

Delaware Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																																			
<p>Status of Public Reporting on LEA Performance: While the State has publicly reported on the performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA, those reports do not contain the required information. Specifically, the State did not report on the performance of each LEA on the targets in the State Performance Plan for Indicators 9, 10, and 11.</p>																																					
<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. [Results Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 69.78%. These data represent progress from the FFY 2006 data of 66.42%. The State did not meet its FFY 2007 target of 76%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</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. [Results Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 4.28%. These data represent progress from the FFY 2006 data of 5.51%. The State met its FFY 2007 target of 6.8%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>																																			
<p>3. Participation and performance of children with disabilities on statewide assessments: 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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported data for this indicator are:</p> <table border="1" data-bbox="554 1015 1430 1297"> <thead> <tr> <th>Grade</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="3">English/Language Arts</td> <td colspan="3">Math</td> </tr> <tr> <td>Elementary</td> <td>53.3%</td> <td>53.3%</td> <td>47%</td> <td>71.4%</td> <td>80%</td> <td>38%</td> </tr> <tr> <td>Middle</td> <td>31.25%</td> <td>37.5%</td> <td>47%</td> <td>25%</td> <td>56.25%</td> <td>38%</td> </tr> <tr> <td>High</td> <td>44.4%</td> <td>55.5%</td> <td>62%</td> <td>44.4%</td> <td>44.4%</td> <td>48%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2006 data, with the exception of elementary English/Language Arts which remained unchanged from the FFY 2006 data. The State met part of its FFY 2007 targets.</p>	Grade	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target		English/Language Arts			Math			Elementary	53.3%	53.3%	47%	71.4%	80%	38%	Middle	31.25%	37.5%	47%	25%	56.25%	38%	High	44.4%	55.5%	62%	44.4%	44.4%	48%	<p>OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
Grade	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target																															
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<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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are:</p> <table border="1" data-bbox="554 347 1430 792"> <thead> <tr> <th>Grade</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> </tr> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> </thead> <tbody> <tr> <td>3</td> <td>98.8%</td> <td>99.62%</td> <td>99.0%</td> <td>98.9%</td> <td>99.62%</td> <td>99.1%</td> </tr> <tr> <td>4</td> <td>98.5%</td> <td>99.78%</td> <td>98.5%</td> <td>99%</td> <td>99.85%</td> <td>98.8%</td> </tr> <tr> <td>5</td> <td>99.2%</td> <td>99.80%</td> <td>99.3%</td> <td>99.9%</td> <td>99.80%</td> <td>99.1%</td> </tr> <tr> <td>6</td> <td>99.1%</td> <td>99.58%</td> <td>98.2%</td> <td>99.1%</td> <td>99.72%</td> <td>98.3%</td> </tr> <tr> <td>7</td> <td>98.5%</td> <td>98.88%</td> <td>98.0%</td> <td>98.6%</td> <td>98.75%</td> <td>98.1%</td> </tr> <tr> <td>8</td> <td>98.2%</td> <td>98.34%</td> <td>97.4%</td> <td>98.2%</td> <td>98.66%</td> <td>97.2%</td> </tr> <tr> <td>HS</td> <td>99.5%</td> <td>96.42%</td> <td>95.6%</td> <td>99.5%</td> <td>96.60%</td> <td>95.2%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2006 data.</p> <p>The State met its FFY 2007 targets.</p>	Grade	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target		Reading			Math			3	98.8%	99.62%	99.0%	98.9%	99.62%	99.1%	4	98.5%	99.78%	98.5%	99%	99.85%	98.8%	5	99.2%	99.80%	99.3%	99.9%	99.80%	99.1%	6	99.1%	99.58%	98.2%	99.1%	99.72%	98.3%	7	98.5%	98.88%	98.0%	98.6%	98.75%	98.1%	8	98.2%	98.34%	97.4%	98.2%	98.66%	97.2%	HS	99.5%	96.42%	95.6%	99.5%	96.60%	95.2%	<p>OSEP appreciates the State's efforts to improve performance.</p>
