

District of Columbia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>Status of Public Reporting on LEA Performance: The State has not publicly reported on the FFY 2006 performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA.</p>		
<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 improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported data for this indicator are 53.2%. These data represent progress from the FFY 2006 data of 39%. The State met its FFY 2007 target of 43%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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 improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported data for this indicator are 2.9%. These data represent progress from the FFY 2006 data of 9.4%. The State met its FFY 2007 target of 6.8%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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 the State’s AYP objectives for progress for disability subgroup. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the State’s FFY 2006 data of 0%. OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, data for FFY 2005 and FFY 2006. The State reported recalculated FFY 2006 data of 0% and stated that “valid and reliable FFY 2005 data are unavailable for this indicator.” The FFY 2006 SPP/APR response table also informed the State that OSEP could not determine whether the State’s targets reflect the requirements for this indicator (i.e., <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) and encouraged the State to review its targets and revise them, as appropriate. OSEP required the State to provide documentation of any revisions to the targets with the FFY 2007 APR. The SPP posted on the State’s website identifies the following targets for FFY 2007 for this indicator: “NCLB targets for reading: elementary, 65.16%;</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>

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	<p>secondary 56.84%; NCLB targets for mathematics: elementary 69.21%; secondary 59.91%.” The State did not specify an FFY 2007 target in its FFY 2007 APR and reported that “[d]ue to the lack of a prior established baseline with the SPP, the OSSE intends to update the baseline and targets for this indicator for FFY 2008 APR/SPP submission.” Therefore, OSEP is unable to determine whether the State met its target.</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 2007 reported data for this indicator are 95.6%. The State provided a copy of Table 6 for the FFY 2006 reporting period with its FFY 2007 APR. Based on the data included in Table 6, OSEP recalculated the State’s FFY 2006 data to be 88.31%. The State’s FFY 2007 data represent progress from the FFY 2006 data.</p> <p>The State met its FFY 2007 target of 95%.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR a copy of Table 6 for the correct reporting period. The State provided the required information.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 21.3% for reading and 16.8% for mathematics. The State reported that the data submitted in the FFY 2006 APR were calculated and reported incompletely. Because the State did not provide valid and reliable FFY 2006 data for this indicator, OSEP cannot determine whether there was progress or slippage.</p> <p>The State did not meet its FFY 2007 targets of 38%.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, FFY 2007 progress data in a manner consistent with the required measurement (i.e., a statewide percentage) and a copy of Table 6 for the correct reporting period. The State provided the required information.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>4. Rates of suspension and</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>The State did not submit FFY 2007 data for</p>

