

**Massachusetts Part B FFY 2007 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</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 revised the baseline and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 64.1%. These data represent progress from the FFY 2006 data of 62.8%.</p> <p>The State did not meet its FFY 2007 target of 66.2%.</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.</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 5.5%. These data represent progress from the FFY 2006 data of 5.8%.</p> <p>The State did not meet its FFY 2007 target of 5.1%.</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>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 revised the baseline and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 55.5% for English Language Arts and 50.2% for Math. These data represent progress from the FFY 2006 data of 41.4% for English Language Arts and 43.6% for Math.</p> <p>The State met its FFY 2007 targets of 46% for English Language Arts and 38% for Math.</p>	<p>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>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 97.9% for English Language Arts and 98% for Math. These data remain unchanged from the FFY 2006 data of 97.9% for English Language Arts and progress from the FFY 2006 data of 97.7% for Math.</p> <p>The State did not meet its FFY 2007 target of 99% for English Language Arts and Math.</p>	<p>OSEP 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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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]		
<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 reported on this indicator by providing a Composite Proficiency Index (CPI) for students with disabilities and a percentage of students with IEPs scoring proficient or above on the statewide assessment. The State's FFY 2007 reported data for this indicator are 65.9 CPI (26.3%) for English Language Arts and 55.4 CPI (19.3%) for Math. These data represent slippage from the FFY 2006 data of 66.7 CPI for English Language Arts and progress from the FFY 2006 data of 54 CPI for Math.</p> <p>The State did not meet its FFY 2007 target of 85.4 CPI for English Language Arts and 76.5 CPI for Math.</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>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 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 .57%. These data represent slippage from the FFY 2006 data of .29%.</p> <p>The State did not meet its FFY 2007 target of 0%.</p> <p>The State described how the State reviewed, and if appropriate, revised (or required the affected LEAs to revise), the LEA's 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 one of the two LEAs identified with significant discrepancies for FFY 2007. The State reported the review was conducted for the LEA that was also found to have a significant discrepancy in FFY 2006.</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, a description of the review, and if appropriate, revision of the 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 LEA identified with a significant discrepancy for FFY 2006. The State reported that noncompliance identified through the review of policies, procedures,</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>The State reported that noncompliance identified in FFY 2006 with the requirements related to the development and implementation of IEPs and procedural safeguards was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the uncorrected noncompliance was corrected, by reporting that it has verified that the LEA with the remaining noncompliance identified in FFY 2006 is correctly implementing the specific regulatory requirements.</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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps										
	<p>and practices, pursuant to 34 CFR §300.170(b), was not corrected. The State reported that it is in the process of reviewing the most recent corrective action report submitted by the LEA. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the uncorrected noncompliance was corrected.</p>	<p>State must again describe the results of the State’s examination of data from FFY 2007 (2007-2008).</p> <p>In addition, the State must 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: 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>										
<p>5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="621 1214 1535 1458"> <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">53</td> <td align="center">55.7</td> <td align="center">54.3</td> <td align="center">2.70%</td> </tr> </tbody> </table>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day.	53	55.7	54.3	2.70%	<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>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress								
A. % Removed from regular class less than 21% of the day.	53	55.7	54.3	2.70%								

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps																
	B. % Removed from regular class greater than 60% of the day.	15.3	15.1	15.1	0.20%																
	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	6.7	6.7	6.2	0.00%																
	<p>These data represent progress for 5A and 5B and remain unchanged for 5C from the FFY 2006 data.</p> <p>The State met its FFY 2007 targets for 5A and 5B and did not meet its targets for 5C.</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>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>																
<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="619 1084 1488 1494"> <thead> <tr> <th data-bbox="619 1084 1131 1260">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1138 1084 1251 1260">Social Emotional</th> <th data-bbox="1257 1084 1371 1260">Knowledge &amp; Skills</th> <th data-bbox="1377 1084 1488 1260">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="619 1265 1131 1330">a. % of preschoolers who did not improve functioning.</td> <td data-bbox="1138 1265 1251 1330">1</td> <td data-bbox="1257 1265 1371 1330">2</td> <td data-bbox="1377 1265 1488 1330">1</td> </tr> <tr> <td data-bbox="619 1334 1131 1464">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td data-bbox="1138 1334 1251 1464">17</td> <td data-bbox="1257 1334 1371 1464">17</td> <td data-bbox="1377 1334 1488 1464">15</td> </tr> <tr> <td data-bbox="619 1469 1131 1494">c. % of preschoolers who improved to a</td> <td data-bbox="1138 1469 1251 1494">33</td> <td data-bbox="1257 1469 1371 1494">31</td> <td data-bbox="1377 1469 1488 1494">23</td> </tr> </tbody> </table>				07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	1	2	1	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	17	17	15	c. % of preschoolers who improved to a	33	31	23	<p>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.</p>
07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior																		
a. % of preschoolers who did not improve functioning.	1	2	1																		
b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	17	17	15																		
c. % of preschoolers who improved to a	33	31	23																		

