c)(1) and 300.303.

The State must provide the final Progress Report required under the FFY 2007 Special Conditions by June 1, 2008. OSEP will respond to that submission with the State's FFY 2008 grant award.

FFY 2007 Special Conditions: Implement due process hearing decisions in a timely manner:

Impartial hearing officer decisions must be implemented within the timeframe prescribed by the hearing

The State reported it cannot determine the total number of children whose hearing officer decisions had not been implemented in a timely manner during the first reporting period (May 12, 2007 through December 31, 2007). The State reported 979 hearing officer decisions had not been implemented in a timely manner at the conclusion of the reporting period.

The State reported that 5% of hearing officer decisions were implemented in a

The State did not provide all of the information required under the FFY 2007 Special Conditions in the first FFY 2007 Progress Report. Specifically, the State did not describe the strategies it is implementing to reduce the number of children whose hearing officer decisions are not implemented

District of Columbia Part B FFY 2006 SPP/APR Response

<p>officer, or, if there is no timeframe prescribed by the hearing officer, within a reasonable timeframe set by the State, as required by section 615(f) and (i) of Part B of the IDEA.</p> <p>At the end of the final reporting period for FFY 2006, 1,221 hearing decisions had not been implemented in a timely manner. The State was unable to report the percentage of hearing officer determinations that had been implemented in a timely manner during the final FFY 2006 reporting period.</p>	<p>timely manner, based on 72 cases “known to be implemented timely” during the reporting period.</p> <p>Under the FFY 2007 <u>Special Conditions</u>, the State was required to describe the strategies it is implementing to reduce the number of children whose hearing officer decisions are not implemented in a timely manner, and address any remaining barriers to the timely implementation of hearing officer decisions and the steps being taken to remove those barriers.</p> <p>In the first FFY 2007 <u>Special Conditions</u> Progress Report, the State reported the steps it is taking to improve its data collection and reporting capabilities for this <u>Special Condition</u>. Although the State included one page from an agreement entered into under the Blackman/Jones Consent Decree, the page submitted does not provide information about strategies being implemented to reduce the number of children whose hearing officer decisions are not implemented in a timely manner, actions taken to address barriers to timely implementation of hearing officer decisions, and the steps taken to remove those barriers.</p>	<p>in a timely manner, and address any remaining barriers to the timely implementation of hearing officer decisions and the steps being taken to remove those barriers.</p> <p>The data included in the State’s first FFY 2007 <u>Special Conditions</u> Progress Report demonstrate continued noncompliance with the requirements in section 615(f) and (i) of Part B of the IDEA.</p> <p>The State must provide the final Progress Report required under the FFY 2007 <u>Special Conditions</u> by June 1, 2008. OSEP will respond to that submission with the State’s FFY 2008 grant award.</p>
<p><u>FFY 2007 Special Conditions: Ensure placement in the least restrictive environment:</u></p> <p>All children with disabilities must be placed in the least restrictive environment appropriate to their individual needs, as required by section 612(a)(5)(A) of the IDEA and 34 CFR §§300.114 through 300.120.</p> <p>The FFY 2007 <u>Special Conditions</u> require the State to provide OSEP with a written explanation of how the State is meeting its responsibilities under 34 CFR §§300.119, 300.120 and 300.600 to ensure each public agency complies with the least restrictive environment requirements at 34 CFR §300.114. This includes a description of the activities</p>	<p>The State provided the explanation of how the State is meeting its responsibilities to ensure that each public agency complies with the least restrictive environment provisions of IDEA. The State also included a description of how the State uses the “<i>MDT Guidelines and Placement Guidelines</i>” document to support its efforts to ensure compliance. The State further reported that technical assistance and training has been provided to LEA personnel related to use of these guidelines in the educational decision making process.</p> <p>The State included a document titled, “<i>MDT Notes Guidelines</i>” with its submission. Several of the pages within the “<i>MDT Notes Guidelines</i>” are repeated (i.e., information contained on pages 89-91 is repeated on pages 94-96), and then unduplicated information follows (see pages 97 and 98). OSEP was unable to determine if the document accurately reflects the State’s guidance or if this is the document the State referenced as a tool used to collect information from LEAs about compliance with the LRE requirements (see page 76 of the first FFY 2007 <u>Special Conditions</u> Progress Report).</p> <p>The State reported that the “<i>MDT Checklist</i>” was attached with the first FFY 2007 <u>Special Conditions</u> Progress Report. However, there is no document with that title included with the State’s submission.</p> <p>The State reported that the “compliance results of the usage of the MDT guidelines” will be reported in the “2007 reporting period” (see page 76 of the</p>	<p>The State did not report the required data related to the number of findings of noncompliance related to the least restrictive environment requirements identified in the State’s monitoring reports issued since February 1, 2007. The State did not report “compliance results of the usage of the MDT guidelines.”</p> <p>The State must provide the final Progress Report required under the FFY 2007 <u>Special Conditions</u> by June 1, 2008. OSEP will respond to that submission with the State’s FFY 2008 grant award.</p>