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<p>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>accepts those revisions.</p> <p>The State did not report any data and stated that “valid and reliable data are not currently available for this indicator for FFY 2007.”</p> <p>The State reported that its current definition of significant discrepancy is "suspension and expulsion of children with disabilities for greater than 10 days in a school year at a rate that is 5% or greater than [the] suspension rate for general education students in this category." The State further reported that it is considering redefining significant discrepancy as “the suspension and expulsion of any child with a disability for 10 or more cumulative days in a school year by an LEA with a qualifying subgroup at a rate that is higher than the equivalent rate for non-disabled peers.” The State indicated that its definition, baseline data, and targets will be revised with stakeholder input prior to submission of the FFY 2008 APR.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR: (1) FFY 2005 data; (2) FFY 2006 progress data; (3) and 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 IDEA for any LEAs identified as having significant discrepancies in FFY 2005 and FFY 2006. The State reported in the FFY 2007 APR that it “has determined that valid and reliable FFY 2005 and FFY 2006 data do not exist for this indicator.”</p> <p>The State did not provide any data for this indicator. Because the State provided no data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>this indicator. The State has not provided valid and reliable data for this indicator, although required, for four years. This raises concerns about the State’s compliance with the requirements in 34 CFR §76.720(c).</p> <p>The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the FFY 2008 APR, due February 1, 2010.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must describe the results of the State’s examination of data from FFY 2007 (2007-2008).</p> <p>In addition, the State must describe the review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of the IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for LEAs identified with significant discrepancies based on the FFY 2007 data, as required by 34 CFR §300.170(b).</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</p>	<p>States were not required to report on this indicator for FFY 2007.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
of children with disabilities by race and ethnicity. [Results Indicator]																						
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Results Indicator]	The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State reported in the FFY 2007 APR that the data submitted in the FFY 2006 APR incorrectly included some children aged 3-5 and therefore, are inaccurate. The State recalculated its FFY 2006 data and the revised data are reflected in the table below. The State's reported data for this indicator are: <table border="1" data-bbox="548 667 1467 1143"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Removed from regular class less than 21% of the day</td> <td align="center">14.4</td> <td align="center">17.34</td> <td align="center">12.5</td> <td align="center">2.94%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day</td> <td align="center">27.2</td> <td align="center">19.49</td> <td align="center">14.0</td> <td align="center">7.71%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td align="center">21.7</td> <td align="center">12.15</td> <td align="center">28.0</td> <td align="center">9.55%</td> </tr> </tbody> </table> These data represent progress from the FFY 2006 data. The State met its FFY 2007 targets for 5A and 5C and did not meet its target for 5B.		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day	14.4	17.34	12.5	2.94%	B. % Removed from regular class greater than 60% of the day	27.2	19.49	14.0	7.71%	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	21.7	12.15	28.0	9.55%	OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. % Removed from regular class less than 21% of the day	14.4	17.34	12.5	2.94%																		
B. % Removed from regular class greater than 60% of the day	27.2	19.49	14.0	7.71%																		
C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	21.7	12.15	28.0	9.55%																		
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,	States were not required to report on this indicator for FFY 2007.	The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.																				

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<p>home, and part-time early 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]</p>	<p>The State did not provide any data for this indicator.</p> <p>The State reported that entry data will be collected in FFY 2009 (SY 2009-2010).</p> <p>Because the State did not provide entry data in its FFY 2005 or FFY 2006 APR, OSEP's June 17, 2008 FFY 2006 SPP/APR response table required the State to provide entry data in the FFY 2007 APR. The State did not provide the required information.</p>	<p>The State did not report the required progress data. While States are required to provide baseline data and establish targets with the FFY 2008 APR, the State has not provided entry data and reports it will not begin collecting these data until FFY 2009. Therefore, the State will be unable to establish baseline data and targets as required in the FFY 2008 SPP/APR.</p> <p>The State must report entry data and improvement activities with the FFY 2008 APR, due February 1, 2010. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide the required information in the FFY 2008 APR.</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 did not provide any data for this indicator. Because the State provided no data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the FFY 2008 APR, due February 1, 2010.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State did not report the actual number of districts determined in FFY 2007 to have disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate</p>	<p>The State did not submit FFY 2007 data for this indicator. The State has not provided valid and reliable data for this indicator, although required, for three years. This raises concerns about the State's compliance with the requirements in 34</p>

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<p>identification. [Compliance Indicator]</p>	<p>identification. The State reported that it “is unable to report on the number of districts in FFY 2007 that may have had disproportionate representation due to the lack of valid and reliable data that would allow the State to determine whether there was in fact disproportionate representation. Because this foundational information is unavailable, the [State] is unable to make any determinations related to potentially inappropriate identification practices.”</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, FFY 2005 baseline data and FFY 2006 progress data that are consistent with the measurement. The State reported in the FFY 2007 APR that “reliable FFY 2005 and FFY 2006 data are unavailable” for this indicator.</p> <p>Because the State provided no data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to clarify in the FFY 2007 APR, the State’s 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. The State provided the clarifying information as required.</p>	<p>CFR §76.720(c).</p> <p>The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the FFY 2008 APR, due February 1, 2010.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State did not report the actual number of districts determined in FFY 2007 to have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification. The State did not provide any data for this indicator. The State referenced the challenges reported under Indicator 9 concerning the State’s difficulties in providing valid and reliable data related to disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, FFY 2005 baseline data and FFY 2006 progress data that are consistent with the measurement. The State reported that “accurate and reliable FFY 2005 and FFY 2006 data for this indicator are</p>	<p>The State did not submit FFY 2007 data for this indicator. The State has not provided valid and reliable data for this indicator, although required, for three years. This raises concerns about the State’s compliance with the requirements in 34 CFR §76.720(c).</p> <p>The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the FFY 2008 APR, due February 1, 2010.</p>