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<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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are:</p> <table border="1" data-bbox="554 1057 1430 1502"> <thead> <tr> <th>Grade</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> </tr> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> </thead> <tbody> <tr> <td>3</td> <td>56.75%</td> <td>59.16%</td> <td>71%</td> <td>51.06%</td> <td>50.61%</td> <td>60%</td> </tr> <tr> <td>4</td> <td>52.56%</td> <td>50.15%</td> <td>56%</td> <td>43.16%</td> <td>45.23%</td> <td>50%</td> </tr> <tr> <td>5</td> <td>55.13%</td> <td>54.92%</td> <td>65%</td> <td>42.8%</td> <td>43.54%</td> <td>56%</td> </tr> <tr> <td>6</td> <td>40.74%</td> <td>43.75%</td> <td>45%</td> <td>38.89%</td> <td>37.94%</td> <td>37%</td> </tr> <tr> <td>7</td> <td>42.41%</td> <td>47.31%</td> <td>46%</td> <td>26.81%</td> <td>31.63%</td> <td>31%</td> </tr> <tr> <td>8</td> <td>42.12%</td> <td>37.80%</td> <td>47%</td> <td>26.46%</td> <td>27.60%</td> <td>32%</td> </tr> <tr> <td>HS</td> <td>29.80%</td> <td>28.66%</td> <td>35%</td> <td>24.08%</td> <td>24.53%</td> <td>28%</td> </tr> </tbody> </table>	Grade	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target		Reading			Math			3	56.75%	59.16%	71%	51.06%	50.61%	60%	4	52.56%	50.15%	56%	43.16%	45.23%	50%	5	55.13%	54.92%	65%	42.8%	43.54%	56%	6	40.74%	43.75%	45%	38.89%	37.94%	37%	7	42.41%	47.31%	46%	26.81%	31.63%	31%	8	42.12%	37.80%	47%	26.46%	27.60%	32%	HS	29.80%	28.66%	35%	24.08%	24.53%	28%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
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	<p>These data represent progress in part and slippage in part from the FFY 2006 data.</p> <p>The State met part of its FFY 2007 targets.</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 [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 21.1%. These data represent progress from the FFY 2006 data of 31.6%.</p> <p>The State met its FFY 2007 target of 36.8%.</p> <p>The State described how the State reviewed the LEAs' 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) for the LEAs identified with significant discrepancies for FFY 2005, 2006 and 2007. The State reported that the policies, procedures or practices in the LEAs identified with a significant discrepancy did not need revision.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must again describe the review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of the IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2007, as required by 34 CFR §300.170(b).</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. [Results Indicator]</p>	<p>States were not required to report on this indicator for FFY 2007.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>

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<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>[Results Indicator]</p>	<p>The State revised the targets and improvement activities for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established targets.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="554 412 1476 954"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Removed from regular class less than 21% of the day.</td> <td align="center">51.33</td> <td align="center">53.2</td> <td align="center">56.0</td> <td align="center">1.87%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day.</td> <td align="center">19.03</td> <td align="center">18.3</td> <td align="center">19.2</td> <td align="center">0.73%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td align="center">6.19</td> <td align="center">6.4</td> <td align="center">4</td> <td align="center">-0.21%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B and slippage for 5C.</p> <p>The State met its FFY 2007 target for 5B and did not meet its targets for 5A and 5C.