

**Pennsylvania Part B FFY 2005 SPP/APR Response Table**

| <b>Monitoring Priorities and Indicators</b>  | <b>Status</b>   | <b>OSEP Analysis/Next Steps</b>   |
|--|---|---|
| <b>Monitoring Priority: FAPE in the LRE</b>  |   |   |
| <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 91.79%. This represents slippage from the State's FFY 2004 reported data of 92.50%. The State did not meet its FFY 2005 target of 92.55%.</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 did not include the actual numbers used in the calculations, as instructed. The State must include this information for the FFY 2006 year in the FFY 2006 APR, due February 1, 2008.</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 7.36%. This represents slippage from the State's FFY 2004 reported data of 6.80%. The State did not meet its FFY 2005 target of 6.75%.</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 did not include the actual numbers used in the calculations, as instructed. The State must include this information for the FFY 2006 year 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 for grade span 3 through 5 are 62.3%. The State met its FFY 2005 target of 28.70%.</p> <p>The State's FFY 2005 reported data for this indicator for grade span 6 through 8 are 52.9%. The State met its FFY 2005 target of 18.70%.</p> <p>The State's FFY 2005 reported data for this indicator for grade span 9 through 12 are 28.7%. The State met its</p> | <p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</p>   |

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|  | FFY 2005 target of 13.40%.   |   |
| <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 this indicator are 97.4%. The State met its FFY 2005 target of 95.15%.</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>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 regarding reading proficiency are 28.3%. The State met its FFY 2005 target of 25.8%.</p> <p>The State's FFY 2005 reported data for this indicator regarding math proficiency are 32.4%. The State met its FFY 2005 target of 26.2%.</p> | <p>The State met its targets and OSEP appreciates the State's efforts to improve performance.</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 5.2%. The State did not meet its FFY 2005 target of 0.0%.</p>   | <p>The State revised the targets and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State revised the method by which it determines whether a significant discrepancy exists. Under the new formula, the State identifies a significant discrepancy if a district has a suspension and expulsion rate for children with disabilities greater than two times the State rate. Using this formula, the State determined that 5.2% of districts in the State exhibited significant discrepancies. However, the State did not describe how the State reviewed, and if appropriate revised (or required the affected LEAs to revise) its 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, as required by 34 CFR §300.170(b). In its FFY 2006 APR, the State must</p> |

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|  |   | 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. (The review for LEAs identified in the FFY 2006 APR may occur either during or after the FFY 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>The State's FFY 2005 reported data for Indicator 5A are 46.5%. The State met its FFY 2005 target of 43.7%.</p> <p>The State's FFY 2005 reported data for Indicator 5B are 14.4%. The State met its</p> | <p>The State revised its targets and improvement activities for this indicator and OSEP accepts these revisions.</p> <p>The State met its targets for Indicators 5A and 5B, and OSEP appreciates the State's efforts to improve performance. OSEP looks forward to the State's data demonstrating improvement in performance for 5C in the FFY 2006 APR, due February 1, 2008.</p>   |

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| <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>   | <p>FFY 2005 target of 16.1%.</p> <p>The State's FFY 2005 reported data for Indicator 5C are 4.4%. The State did not meet its FFY 2005 target of 4.1%.</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 49.15%. The State met its FFY 2005 target of 47.5%.</p>                                      | <p>The State revised its improvement activities for this indicator and OSEP accepts these revisions.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p> <p>OSEP's March 13, 2006, FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR clarification regarding the extent, if any, to which itinerant services outside of the home are provided in inclusive settings, in reporting its performance on this indicator in the APR, due February 1, 2007. Pennsylvania addressed the issue by clarifying that it determined that its reporting would not include itinerant services in its calculation of students served in inclusive settings.</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>The State provided entry data.</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>  |