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	<p>not available.”</p> <p>Because the State provided no data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>OSEP’s FFY 2006 SPP/APR response table required the State to clarify in the FFY 2007 APR, the State’s 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. The State provided the clarifying information as required.</p>	
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 45.3%. These data represent progress from the FFY 2006 data of 42.08%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported under Indicator 15, that four of the seven findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p> <p>OSEP’s FFY 2006 response table required the State to include in the FFY 2007 APR, data demonstrating the correction of findings of noncompliance identified in FFY 2005 related to this indicator. The State reported that it is unable to report on the correction of noncompliance identified in FFY 2005. The State reported that it “has been unable to retrieve these records, which were apparently misplaced during the transition of the SEA” and that “data for FFY 2005 is not available for review, reporting purposes, or to establish baseline measures.”</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely initial evaluation requirements in 34 CFR §300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining three uncorrected noncompliance findings were corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the noncompliance the State reported under this indicator in the FFY 2007 APR was corrected. The State must report that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and each of the LEAs with remaining noncompliance identified in FFY 2006: (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p>

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		<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 2008 APR, due February 1, 2010, progress data, including reporting correction of the noncompliance as noted above.</p> <p>OSEP has imposed <u>Special Conditions</u> on the State’s FFY 2008 IDEA Part B grant, due in part, to the State’s longstanding noncompliance with the requirements in 34 CFR §300.301(c). The State submitted updated data in two <u>Special Conditions</u> Progress Reports 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>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 2007 reported data for this indicator are 62%. These data represent progress from the FFY 2006 data of 40.62%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported in the FFY 2007 APR that data concerning “correction to FFY 2006 findings of noncompliance is not available.” The State further reported in Indicator 15, that none of the four findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the early childhood transition requirements in 34 CFR §300.124(b) was not corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the four uncorrected noncompliance findings were corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the early childhood transition requirements in 34 CFR §300.124(b), including correction of</p>

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		<p>the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and each of the LEAs with noncompliance identified in FFY 2006: (1) is correctly implementing the specific regulatory requirements; and (2) has developed and implemented the IEP, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 postsecondary goals. [Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 29.15%. These data represent slippage from the FFY 2006 data of 54%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported in Indicator 15, that one of the seven findings of noncompliance identified in FFY 2006 related to this indicator was corrected in a timely manner.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, data demonstrating correction of noncompliance identified in FFY 2005 related to this indicator. The State reported that “valid and reliable data demonstrating correction of noncompliance identified in FFY 2005 related to this indicator are unavailable.”</p>	<p>The State reported that noncompliance identified in FFY 2006 with the secondary transition requirements in 34 CFR §300.320(b) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the six remaining uncorrected noncompliance findings were corrected.</p> <p>Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008</p>

