

Ohio 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 83.7%. The State met its FFY 2005 target of 81.8%.</p>	<p>The State met its target 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 16.3%. This represents slippage from FFY 2004 data of 14.7%. The State did not meet its FFY 2005 target of 14.2%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</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>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 27.4%, which is substantially the same as the State's reported data for FFY 2004. The State did not meet its FFY 2005 target of 35%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP appreciates the State's efforts to improve performance in math and reading looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</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</p>	<p>The State's FFY 2005 reported data for this indicator are 98.6%. The State met its FFY 2005 target of 97.3%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p>

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<p>alternate achievement standards.</p> <p>[Results Indicator]</p>		
<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 for this indicator are 48.6% for reading and 39.9% for math. This represents progress from FFY 2004 data of 44.9% for reading and 31.6% for math. The State did not meet its FFY 2005 target of 51% for reading, but met its FFY 2005 target of 39% for math.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</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>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 FFY 2005 reported data for this indicator are 11.35% for significant discrepancies in the rates of suspensions for children with disabilities and 1.42% with significant discrepancies in the rates of expulsions for children with disabilities. This represents slippage from FFY 2004 data of 7.1% for significant discrepancies in the rates of suspensions for children with disabilities and 1.0% with significant discrepancies in the rates of expulsions for children with disabilities.</p> <p>The State did not meet its FFY 2005 target of 7.1% for significant discrepancies in the rates of suspensions for</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</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>The State identified significant discrepancies and indicated that it would "disseminate self-study materials that enable LEAs identified with significant discrepancies to analyze their discipline data and practices related to the use of positive behavioral interventions and supports." However, it did not report on the review of policies, practices and procedures regarding the use of positive behavioral interventions and supports, and did not address a review, and if appropriate revision, of policies, procedures and practices relating to the development and implementation of IEPs, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b). In its FFY 2006 APR, the State must document completion of the review, and if appropriate revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for: (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. (The review for LEAs identified in the FFY 2006 APR may occur either during or after the FFY</p>

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	children with disabilities and 1.0% with significant discrepancies in the rates of expulsions for children with disabilities.	2006 reporting period, so long as the State describes that review in the FFY 2006 APR.)
<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 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p>	<p>A. The State's FFY 2005 reported data for this indicator are 50.6%. The State met its target of 47% for FFY 2005.</p> <p>B. The State's FFY 2005 reported data for this indicator are 14.86%. This represents progress from the State's FFY 2004 reported data of 15.13%. The State did not meet its</p>	<p>The State met its targets for A and C. OSEP appreciates the State's efforts to improve performance.</p> <p>The State did not meet its target for 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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[Results Indicator]	FFY 2005 target of 14.5%. C. The State's FFY 2005 reported data for this indicator are 4.74%. The State met its target of 6.5% for FFY 2005.	
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). [Results Indicator]	The State's FFY 2005 reported data for this indicator are 62.4%. This represents slippage from the State's FFY 2004 reported data of 66%. The State did not meet its FFY 2005 target of 69%.	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State reported slippage for this indicator in the FFY 2005 APR. 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.
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. [Results Indicator; New]	Entry data provided.	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.
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. [Results Indicator; New]	The State reported FFY 2005 baseline data of 90.4%.	The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. OSEP's March 10, 2006 FFY 2004 SPP response letter required the State to clarify whether the State intends to collect information through sampling, and if the State intended to use sampling, to submit a revised sampling methodology that describes how data were collected with the State's FFY 2005 APR that is due February 1, 2007. The State submitted a technically

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		sound sampling plan with its FFY 2005 APR.
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 provided data on the number of districts with disproportionate representation.</p>	<p>The State provided targets and improvement activities for this indicator and OSEP accepts the SPP for this indicator.</p> <p>The State provided data on the number of districts with disproportionate identification, but did not identify the number with disproportionate representation in special education and related services that is the result of inappropriate identification, as required by 34 CFR §300.600(d)(3).</p> <p>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 special education and related services 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 also 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 special education and related services 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>
<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>The State provided data on the number of districts with disproportionate representation in specific disability categories.</p>	<p>The State provided targets and improvement activities for this indicator and OSEP accepts the SPP for this indicator.</p> <p>The State identified districts with disproportionate representation of racial and ethnic groups in specific disability categories but did not determine if the disproportionate representation was the result of inappropriate identification, as required by 34 CFR §300.600(d)(3).</p> <p>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 also 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</p>

