

Table A – Maryland Part B

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 4A: Rates of suspension and expulsion: A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and 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. (20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>While the State's activities indicated that it would review policies, procedures and practices related to the use of positive behavior interventions and support in districts identified with a significant discrepancy, the State did not indicate that it would also review policies, procedures and practices in those districts relating to the development and implementation of IEPs, and procedural safeguards, as required by 34 CFR §300.146.</p>	<p>The State must include this information in the APR, due February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 615(d) of the IDEA.</p>
<p>Indicator 7: Percent of preschool children with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and C. Use of appropriate behaviors to meet their needs. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>An evaluation of the sampling plan for indicator 7 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>As indicated in OSEP's February 14, 2006 memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR, due February 1, 2007, the State must submit a revised sampling methodology, with its FFY 2005 APR, that describes how data were collected. In the FFY 2005 APR, you must explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>

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<p>Indicator 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. (20 U.S.C. 1416(a)(3)(A))</p>	<p>An evaluation of the sampling plan for indicator 8 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>As indicated in OSEP's February 14, 2006 memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR, due February 1, 2007, the State must submit a revised sampling methodology, with its FFY 2005 APR, that describes how data were collected. In the FFY 2005 APR, you must explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p>Indicator 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. (20 U.S.C. 1416(a)(3)(B))</p>	<p>The State did not provide baseline data in the SPP in response to this indicator. On page 56 of the SPP, the Maryland State Department of Education (MSDE) reported that statewide data on the number of children transitioning from Part C to Part B whose IEPs were in effect by their third birthday would be available following the October 2005 Special Services Information System (SSIS) data collection from local school systems. The State provided Statewide transition summary data for children turning three, from January 1 – June 30, 2005 from Part C data collection but did not include all required measurement areas.</p>	<p>The State must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>
<p>Indicator 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</p>	<p>An evaluation of the sampling plan for indicator 14 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is</p>	<p>As indicated in OSEP's February 14, 2006 memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR, due February 1, 2007, the State must</p>

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<p>school. (20 U.S.C. 1416(a)(3)(B))</p>	<p>not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>submit a revised sampling methodology, with its FFY 2005 APR, that describes how data were collected. In the FFY 2005 APR, you must explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p>Indicator 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. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: See Table B</p>	<p>See Table B</p>
<p>Indicator 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. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: See Table B</p>	<p>See Table B</p>
<p>Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B))</p>	<p>While the State provided information indicating that all State-reported data (under section 618 of the IDEA, in the SPP and in the APRs) is 100% accurate, information provided under indicator 12 of the SPP reported that the data provided were not completely accurate and/or complete.</p>	<p>The State should reconsider the baseline data provided for indicator 20 of the SPP and provide accurate information, including improvement activities, in the APR, due February 1, 2007. Failure to accurately report information in this indicator may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>