

California's Part B FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
Monitoring Priority: FAPE in the LRE		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 91% of districts. The State met its FFY 2005 target of 90% of districts.</p>	<p>The State met its target that 90% of districts meet or exceed established annual benchmarks for graduation and 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.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 88% of districts. The State met its FFY 2005 target of 85% of districts.</p>	<p>The State met its target that 85% of districts meet or exceed established annual benchmarks for drop out and OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 53.9%. The State met its FFY 2005 target of 52%.</p>	<p>The State revised its baseline for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State did not submit raw data and the minimum "n" size data or the number of districts that met the "n" size. The State must provide the required data in the FFY 2006 APR due February 1, 2008.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for English language arts (ELA) for this indicator are 96.5%. The State met its FFY 2005 target of 95%.</p> <p>The State's FFY 2005 reported data for mathematics for this indicator are 96.4%. The State met its FFY 2005</p>	<p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</p> <p>In its February 2, 2007 letter reporting on its October 2006 verification visit, OSEP found that while the State reports to the public the number of children with and without disabilities participating in regular assessments at the local level through LEA report cards, it does not, as required by 20 U.S.C. 1412(a)(16)(D)(i), report to the public, at the LEA level, the number of those children who were provided accommodations in order to participate in those assessments. OSEP's letter required the State to submit, by June 1, 2007, documentation that it is meeting the requirement at 20 U.S.C.</p>

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	target of 95%.	1412(a)(16)(D)(i) (and 34 CFR §300.160), and is reporting to the public the number of children with disabilities who were provided accommodations in order to participate in regular assessments with the same frequency and in the same detail as it reports assessment results for children without disabilities.																								
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data are included in the next column, along with FFY 2005 targets for ELA and for mathematics by the three types of districts. The State did not meet any of its six proficiency targets for FFY 2005.</p>	<table border="1" data-bbox="1115 402 2022 836"> <thead> <tr> <th rowspan="2"></th> <th colspan="2">ELA</th> <th colspan="2">Math</th> </tr> <tr> <th>Target</th> <th>Actual Data</th> <th>Target</th> <th>Actual Data</th> </tr> </thead> <tbody> <tr> <td>Unified, HS 7-12, COE</td> <td>23%</td> <td>19.6%</td> <td>23.7%</td> <td>22.4%</td> </tr> <tr> <td>Elementary</td> <td>24.4%</td> <td>20.8%</td> <td>26.5%</td> <td>24.8%</td> </tr> <tr> <td>HS 9-12</td> <td>22.3%</td> <td>16.7%</td> <td>23.7%</td> <td>14.8%</td> </tr> </tbody> </table> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>		ELA		Math		Target	Actual Data	Target	Actual Data	Unified, HS 7-12, COE	23%	19.6%	23.7%	22.4%	Elementary	24.4%	20.8%	26.5%	24.8%	HS 9-12	22.3%	16.7%	23.7%	14.8%
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<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's reported data for this indicator are 17.9%. This represents slippage from the FFY 2004 data of 10.6%. The State did not meet its FFY 2005 target of 10.5%.</p>	<p>The State revised its baseline and targets for this indicator in the SPP and OSEP accepts those revisions.</p> <p>OSEP's March 22, 2006 SPP response letter required the State to include in the February 1, 2007 APR documentation of the results of its review of policies, procedures and practices related to the development and implementation of IEPs, the use of positive behavioral supports, and procedural safeguards to ensure full compliance with this indicator.</p> <p>The State did not provide this information, instead the State indicated that when undergoing a "[Quality Assurance Process (QAP)]" review, if the district has a significant discrepancy in the rates of long-term suspensions and expulsions, then the district will be required to review its own policies, procedures and practices. This is inconsistent with the requirements of 34 CFR §300.170(b), because it does not provide for the review of policies, procedures and practices for districts with significant discrepancies <u>each year</u>, and, therefore, represents noncompliance with those requirements. In</p>																								

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		<p>its FFY 2006 APR, 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 behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for: (1) the LEAs identified as having significant discrepancies in the FFY 2005 APR; and (2) the LEAs identified as having significant discrepancies in the FFY 2006 APR.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>[Results Indicator; New]</p>		<p>Based upon our preliminary review of all State submissions for Indicator 4B, it appears that the instructions for this indicator were not sufficiently clear and, as a result, confusion remains regarding the establishment of measurements and targets that are race-based and for which there is no finding that the significant discrepancy is based on inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. As a result, use of these targets could raise Constitutional concerns. Therefore, OSEP has decided not to review this year's submissions for Indicator 4B for purposes of approval and will revise instructions for this indicator to clarify how this indicator will be used in the future. Based upon this, OSEP did not consider the submissions for Indicator 4B in making determinations under section 616(d). It is also important that States immediately cease using Indicator 4B measurements and targets, unless they are based on a finding of inappropriate policies, procedures, or practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>
<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</p>	<p>A. The State's FFY 2005 reported data for this indicator are 50.4%. This represents progress from FFY 2004 data of 49.2%. The State did not meet its FFY 2005 target of</p>	<p>The State met its target for Indicator 5C and OSEP appreciates the State's efforts to improve performance.</p> <p>For Indicators 5A and 5B, OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>