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		<p>APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and each of the LEAs with remaining noncompliance identified in FFY 2006: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each youth, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</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]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 76%. The State reported that accurate FFY 2006 baseline data are not available and indicated that the State intends “in consultation with stakeholders” to revise the SPP “to include FFY 2007 data as new baseline and amend annual progress targets accordingly.” Therefore, OSEP could not determine whether there was progress or slippage.</p> <p>The State met its FFY 2007 target of 60%.</p> <p>OSEP’s June 17, 2008 FFY 2006 SPP/APR response table required the State to include FFY 2006 baseline data and its definitions of competitive employment and postsecondary school. The State provided the definitions, but as noted above, did not provide FFY 2006 baseline data.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</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 reported FFY 2007 data of 15.12% and 16.04% for this indicator. OSEP used the actual numbers reported in the Indicator 15 Worksheet and included in the State’s explanation of the Worksheet and recalculated the State’s data to be 15.12%. These data represent progress from the FFY 2006 data of 0%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 13 of 86 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. The State further reported that 57</p>	<p>The State reported that 70 of 86 findings of noncompliance identified in FFY 2006 were corrected. The State further reported that seven findings of noncompliance were not corrected but did not account for the other nine findings of noncompliance.</p> <p>The State did not provide consistent information related to the status of findings</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>findings of noncompliance were corrected and verified but not within one year of identification. The State reported that seven findings have not been corrected and stated that the “Office of Quality Assurance and Monitoring will follow up with the two LEAs (one has three unresolved findings and the other has four unresolved findings) to provide the appropriate enforcement activities as detailed in its new monitoring process.” The State did not report on the status of correction of the other nine remaining findings of noncompliance that were included on the Indicator 15 Worksheet.</p> <p>OSEP’s June 17, 2008 SPP/APR response table required the State to clarify that its FFY 2007 data on the timely correction of findings of noncompliance identified in FFY 2006 include findings of noncompliance that were identified through dispute resolution (i.e., State complaints and due process hearings). The State reported that the Indicator 15 Worksheet “includes findings from monitoring activities and dispute resolution procedures (i.e., complaints and hearings)” and the Indicator 15 Worksheet reflects nine findings of noncompliance that were identified through the State’s dispute resolution system. However, the State also reported within the “Overview of Issue/Description of Process” for this indicator that the State is unable to include in its FFY 2007 APR, the number of findings made through due process hearings. The State indicated that findings made through due process hearings in FFYs 2007 and 2008 will be reported in the State’s FFY 2008 APR submission but did not specify whether findings made through State complaints will be reported in the FFY 2008 APR submission. Therefore, it is unclear to OSEP the extent to which the State reported the number of findings of noncompliance identified through the State’s dispute resolution processes (i.e., State complaints and due process hearings) when reporting FFY 2007 data for this indicator.</p> <p>OSEP’s June 17, 2008 SPP/APR response table and FFY 2008 <u>Special Conditions</u> imposed on the State’s IDEA Part B grant award required the State to clarify the number of findings identified in FFY 2005 and demonstrate that the State has corrected the noncompliance identified in FFY 2005, including the 31 findings of noncompliance identified in FFY 2005 through State complaints. The State reported in the FFY 2007 APR that there were seven findings of noncompliance identified in FFY 2005 and described the steps the State would take to ensure correction of the noncompliance as well as actions taken by the LEA to improve compliance. However, on page 15 of the State’s</p>	<p>of noncompliance identified in FFY 2005. As a result, OSEP was unable to determine the extent to which the State has ensured correction of those findings. Under the FFY 2008 <u>Special Conditions</u>, the State is required to provide updated data on the FFY 2005 findings of noncompliance and the status of correction in the final progress report. OSEP will respond to the State’s submission of that information with the State’s FFY 2009 IDEA Part B grant award. Any further action required concerning the FFY 2005 findings of noncompliance will be addressed in OSEP’s response to the State.</p> <p>The State must demonstrate in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining 16 findings of noncompliance identified in FFY 2006 that the State reported in the FFY 2007 APR were not corrected. The State must also clarify that its FFY 2008 progress data on the timely correction of findings of noncompliance identified in FFY 2007 includes <u>all</u> 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 data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007 in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR</p>