District of Columbia Part B FFY 2006 SPP/APR Response

<p>undertaken to ensure that teachers and administrators in all public agencies are fully informed about their responsibilities for implementing the requirements of 34 CFR §300.114 and any technical assistance and training activities carried out by the State to assist public agencies in this effort, as required by 34 CFR §300.119.</p> <p>If the State uses the “<i>MDT Notes Guidelines</i>” and “<i>Placement Guidelines</i>,” provided in its June 1, 2007 <u>FFY 2006 Special Conditions Progress Report</u>, the State must provide an explanation of how these documents are used to support the State’s efforts to ensure compliance with 34 CFR §300.114 and provide the results. For any public agency that is found to make educational placements that are inconsistent with 34 CFR §300.114, the State must provide OSEP with a written explanation of the steps the State has taken to: (1) review the justification for the public agency’s actions; and (2) assist in planning and implementing the necessary corrective action as required by 34 CFR §300.120.</p> <p>With its FFY 2006 APR, the State must provide to OSEP, any monitoring report(s) issued since February 1, 2007, that include the State’s findings as to whether educational placement decisions were made consistent with the least restrictive environment provisions</p>	<p><u>Special Conditions Progress Report</u>). The State did not include these results in the first FFY 2007 <u>Special Conditions Progress Report</u>.</p> <p>The State reported it has conducted monitoring activities to review LEAs’ compliance with LRE requirements. The results of the monitoring activities, including written monitoring reports notifying the LEAs of identified noncompliance, were submitted to OSEP as required. However, the State did not specify the number of findings of noncompliance related to the LRE requirements made in the monitoring reports and OSEP is unable to determine whether the State made findings specific to the LRE requirements at 34 CFR §300.114.</p> <p>The State submitted a document, “<i>Tracking Corrective Action Plans</i>” that includes the date by which correction of noncompliance must occur. The State also submitted documentation of the State’s follow-up activities to ensure a CAP was submitted for each LEA with identified noncompliance. According to the documentation provided, the one-year timeline to demonstrate correction of noncompliance identified in the monitoring reports issued since February 1, 2007 has not expired for any LEA.</p>	
---	--	--

District of Columbia Part B FFY 2006 SPP/APR Response

<p>of the IDEA at 34 CFR §§300.114 through 300.120. The State must provide the number of findings of noncompliance related to these requirements made in the monitoring reports, the corrective actions imposed, the number and percent of those findings that have been corrected, and the status of any remaining corrective actions, including any actions undertaken by the State to ensure the corrective actions are being implemented and the noncompliance will be corrected within one year of identification.</p>		
<p><u>FFY 2007 Special Conditions: Identify and correct noncompliance:</u></p> <p>The State must identify noncompliance with the requirements of Part B of the IDEA and correct identified deficiencies in a timely manner in accordance with section 612(a)(11) of the IDEA, 34 CFR §300.149, and 20 U.S.C. 1232d(b)(3). The State must have in effect policies and procedures to ensure that it complies with the monitoring and enforcement requirements in 34 CFR §§300.600 through 300.602 and 300.606 through 300.608.</p>	<p>See Indicator 15</p>	<p>See Indicator 15</p>