</p> <p>OSEP's February 27, 2006 FFY 2004 SPP response letter indicated that the State's funding formula continues to be a barrier toward ensuring the appropriate placement of children in the least restrictive environment. On June 1, 2006 the State submitted an assurance that the funding mechanism would be revised as of June 30, 2006 through the inclusion of language that authorizes the development of a plan to expand the needs-based funding structure to include all districts and charter schools by September 2008. In Delaware's FFY 2006 grant award letter, OSEP expressed the expectation that the State would fully implement the needs-based funding structure by September 2008.</p> <p>The State's June 20, 2008 letter to OSEP on the status of the implementation of the funding formula reported that 12 of 19 districts were using the revised needs-based funding formula. The State reported that budget challenges have</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day.	51.33	53.2	56.0	1.87%	B. % Removed from regular class greater than 60% of the day.	19.03	18.3	19.2	0.73%	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	6.19	6.4	4	-0.21%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> <p>The State must, within 60 days from the date of OSEP's issuance of its response to the State's FFY 2007 APR, submit documentation that demonstrate that the State's funding mechanism has been revised and implemented to ensure the appropriate placement of students in the least restrictive environment, or otherwise demonstrate that it is meeting the requirements of 20 U.S.C. 1412(a)(5)(B).</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. % Removed from regular class less than 21% of the day.	51.33	53.2	56.0	1.87%																		
B. % Removed from regular class greater than 60% of the day.	19.03	18.3	19.2	0.73%																		
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	prevented the full implementation of the revised funding formula. The State provided an assurance that the Delaware Code will be revised during the FFY 2008 year so that changes can be legislatively approved by June 30, 2009. In the FFY 2007 APR, the State reported that it is engaged in activities to ensure the placement of children with disabilities in their least restrictive environment. These activities include the examination of data and focused monitoring for LEAs below the State averages, evaluations to measure progress towards placement in the least restrictive environment, and professional development.																					
<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>	States were not required to report on this indicator for FFY 2007.	The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.																				
<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]</p>	<p>The State's FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="554 932 1467 1515"> <thead> <tr> <th data-bbox="554 932 1037 1110">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1037 932 1182 1110">Social Emotional</th> <th data-bbox="1182 932 1325 1110">Knowledge & Skills</th> <th data-bbox="1325 932 1467 1110">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="554 1110 1037 1179">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1037 1110 1182 1179">3</td> <td align="center" data-bbox="1182 1110 1325 1179">2</td> <td align="center" data-bbox="1325 1110 1467 1179">3</td> </tr> <tr> <td data-bbox="554 1179 1037 1313">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1037 1179 1182 1313">6</td> <td align="center" data-bbox="1182 1179 1325 1313">4</td> <td align="center" data-bbox="1325 1179 1467 1313">3</td> </tr> <tr> <td data-bbox="554 1313 1037 1414">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1037 1313 1182 1414">40</td> <td align="center" data-bbox="1182 1313 1325 1414">45</td> <td align="center" data-bbox="1325 1313 1467 1414">31</td> </tr> <tr> <td data-bbox="554 1414 1037 1515">d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1037 1414 1182 1515">39</td> <td align="center" data-bbox="1182 1414 1325 1515">44</td> <td align="center" data-bbox="1325 1414 1467 1515">46</td> </tr> </tbody> </table>	07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	3	2	3	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	6	4	3	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	40	45	31	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	39	44	46	The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.