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<p>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>51.1%.</p> <p>B. The State's FFY 2005 reported data for this indicator are 24.2%. This represents progress from FFY 2004 data of 24.6%. The State did not meet its FFY 2005 target of 24%.</p> <p>C. The State's FFY 2005 reported data for this indicator are 4.3%. The State met its FFY 2005 target of 4.3%.</p>	
<p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 46.3%. This represents slippage from FFY 2004 data of 47.79%. The State did not meet its FFY 2005 target of 51%.</p>	<p>Please note that, due to changes in the 618 State-reported data collection, this indicator will change for the FFY 2006 APR, due February 1, 2008. States will be required to describe how they will collect valid and reliable data to provide baseline and targets in the FFY 2007 APR, due February 1, 2009.</p>
<p>7. Percent of preschool children with IEPs who demonstrate improved:</p> <p>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>Entry data provided.</p>	<p>The State reported the required entry data and activities. The State must provide progress data and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 22, 2006 SPP response letter required the State to ensure that any activities or strategies regarding this indicator result in the collection and reporting of the required: entry data, for the appropriate time period, in the APR, due February 1, 2007; and baseline data, for the required time period, in the APR due February 1, 2008. OSEP's response letter also required the State, if it is proposing to use sampling, to include a revised sampling methodology that describes how data were collected for the State's FFY 2005 APR and that addresses the deficiencies in the data collection noted in the attachment to the February 14, 2006 OSEP memorandum. The State submitted a revised sampling plan. However, the sampling plan for this indicator is not technically sound. Please call your State Contact as</p>

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		soon as possible.
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 69%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 22, 2006 SPP response letter required the State to submit a revised sampling methodology that describes how data were collected with the State's FFY 2005 APR, due February 1, 2007. The State submitted a revised sampling plan. The sampling plan for this indicator is not technically sound. Please call your State Contact as soon as possible.</p>
Monitoring Priority: Disproportionality		
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 1.95%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 22, 2006 SPP response letter required the State to include in the February 1, 2007 APR a description of the results of its review of those districts identified as disproportionate. The State indicated that for 2005-2006, of the 797 districts "with large enough student populations," 121 districts were identified as potentially disproportionate due to inappropriate identification, and 15 were found to have noncompliant policies and procedures related to identification. The process described indicated that "[s]ome of these districts were already slated for [Verification Reviews (VRs)] and [Special Education Self Reviews (SESRS)], which included a review of policies and procedures related to identification [while] [o]ther potentially disproportionate districts were required to complete a self assessment of identical items related to identification." Therefore, the State described a review of policies and procedures, but did not discuss a review of noncompliant <u>practices</u>. The State reported that of the 15 districts, two have corrected the noncompliance and 13 have corrective action plans that will become due later in the 2006-2007 school year. In the FFY 2006 APR, due February 1, 2008, the State must clarify the determination of "with large enough student populations." If the State is using a numerical threshold at the district level, it must clarify this process, since the State appears to be excluding a large number of districts from its review. The State also must clarify how practices are reviewed when determining whether disproportionate representation of racial and ethnic groups in special</p>

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		<p>education and related services is the result of inappropriate identification.</p> <p>The State identified 1.95% of districts with disproportionate representation that was the result of inappropriate identification, but did not identify the racial or ethnic groups with disproportionate representation. OSEP looks forward to reviewing data and information in the FFY 2006 APR, due February 1, 2008, that demonstrate that the State has in effect policies and procedures that prevent the inappropriate overidentification or disproportionate representation by race or ethnicity of children as children with disabilities, as required by 34 CFR §300.173. Additionally, the State must include data and information that demonstrate that the LEAs identified in the FFY 2005 APR as having disproportionate representation that was the result of inappropriate identification are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator; New]</p>	<p>Baseline not provided.</p>	<p>The State provided targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State did not provide baseline data for this indicator. The State indicated that its baseline data were incomplete without the review of policies and procedures that might lead to inappropriate identification and reported that these data would be available for the February 2008 APR submission.</p> <p>The State did not provide data on the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification as required by 34 CFR §300.600(d)(3). The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification, and describe how the State made that determination (e.g., monitoring data, review of policies, practices and procedures, etc.). The State must provide data, in its FFY 2006 APR, on the percent of districts identified in FFY 2006 with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification, and describe how the State made that determination, even if the determination occurs in the fall of 2007.</p>