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		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.
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).</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data for this indicator are 93.8%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported data based on the Federal timeframe within which the evaluation must be conducted.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements 34 CFR §300.301(c)(1), including correction of the noncompliance identified in FFY 2005.</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's FFY 2005 reported data for this indicator are 79.3%. (The State reported a slightly lower figure, 73.6%, because it did not subtract from the denominator parental refusals to consent to evaluations.) This represents progress from the State's FFY 2004 reported data of 27.9%; however, the State did not meet its FFY 2005 target of 100%.</p> <p>Data are not valid and reliable because the State used an incorrect measurement.</p> <p>The State discussed correction activities, but did not demonstrate timely correction.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State noted that it revised its procedures so that it could collect all of the specified data beginning with the FFY 2006 year. However, the State noted that for FFY 2005, it was still not able to report on the number of children referred but found not eligible by their third birthday, though the data would be collected for FFY 2006. In the FFY 2006 APR, due February 1, 2008, the State must include data on the number of children referred and found not eligible.</p> <p>OSEP's March 10, 2006, FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR, a progress report as required by the State's FFY 2006 grant award. In its February 1, 2007 progress report, the State reported that prior noncompliance was partially corrected and that five districts were subject to progressive sanctions.</p> <p>The State's data is not valid and reliable because the State reported on the number of children with IEPs in place by their third birthday rather than the number of children with IEPs in place and implemented by their third birthdays.</p> <p>OSEP's grant award letter of July 8, 2006, imposed Special Conditions on ODE's FFY 2006 grant award regarding failure to ensure compliance with the requirement under 34 CFR §300.124, formerly 34 CFR §300.121, to</p>

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		<p>ensure that children referred from Part C who are found eligible for Part B, have an IEP developed and implemented by their third birthdays. These Special Conditions required ODE to submit two progress reports. ODE submitted the first required progress report on February 1, 2007. OSEP is concerned about the continued noncompliance reported in ODE's first Progress Report. The State's second Progress Report was due June 1, 2007, and will be addressed under separate cover.</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 compliance with the requirements of 34 CFR §300.124, including correction of noncompliance identified in FFY 2005 and FFY 2004.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>[Compliance Indicator; New]</p>	<p>The State's FFY 2005 reported baseline data are 30.7%.</p> <p>Data not valid and reliable.</p> <p>State acknowledged that the data reported were incomplete.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. The State reported that the data available are only for some districts and indicated that many districts submitted FFY 2005 data at the end of 2006 that would not be verified until the end of August 2007. The State included improvement activities to address the data issues.</p> <p>The State must provide complete and accurate FFY 2005 baseline data, as well as FFY 2006 data in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 34 CFR §300.320(b), including correction of the 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>A plan that describes how data will be collected was provided.</p>	<p>The State included the required 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 March 24, 2006 FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR a revised sampling methodology that describes how data were collected. The State included a technically sound sampling plan.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.)</p>	<p>The State's FFY 2005 reported data for this indicator</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p>

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<p>identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>are 97%. This represents slippage from the State's FFY 2004 reported data of 100%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was corrected.</p> <p>Data not valid, because the State did not submit FFY 2005 data consistent with the required measurement.</p>	<p>The State reported data based on the number of LEAs with findings of noncompliance, not the number of individual findings, as requested. The State reported that prior noncompliance was partially corrected in a timely manner. The State included follow-up monitoring and corrective actions for the four LEAs (of a total of 48 LEAs reviewed) that did not demonstrate timely correction of noncompliance in follow-up monitoring reviews.</p> <p>OSEP appreciates the State's efforts and looks forward to data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 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 11, 12, and 13, 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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of 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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate 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>[Results Indicator; New]</p>	<p>The State provided FFY 2005 baseline data of 50.6%.</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>
<p>19. Percent of mediations held that resulted in</p>	<p>The State's FFY 2005</p>	<p>The State revised the improvement activities for this indicator in its SPP and</p>

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<p>mediation agreements. [Results Indicator]</p>	<p>reported data for this indicator are 83.5%. This represents slippage from the State's FFY 2004 reported data of 84.7%. The State did not meet its FFY 2005 target of 86%.</p>	<p>OSEP accepts those revisions. OSEP looks forward to the State's data demonstrating improvement in performance 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. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 66.7% for accuracy and 100% for timeliness in submission of 618 data reports. This represents slippage from the State's FFY 2004 reported data of 100%. The State did not meet its FFY 2005 target of 100%.</p>	<p>The State reported that the accuracy problems with the 618 data submissions have been corrected and all reports have been submitted. As noted in Indicators 12, 13 and 15, the State also had data issues relative to the APR. The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due, February 1, 2008, that demonstrate compliance with the requirements in IDEA sections 618 and 34 CFR §§76.720 and 300.601(b).</p>