District of Columbia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>January 2009 <u>Special Conditions</u> Progress Report, the State reported that in “FFY 2005, there were a total of 34 findings of noncompliance,” with 15 findings corrected and 19 uncorrected.” In the FFY 2007 APR, the State clarified that three findings were made in FFY 2006 (the Elementary Schools Division) that had been erroneously reported as FFY 2005 findings. The State did not acknowledge or explain the discrepancy between the total number of FFY 2005 findings reported in the FFY 2007 APR (7) and the January 2009 <u>Special Conditions</u> Progress Report (31, excluding the three findings identified in the Elementary Schools Division).</p> <p>Because the State provided inconsistent information in the <u>Special Conditions</u> Progress Report and the FFY 2007 APR concerning the number of findings made in FFY 2005 and the status of correction of those findings, OSEP could not determine the extent to which the State ensured the correction of findings of noncompliance identified in FFY 2005.</p> <p>The State reported that it has been unable to locate documentation of the written complaints and any follow up actions taken to correct the 31 findings of noncompliance identified in FFY 2005 through State complaint investigations. The State further reported that “the lack of written complaint reports prohibits the State from reconciling these cases.” The FFY 2007 APR states that “[t]o ensure that effective general supervision practices in managing state complaints are implemented in the future, the State Complaint Office will develop a systematic process that identifies findings, correction of all noncompliance identified through complaint investigations, provides verification of correction no later than one year, and utilizes strategies that keep the Quality Assurance and Monitoring Unit informed of all activity.”</p> <p>OSEP’s June 17, 2008 SPP/APR response table required that the State clarify in the FFY 2007 APR, that the State ensures the correction of any noncompliance, notwithstanding the extent of the noncompliance. The State provided the required information and stated that the “redesign of its monitoring process incorporates a systems approach to identification and correction of all noncompliance.”</p> <p>The FFY 2008 <u>Special Conditions</u> require that the State provide as part of its response to Indicator 15, a revised description of the State’s system of general supervision, including an overview of the State’s process for selecting LEAs for monitoring. The State provided an updated description of the components</p>	<p>§§300.149 and 300.600(e) and OSEP Memo 09-02.</p> <p>In reporting on the correction of noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State’s monitoring system, through the State’s data system and by the Department); and (2) verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 11, 12, and 13 in the FFY 2008 APR, due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.</p> <p>OSEP has imposed <u>Special Conditions</u> on the State’s FFY 2008 IDEA Part B grant, due in part, to the State’s longstanding noncompliance with the requirements to identify and correct noncompliance (20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e)). The State submitted updated information in two <u>Special Conditions</u> Progress Reports concerning the State’s system of general supervision. OSEP’s review of the State’s updated information is addressed in this indicator.</p> <p>The State must provide the final Progress</p>

District of Columbia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>of the State’s system of general supervision in the FFY 2007 APR as required. In its January 2009 <u>Special Conditions</u> Progress Report, the State provided additional information about the restructured system of monitoring its LEAs and reported that the monitoring process will be fully implemented in February 2009.</p> <p>Under the <u>Special Conditions</u>, the State was required to revise the SPP to reflect the State’s newly restructured general supervision system that includes the integrated monitoring process and tiered approach to monitoring intervention described in the State’s FFY 2007 <u>Special Conditions</u> Progress Report, dated June 2, 2008. The SPP posted on the State’s website has not been revised to reflect the revisions to the State’s system of general supervision.</p> <p>The State reported it has accessed technical assistance from the Data Accountability Center as required under the FFY 2008 <u>Special Conditions</u> and has also received assistance from the Mid-South Regional Resource Center. The State provided a summary of the training and technical assistance services it has accessed to improve the State’s level of compliance with the requirements of this indicator.</p> <p>The FFY 2008 <u>Special Conditions</u> require that the State provide OSEP with copies of any monitoring reports issued since February 1, 2008. The State reported that it has not issued any monitoring reports since February 1, 2008.</p>	<p>Report required under the FFY 2008 <u>Special Conditions</u>. OSEP will respond to that submission with the State’s FFY 2009 IDEA Part B grant award.</p> <p>OSEP reminds the State it must ensure that the SPP, as posted on its website, is revised to reflect the revisions to the State’s system of general supervision.</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. [Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 0%. These data are based on five signed written complaints. These data represent slippage from the FFY 2006 data of 100%.</p> <p>The State did not meet its FFY 2007 target of 100%.</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 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely complaint resolution requirements in 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</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 data under section 618 of IDEA for this indicator are 174 of 1,319 due process hearings were fully adjudicated within the required</p>	<p>The State did not submit FFY 2007 data for this indicator. The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the</p>