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| <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 provided FFY 2005 baseline data of 35%.</p> | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>   |
| <b>Monitoring Priority: Disproportionality</b>   |  |  |
| <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 FFY 2005 baseline data of 0%.</p>  | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. The State, utilizing a weighted risk ratio analysis, indicated that there was no disproportionate representation of racial and ethnic groups in special education and related services in Pennsylvania that is the result of inappropriate identification. However, the State did not explain whether this was because no districts were identified with disproportionate representation, or because no observed disproportionate representation was the result of inappropriate identification. The State also did not describe how it determined whether disproportionate representation was the result of inappropriate identification. The State must include this information in the FFY 2006 APR, due February 1, 2008.</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 FFY 2005 baseline data of 0%.</p>  | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. The State, utilizing a weighted risk ratio analysis, indicated that there was no disproportionate representation of racial and ethnic groups disaggregated in any disability category receiving special education and related services in Pennsylvania. However, the State did not explain whether this was because no districts were identified with disproportionate representation, or because no observed disproportionate representation was the result of inappropriate identification. The State also did not describe how it determined whether disproportionate representation was the result of inappropriate identification. The State must include this information in the FFY 2006 APR, due February 1, 2008.</p>    |
| <b>Monitoring Priority: Effective General Supervision</b>  |  |  |
| <p>11. Percent of children with parental consent</p>   | <p>The State's reported FFY</p>                          | <p>The State provided baseline data, targets and improvement activities and</p>  |

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| <p>to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator; New]</p>  | <p>2005 baseline data for this indicator are 94.35%.</p>   | <p>OSEP accepts the SPP for this indicator. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 34 CFR §300.301(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 by reporting four separate quarterly percentages. The average of the four quarters' rates is 86.45%. This represents progress from the State's FFY 2004 reported data of 79.2%. The State did not meet its FFY 2005 target of 100%.</p> | <p>OSEP's March 13, 2006 FFY 2004 SPP response letter required the State to include in the February 1, 2007 APR data and information indicating that the noncompliance identified in that letter was corrected within one year of its identification. The State provided no evidence of correction of this previously identified noncompliance.</p> <p>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 of 34 CFR §300.124, including correction of noncompliance identified in FFY 2004 and FFY 2005.</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 reported FFY 2005 baseline data are 85.30%.</p>   | <p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State indicated that it analyzed data for the IEP content probes which included post-school outcomes for education/training, employment, and community living; description of transition services and relationship between transition assessment and planning; and measurable annual goals.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrates compliance with the requirements of 34 CFR §300.320(b), including 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 must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p>  |
| <p>15. General supervision system (including monitoring, complaints, hearings, etc.)</p>   | <p>State's FFY 2005 reported data (combined school-aged</p>  | <p>The State did not recalculate its baseline data reported in the SPP.</p> <p>OSEP's March 13, 2006 FFY 2004 SPP response letter required the State to</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>and preschool) for this indicator are 94.0%. This represents progress from the State's FFY 2004 reported data of 76% for school-aged programs and 51% for preschool programs. The State did not meet its FFY 2005 target of 100%.</p> | <p>include in its February 1, 2007 APR a review and, if necessary, a revision of its improvement strategies to address the timely correction of noncompliance. The State reported that all noncompliance from 2004-2005 was corrected within one year or within extensions granted. The State reported that it granted extensions when there was not a sufficient fresh sample size to verify corrective action within one year. For example, in some small districts there was not a sufficient number of children with disabilities who were suspended/expelled on which to base a new sample population to verify correction of the systemic noncompliance, although the State corrected the individual noncompliance for each student identified in the original monitoring within one year. 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 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 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 96.5%. 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 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 §300.515(a).</p>  |
| <p>18. Percent of hearing requests that went to</p>  | <p>The State reported FFY 2005</p>   | <p>The State provided baseline data, targets and improvement activities and</p>  |

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| <p>resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator; New]</p>                      | <p>baseline data of 67%.</p>  | <p>OSEP accepts the SPP for this indicator. However the State mistakenly refers to the percent of mediations rather the percent of resolution sessions in the targets. (The State provided data based on the correct measurement.) The State must revise the targets for this indicator in the SPP to refer to percent of resolution sessions rather than mediations in the FFY 2006 submission, due February 1, 2008.</p> |
| <p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>  | <p>The State's FFY 2005 reported data for this indicator are 79.3%. This represents progress from FFY 2004 data of 78.0%, however, the State did not meet its FFY 2005 target of 79.5%.</p> | <p>The State reported progress and 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.</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>The State's FFY 2005 reported data for this indicator are 100%. OSEP appreciates the State's efforts in achieving compliance and looks forward to data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements of IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p>   |