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		<p>In reporting on disproportionate representation by disability category that is the result of inappropriate identification under this indicator, the State reported that it used a definition of disproportionality for one racial group (African-American) that was different from that used for all other racial and ethnic groups. Specifically, the State reported that it “set a threshold for disproportionality based on 10 of 30 cells or three or more of the African American disability categories in which the percentage of students is more than 20 percent above what would be expected based on the percent of that ethnic group among the population of students receiving special education and related services.” The State did not provide a rationale for this difference. Under 34 CFR §300.600(d)(3) a State may, in reviewing data for each race ethnicity category, do so in a statistically appropriate manner, and may set an “n” size that applies to all racial and ethnic groups, but it must review data for all race ethnicity categories in the State consistently and must do the analysis at the LEA level for all race and ethnic groups meeting that “n” size that are present in any of its LEAs. Therefore, it appears that the State is not complying with 34 CFR §300.600(d)(3). To the extent that the State’s review for disproportionality does not look at disproportionality for all race and ethnic groups applying the same criteria, the State must revise its method of reviewing disproportionality and, in its FFY 2006 APR, describe and report on the revisions it has made and the results of its review of data and information for all race ethnicity categories in the State to determine if there is disproportionate representation that is the result of inappropriate identification for both FFY 2005 and FFY 2006.</p>
Monitoring Priority: Effective General Supervision		
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline). [Compliance Indicator; New]</p>	<p>The State’s FFY 2005 reported baseline data for this indicator are 81.47%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. The State reported data based on a State-established timeline within which the evaluation must be completed.</p> <p>The State did not indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays. The State must provide the required data in the FFY 2006 APR, due February 1, 2008.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate full compliance with the requirements of 34 CFR §300.301(c) including correction of the</p>

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<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 69.19%. This represents progress from the 2003-2004 data of 66.9%. The State did not meet its FFY 2005 target of 100%.</p>	<p>noncompliance identified in FFY 2005.</p> <p>OSEP's March 22, 2006, FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR data regarding the number of children referred from Part C to Part B who were determined to be NOT eligible and whose eligibility determinations were made prior to their third birthdays. In its February 2007 APR, the State reported that the referral date information to determine the extent to which three year olds entering Part B were referred in a timely fashion was unavailable. The State further reported that data regarding referrals and evaluations covering this indicator would be collected under its statewide data system (CASEMIS) for the first time in December 2006. The State did not indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays. The State did not provide raw data for this indicator consistent with the measurement. The State reported that it was able to generate percentage figures for only 82 of 121 Special Education Local Planning Areas (SELPA's) because of the very small numbers involved. The State must provide the required data in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 22, 2006, FFY 2004 SPP response letter also required the State to include in the February 1, 2007 APR data demonstrating compliance with the requirement at 34 CFR §300.132(b) (now 34 CFR §300.124(b)). The State also reported that of 214 districts monitored through Verification Reviews or Special Education Self Reviews, 25 were found systemically noncompliant with transition from Part C to Part B and that these districts have corrective actions due in 2006-2007. The State did not demonstrate compliance and did not report on the correction of the noncompliance identified in the FFY 2004 SPP.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate full compliance with the requirements in 34 CFR §300.124, including correction of noncompliance identified in FFY 2005 and any remaining noncompliance identified in the FFY 2004 SPP (2003-2004 data).</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable,</p>	<p>The State's FFY 2005 reported baseline data for this</p>	<p>The State provided baseline data, targets and improvement activities for this</p>

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<p>annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>[Compliance Indicator; New]</p>	<p>indicator are 98%.</p> <p>It appears that the State did not use the required measurement for this indicator.</p>	<p>indicator.</p> <p>The baseline data that the State provided for this indicator are the percent of students whose IEPs include “transition services language.” The measurement for this indicator requires that the State report the percent of students whose IEPs include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. Therefore, it appears that the State did not use the correct measurement for this indicator. The State reported that it is revising its data system (CASEMIS) to collect additional secondary transition data. In the FFY 2006 APR, due February 1, 2008, the State must either clarify why the reported FFY 2005 data are consistent with the required measurement for this indicator, or provide data that are consistent with the measurement.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with 34 CFR §300.320(b), including data demonstrating correction of noncompliance identified in FFY 2005.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>The State provided a plan that describes how data will be collected.</p>	<p>The State provided a plan that describes how data will be collected. The State must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>The State did not submit a definition for post-secondary education or competitive employment as required by the instructions for this indicator. Instead, the State identified certain data fields from its data system without providing the relevant definitions for those data fields and repeated OSEP’s language in the instructions requiring these definitions. The State must submit the definitions in the FFY 2006 APR, due February 1, 2008.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2005 reported data for this indicator are 97.18%. This represents progress from the FFY 2004 revised baseline of 90.66%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported on both progress and sanctions.</p>	<p>OSEP’s March 22, 2006, FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR documentation that the State ensured the correction of identified noncompliance, as soon as possible, but in no case later than one year from identification. In the revised SPP, the State reported on the completion of corrective actions due in 2004-2005 and on the imposition of Special Conditions on two districts that did not complete their corrective actions. The State also reported that 209 of the overdue corrective actions were completed and that for the 55 overdue corrective actions still outstanding, the State provided technical assistance and sent sanction letters.</p>