District of Columbia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>officer at the request of either party. [Compliance Indicator]</p>	<p>timeline (13.19%). However, the State did not provide FFY 2007 data for this indicator in the FFY 2007 APR. The State reported that “[a]fter examination of the data that was compiled in preparation for this report, it was determined that the methods used prior to the August 11, 2008 implementation of the SHO [Student Hearing Office] Docketing System [i.e., a combination of Microsoft Access and a “Quickbase” Database] were inadequately maintained and thus yielded unreliable data.” Therefore, these data are not valid and reliable.</p> <p>The State reported it is unable to provide the FFY 2006 progress data as required by OSEP’s June 17, 2008 FFY 2006 SPP/APR response table. Because the State did not provide valid and reliable FFY 2006 and FFY 2007 data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>FFY 2008 APR, due February 1, 2010.</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 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]</p>	<p>The State’s reported FFY 2007 data under section 618 of IDEA are 153 resolution meetings were held and none resulted in a settlement agreement. However, the State did not provide FFY 2007 data for this indicator in the FFY 2007 APR. The State reported that DCPS, “in conjunction with commitments in the Blackman Jones case, provided a blanket waiver of all resolution sessions until such time as it could ensure that resolution sessions could be timely held and staffed with knowledgeable individuals with authority to resolve complaints.” The State further reported that data on resolution sessions conducted by charter LEAs in the State are not available.</p> <p>Because the State did not provide FFY 2007 data for this indicator, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>The State did not submit FFY 2007 data for this indicator. The State provided a plan to collect and report the required data beginning with the FFY 2008 APR. The State must provide the required data in the FFY 2008 APR, due February 1, 2010.</p>
<p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data are 17%. However, OSEP recalculated the data for this indicator to be 18.18%. These data represent progress from the State’s FFY 2007 data of 16.6%.</p> <p>The State did not meet its FFY 2007 target of 23%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>20. State reported data (618 and</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>The State must review its improvement</p>

District of Columbia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 67.1%. However, OSEP’s calculation of the data for this indicator is 64.6%. These data represent slippage from the FFY 2006 data of 81.1%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p>	<p>activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely and accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.</p>

Special Conditions:

Pursuant to 34 CFR §80.12, OSEP imposed Special Conditions on the State’s FFY 2008 grant award under Part B of the IDEA (FFY 2008 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);
- 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 2008 Special Condition is addressed below. The State was required to submit the first FFY 2008 Special Conditions Progress Report on October 15, 2008 with a second report due on January 15, 2009. The Special Conditions also require the State to report certain information in the State’s response to Indicator 15 in the FFY 2007 APR.

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. The Special Condition related to identification and correction of noncompliance was first imposed on the State’s FFY 2005 grant award and has continued on each IDEA, Part B grant award since that time.

<p><u>Provide timely initial evaluations and reevaluations:</u></p> <p>An initial evaluation that meets the</p>	<p><u>Initial Evaluations</u></p> <p>For the first FFY 2008 <u>Special Conditions</u> reporting period (May 16, 2008 through September 16, 2008), the State reported that 470 initial evaluations</p>	<p>The State’s data demonstrate continued noncompliance with the requirements in 20 U.S.C. 1414(a), (b) and (c) and 34 CFR</p>
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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 2007, 320 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 63. The State reported that 30.27% of initial evaluations and placements were provided within the required timeline to children with disabilities whose initial evaluation deadlines fell within the final FFY 2007 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 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 2007, 1,691 reevaluations had not been conducted in a timely manner at the conclusion of the reporting period with an average number of overdue days of

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 153. 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 14.34%.

For the second FFY 2008 Special Conditions reporting period (September 17, 2008 through December 17, 2008), the State reported that 495 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 50.1. 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 32.0%. These data reflect progress in that the percent of timely initial evaluations completed increased from 14.34% to 32.0% and the average number of overdue days decreased from 153 to 50.1 from the first FFY 2008 reporting period. However, the number of children who had not been provided a timely initial evaluation at the conclusion of the reporting period increased by 25 children.

