

Table A – Oklahoma Part B

SPP Indicator	Issue	Required Action
<p><b>Indicator 14:</b> 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. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Other: 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 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 the February 14, 2006 OSEP 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 the State's FFY 2005 APR, that describes how data were collected. In the FFY 2005 APR, you also need to 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><b>Indicator 15:</b> 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. (20 U.S.C. 1416 (a)(3)(B))</p>	<p>Noncompliance: A. The State reported a 98.8% level of compliance for indicator 15A in the SPP. B. The State reported a 98.0% level of compliance for indicator 15B in the SPP. C. The State reported a 97.7% level of compliance for indicator 15C in the SPP.  While these levels of compliance are below 100% and require improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>

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<p><b>Indicator 19:</b>                      Percent of mediations held that resulted in mediation agreements.                      (20 U.S.C. 1416(a)(3)(B))</p>	<p>Other:                      OSEP noted that the State established targets of 91.67-92.86% for mediation. The consensus among mediation practitioners is that 75-85% is a reasonable rate of mediations that result in agreements and is consistent with national mediation success rate data. A higher mediation goal, while appropriate for some States, may not be appropriate if it results in agreements that are not voluntarily implemented. It is better to have a lower percentage of viable, implemented agreements than a higher percentage of agreements, some of which are not voluntarily implemented.</p>	<p>The State may want to review its target, determine if an adjustment is needed and submit the revised target in the APR due February 1, 2007.</p>

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Issues Identified in the State Performance Plan (SPP)

SPP Indicator	Issue	Required Action
<p><b>Indicator 7:</b> 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>Other: OSEP could not determine if you plan to use sampling in collecting data for this indicator. If so, it is important that the State have a technically sound sampling plan to ensure that data used for entry or baseline data, or to report progress, are valid and reliable. 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>If you intend to collect information through sampling, your SPP must include sampling methodology to ensure the collection of valid and reliable data on which to base your targets and improvement activities. The State must submit the revised sampling methodology that describes how data were collected with the State's FFY 2005 APR, due February 1, 2007. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p><b>Indicator 12:</b> 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>Noncompliance: The State reported a 72.27% level of compliance for indicator 12 in the SPP, specifically the requirements at 34 CFR §§300.121(c) and 300.132. However, OSEP notes that the State also reported that parents declined services for 15.31% of children found eligible for Part B services.</p>	<p>The State must ensure that this noncompliance is corrected within one year of its identification and include data in the FFY 2005 APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>