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		<p>The State provided data for this indicator indicating 97.18%, and OSEP appreciates the State's efforts. In the APR, the State provided data showing the percentage of FFY 2004 findings that related to State-specified subtopics, but did not disaggregate its data by indicator. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 20 U.S.C. 1232d(b)(3)(E), and 34 CFR §§300.149 and 300.600. In its response to Indicator 15 in the FFY 2006 APR due February 1, 2008, the State must disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in responding to Indicators 9, 10, 11, 12, 16, and 17, specifically identify and address the noncompliance identified in this table under those indicators.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 84%. This represents progress from the FFY 2004 data of 52%. The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 22, 2006 SPP response letter required the State to include in the February 1, 2007 APR data that demonstrated compliance with the requirements at 34 CFR §300.152(a) and (b)(1). The State's data indicate continuing noncompliance with the requirements of 34 CFR §300.152.</p> <p>The State must review its improvement strategies and revise them, if appropriate, to ensure that they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §300.152.</p>
<p>17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 33%. This represents slippage from the FFY 2004 reported data of 100%. The State did not meet its FFY 2005 target of 100%.</p> <p>During OSEP's verification visit, the State reported subsequent improvement.</p>	<p>During OSEP's October 2006 verification visit, the State provided data showing a 72% compliance level for the period of July 1- September 30, 2006. This period was after the FFY 2005 reporting period for which the State reported 33% compliance in the APR. Therefore the State appears to have made progress on compliance in the first part of FFY 2006. Consistent with OSEP's February 2, 2007 verification visit letter, the State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate full compliance with the requirements of 34 CFR §300.515(a).</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p>	<p>The State reported baseline data of 100%. The data are not valid and reliable because they do not cover the full</p>	<p>The State provided baseline data, targets and improvement activities. The State reported that the baseline data are incomplete and only reflect the second half of 2005-2006.</p>

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[Results Indicator; New]	reporting period.	The State must provide the required data in the FFY 2006 APR, due February 1, 2008.
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	Valid and reliable data not provided.	<p>The State did not provide the percent of mediations held in FFY 2005 that resulted in mediation agreements. The State reported that it did not have the necessary data to provide the calculation, because it could not determine the number of mediations requested and held during the reporting period. The number of mediations held during the reporting period is also omitted from Table 7. The State indicated that the Office of Administrative Hearings will be adjusting its data collection to provide the required measurement and data.</p> <p>The State must provide the required data in the FFY 2006 APR, due February 1, 2008.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	The State reported FFY 2005 data of 100%. However, OSEP identified numerous errors and omissions in the data for the FFY 2005 APR submission.	<p>The State reported that 100% of State-reported data, including 618 and SPP/APR data were timely and accurate. However, as noted above, OSEP's analysis for Indicators 12, 13, and 19 indicate that the data for those indicators were incomplete and/or used the wrong measurement. The State must provide data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>Further, as OSEP found in its February 2, 2007 verification visit letter, the State's FFY 2005 graduation data were not consistent with OSEP's instructions, because the State included in those data some students with disabilities who did not meet the same requirements that all students must meet. OSEP's letter required the State to submit, within 60 days, its plan for ensuring that the State's next submission of graduation data under section 618 of the IDEA for students with disabilities graduating with a regular high school diploma meets the reporting requirements in OSEP's instructions, i.e., includes only students with disabilities who met the same requirements for graduation that apply to students without disabilities. In a letter dated March 21, 2007, the State indicated that: (1) beginning with the June 30, 2007 data collection, the State will collect information about students graduating with diplomas granted through exemptions and waivers so these students can be excluded from graduation data; (2) the State will gather information for the 2006-2007 school year in the June 30, 2007 data collection; and (3) these adjusted data will appear in Student Exit reports due</p>

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		to OSEP in November 1, 2007. OSEP accepts this plan.