The table below includes data reported by the State under this Special Condition since FFY 2006.

Initial Evaluations and Placements						
	FFY 2006	FFY 2006	FFY 2007	FFY 2007	FFY 2008	FFY 2008
	02/2007	06/2007	02/2008	06/2008	10/2008	01/2009
Percent Completed Timely	47%	43%	42.7%	30.27%	14.34%	32.0%
Average Number of Overdue Days	112	53	69.79	63	153	50.1

Reevaluations
 For the first FFY 2008 Special Conditions reporting period (May 16, 2008

§§300.301(c)(1) and 300.303.
 The State must provide the final Progress Report required under the FFY 2008 Special Conditions. OSEP will respond to that submission with the State’s FFY 2009 IDEA Part B grant award.

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75. The State reported that 23.17% of reevaluations were conducted in a timely manner for children with disabilities whose reevaluation deadlines fell within the final FFY 2007 reporting period.

through September 16, 2008), the State reported that 1,640 children had not been provided a timely reevaluation at the conclusion of the reporting period, with an average number of overdue days of 31. The State reported that the percent of timely reevaluations provided to children whose reevaluation deadlines fell within the reporting period was 13.1%.

For the second FFY 2008 Special Conditions reporting period (September 17, 2008 through December 17, 2008), the State reported that 1,902 children had not been provided a timely reevaluation at the conclusion of the reporting period, with an average number of overdue days of 40.6. The State reported that the percent of timely reevaluations provided to children whose reevaluation deadlines fell within the reporting period was 26.0%. These data demonstrate progress in part, in that the percent of children with timely reevaluations increased from 13.1 to 26.0%. However, the average number of overdue days increased by 9.6 days and the total number of children that had not been provided a timely reevaluation at the conclusion of the reporting period increased by 262 children.

The table below includes data reported by the State under this Special Condition since FFY 2006.

Reevaluations						
	FFY 2006 02/2007	FFY 2006 06/2007	FFY 2007 02/2008	FFY 2007 06/2008	FFY 2008 10/2008	FFY 2008 01/2009
Percent Completed Timely	54%	41%	37.2%	23.17%	13.1%	26.0%
Average Number of Overdue Days	115	67	199.22	75	31	40.6

Under the FFY 2008 Special Conditions, the State was required to provide updated information related to the State’s process for collecting and reporting data on timely initial evaluations and placements and/or reevaluations through

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	<p>the State’s Special Education Data System (SEDS).</p> <p>In each of the progress reports, the State was also required to describe the strategies it is implementing to reduce the number of overdue initial evaluations and placements and reevaluations, and if there is no progress in reducing the number of overdue initial evaluations and placements and reevaluations, the State must provide an explanation for the lack of progress and reevaluate the procedures it is implementing to reduce the number of overdue initial evaluations and placements and/or reevaluations.</p> <p>The State provided updated information on development and implementation of SEDS and identified strategies that are being used to reduce the number of untimely initial evaluations and placements and reevaluations as required.</p>	
<p><u>Implement due process hearing decisions in a timely manner:</u></p> <p>Impartial hearing officer decisions must be implemented within the timeframe prescribed by the hearing 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 2007, 1,263 hearing decisions had not been implemented in a timely manner. The State reported that 16.1% of hearing officer determinations were implemented in a timely manner during the final FFY 2007 reporting period.</p>	<p>For the first FFY 2008 <u>Special Conditions</u> reporting period (May 16, 2008 through September 16, 2008), the State reported that hearing officer determinations for 826 children had not been implemented in a timely manner at the conclusion of the reporting period. The State reported that the percent of hearing officer determinations that had been implemented in a timely manner during the reporting period was 24.04%.</p> <p>For the second FFY 2008 <u>Special Conditions</u> reporting period (September 17, 2008 through December 17, 2008), the State reported that hearing officer determinations for 592 children had not been implemented in a timely manner at the conclusion of the reporting period. The State reported that the percent of hearing officer determinations that had been implemented in a timely manner during the reporting period was 20.93%.</p> <p>There is a discrepancy in the State’s report of the number of children whose hearing officer determinations were not implemented timely as of the end of the September 16, 2008 reporting period. In the January 2009 report, the State reported that 754 children had not had hearing officer determinations implemented within the timeframe established by the hearing officer or by the State at the conclusion of the previous reporting period (September 16, 2008). However, in the October 2008 progress report, the State reported that at the conclusion of the September 16, 2008 reporting period, 826 children had not had their hearing officer determinations implemented in a timely manner. The State did not account for the difference (72 fewer children) reported in the January 2009 report than in the October 2008 report.</p> <p>Under the FFY 2008 <u>Special Conditions</u>, the State was required to include in each progress report, updated information related to the State’s process for</p>	<p>The State’s data 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 2008 <u>Special Conditions</u>. OSEP will respond to that submission with the State’s FFY 2009 IDEA Part B grant award.</p>