07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior																			
a. % of preschoolers who did not improve functioning.	3	2	3																			
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	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	12	5	17	
	Total (approx. 100%)	100.00%	100.00%	100.00%	
<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]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 84%. These data represent progress from the FFY 2006 data of 83%.</p> <p>The State met did not meet its FFY 2007 target of 85%.</p>				<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<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]</p>	<p>The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>The State met its FFY 2007 target of 0%.</p> <p>OSEP noted that on page 56 of the updated SPP submitted on February 2, 2009, that the State used the terms "significant disproportionality" and "disproportionate representation" interchangeably in the discussion of baseline data. In addition, in reporting under this indicator in the FFY 2007 APR, the header row of the State's data table was titled "Number of LEAs with Significant Disproportionality" and "Percent of LEAs with Significant Disproportionality." However, the State defined disproportionate representation on page 61 of its FFY 2207 APR. OSEP could not determine whether the State's interchangeable use of the terms "significant disproportionality" and "disproportionate representation" was the result of the State defining disproportionate representation to be the same as significant disproportionality.</p> <p>The State reported that no LEAs were determined to have disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification.</p>				<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>The State must clarify in its FFY 2008 APR, due February 1, 2010, whether it defines disproportionate representation to be the same as significant disproportionality since it used both terms in its updated SPP and in responding to this indicator in the FFY 2007 APR.</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>The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>The State met its FFY 2007 target of 0%.</p> <p>OSEP noted that on page 56 of the updated SPP submitted on February 2, 2009, that the State used the terms "significant disproportionality" and</p>				<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>The State must clarify in its FFY 2008 APR, due February 1, 2010, whether it defines disproportionate representation to</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<p>“disproportionate representation” interchangeably in the discussion of baseline data. In addition, in reporting under this indicator in the FFY 2007 APR, the header row of the State’s data table was titled “Number of LEAs with Significant Disproportionality” and “Percent of LEAs with Significant Disproportionality.” However, the State defined disproportionate representation on page 61 of its FFY 2207 APR. OSEP could not determine whether the State’s interchangeable use of the terms “significant disproportionality” and “disproportionate representation” was the result of the State defining disproportionate representation to be the same as significant disproportionality.</p> <p>The State reported that no LEAs were determined to have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.</p>	<p>be the same as significant disproportionality since it used both terms in its updated SPP and in responding to this indicator in the FFY 2007 APR.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 94.9%. These data represent progress from the FFY 2006 data of 91%.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009, information about the reasons for delays in evaluations. The State provided this information.</p> <p>In the State’s FFY 2007 APR, the State reported that only those districts below 90% were asked to provide reasons for delays in evaluations. The State did not determine if any LEA above 90% was noncompliant with the timely evaluations requirements in 34 CFR §300.301(c)(1). The State indicated that in the future, all LEAs not at 100 percent will be asked to review the data, identify data errors if there are any, and provide explanations regarding children whose eligibility was determined beyond the timeframe.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely evaluations requirements in 34 CFR §300.301(c)(1) was corrected in a timely manner.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §300.301(c)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR including LEAs with data above 90 percent): (1) is correctly implementing the specific regulatory requirement(s); and (2) has completed the initial evaluation although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17,</p>

Delaware Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>2008 (OSEP Memo 09-02).</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 2007 reported data for this indicator are 97.7%. These data remain unchanged from the FFY 2006 data of 97.7%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that the one finding of noncompliance identified in FFY 2006 related to this indicator was corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §300.124(b), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed and implemented the IEP, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>

Delaware Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 postsecondary goals.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 92.1%. These data represent slippage from the FFY 2006 data of 95.6%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all 17 of its findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the secondary transition requirements in 34 CFR §300.320(b) was corrected in a timely manner.</p> <p>Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each individual case of noncompliance, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</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 postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 86%. These data represent slippage from the FFY 2006 data of 84%.</p> <p>The State did not meet its FFY 2007 target of 90%.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in timely correcting noncompliance reported by the State under this indicator in the FFY 2006 APR in accordance with 20 U.S.C.</p>

Delaware Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State reported that all 127 of its findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p>	<p>1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e).</p> <p>In reporting on correction of noncompliance in the FFY 2008 APR, due February 1, 2010, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State’s monitoring system, through the State’s data system and by the Department); and (2) verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 11, 12, and 13 in the FFY 2008 APR due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.</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 2007 reported data for this indicator are 100%. These data are based on eight complaints. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the timely complaint resolution 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.</p>	<p>The State’s FFY 2007 reported data for this indicator are 100%. These data are based on two due process hearings. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.</p>

Delaware Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]		
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 0%. The State reported that 0 of one resolution session resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 86%. These data remain unchanged from the FFY 2006 data of 86%.</p> <p>The State did not meet its FFY 2007 target of 88%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</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 2007 reported data for this indicator are 100%. However, OSEP's calculation of the data for this indicator is 84.1%. These data represent slippage from the FFY 2006 of 98.3%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.</p>