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	<p>collecting and reporting data on timely implementation of hearing officer determinations through the Blackman-Jones database and SEDS. The State was also required to describe the strategies it is implementing to reduce the number of children whose hearing officer determinations 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. The State provided the information required in each of the progress reports.</p> <p>The State provided information on pages 5-7 of the January 2009 <u>Special Conditions</u> Progress Report that indicates that the State’s data for this <u>Special Condition</u> has not included implementation of hearing officer determinations by charter school LEAs. The State described the strategies being implemented to clarify charter LEAs’ responsibilities for implementing hearing officer determinations and indicated it would require charter LEAs to report monthly to the State on the status of all unimplemented determinations and the steps being taken to ensure timely implementation of hearing officer determinations.</p>	
<p><u>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>Section 616(a)(3) of the IDEA and 34 CFR §300.600(d) require the Department to monitor States and require each State to monitor the LEAs located in the State to adequately measure performance in certain priority areas, including the provision of a free appropriate public education in the least restrictive environment. In addition, the regulations at 34 CFR §§300.119 and</p>	<p>The FFY 2008 <u>Special Conditions</u> require the State to clarify 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 (LRE) requirements at 34 CFR §300.114. This includes a description of the activities 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>The State provided the required information in the October 2008 progress report and reported updated information in the January 2009 progress report on the State’s efforts to ensure LEA compliance with the LRE requirements under IDEA. The State notified OSEP in the January 2009 progress report and on page 36 of the FFY 2007 APR that the State has proposed a new policy that is “designed to communicate clear expectations regarding the obligation of all LEAs to meet LRE obligations.” The State reported that State-level staff is available to provide technical assistance to IEP teams to identify supports and services necessary to enable students to be educated in the LRE. With regard to the proposed new policy, the State reported it is “in receipt of clarifying information from OSEP regarding public notice and</p>	<p>The State must provide the final Progress Report required under the FFY 2008 <u>Special Conditions</u>. OSEP will respond to that submission with the State’s FFY 2009 IDEA Part B grant award.</p>

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<p>300.120 require States to carry out technical assistance, training, and monitoring activities to ensure each public agency implements the least restrictive environment requirements at 34 CFR §300.114. Further, if there is evidence that a public agency makes educational placements that are inconsistent with the least restrictive environment requirements at 34 CFR §300.114, the State must review the public agency’s justification for its actions and assist in planning and implementing any necessary corrective action.</p>	<p>hearing requirements related to state policy issuance and is undertaking reviews to ensure that the State is in compliance.”</p> <p>In its October 2008 progress report, the State clarified it is not using the “<i>MDT Notes Guidelines</i>” and “<i>MDT Checklist</i>” documents to support the State’s efforts to ensure compliance with 34 CFR §300.114 as previously reported to OSEP. The State reported on specific training, dates, and in some cases, presenters for professional development activities carried out to assist LEAs in complying with the LRE requirements.</p> <p>The State was required to provide OSEP with copies of any monitoring reports issued since February 1, 2008 that include findings as to whether educational placement decisions were made consistent with the LRE provisions of the IDEA. The State reported that it has not issued any monitoring reports since February 1, 2008.</p>	
<p><u>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>