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	level nearer to same-aged peers but did not reach it.				
	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	29	27	30	
	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	20	23	31	
	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 77.5%. These data represent progress from the FFY 2006 data of 77%.</p> <p>The State met its FFY 2007 target of 76%.</p>				<p>OSEP appreciates the State's efforts to improve performance.</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 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 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>The State reported the actual number of districts determined in FFY 2007 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>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]</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 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>The State reported the actual number of districts determined in FFY 2007 to</p>				<p>OSEP appreciates the State's efforts regarding this indicator.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.</p>	
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline). [Compliance 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 94.8%. These data represent progress from the FFY 2006 data of 93.8%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all 16 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 timely initial 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: (1) is correctly implementing the specific regulatory requirements; 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, 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</p>	<p>The State revised the improvement activities for this indicator in its SPP and</p>	<p>The State reported that noncompliance</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 82.9%. These data represent progress from the FFY 2006 data of 80.3%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 170 of 179 findings of noncompliance identified in FFY 2006 and FFY 2007 were corrected in a timely manner. The State reported that it assertively continues to work with the remaining nine districts to ensure correction of the uncorrected noncompliance.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that uncorrected noncompliance identified in FFY 2005 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected. The State reported that it was unable to report on the timely correction of any noncompliance identified in FFY 2005 related to this indicator. The State reported that because of confusion over the data collected, the State did not make individual findings of noncompliance in FFY 2005. The State further clarified that it required all districts as part of their annual application for Part B funds to plan specific improvement activities in the area of transition from early intervention. The State reported that all districts did plan and undertake these activities during 2006-2007 and it considered these activities to be in lieu of findings of noncompliance and corrective actions for FFY 2005.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>identified in FFY 2006 with the early childhood transition requirements in 34 CFR §300.124 was partially corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining nine uncorrected noncompliance findings were corrected.</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 §300.124(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 and each of the nine LEAs with remaining noncompliance identified in FFY 2006: (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>

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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 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 99.1%. These data represent progress from the FFY 2006 data of 98.8%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all six district findings of noncompliance and 16 individual student 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. 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 youth potentially eligible for Part B, although late, 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 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 93.3%. These data represent progress from the FFY 2006 data of 93%.</p> <p>The State met its FFY 2007 target of 93%.</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</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p>	<p>The State reported that remaining noncompliance identified in FFY 2004 and 2005 was not corrected. The</p>

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<p>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 2007 reported data for this indicator are 62.2% based on the number of findings for which correction was verified within one year of identification.</p> <p>The State also reported FFY 2007 data of 78% based on the number of findings for which evidence of correction was received from the LEA within one year of identification. These data represent progress from the FFY 2006 data of 63% based on the number of findings for which evidence of correction was <u>received from the LEA</u> within one year of identification.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 582 of 936 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that 345 of 354 findings of noncompliance subsequently were corrected. Nine findings of noncompliance identified in FFY 2006 in four districts remain uncorrected. The State reported on page 69 of the APR that “further corrective action and progress reporting were required” by the State in these remaining four districts.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate in the FFY 2007 APR, due February 2, 2009 that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2004 and FFY 2005. The State reported that nine findings of noncompliance identified in FFY 2004 and two findings of noncompliance identified in FFY 2005 remain uncorrected. The State reported on page 69 of the APR that for the uncorrected noncompliance identified in FFY 2005, “further corrective action and progress reporting were required” by the State in these remaining two districts. The State reported on page 69 of the APR that for the uncorrected noncompliance identified in FFY 2004, that the one district against which seven of the findings were made was placed in the web-based monitoring program. The other two districts underwent mid-cycle reviews and the State is awaiting additional progress reports.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from</p>	<p>State’s failure to correct longstanding noncompliance raises questions about the effectiveness of the State’s general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2008 APR, due February 1, 2010, that it has corrected this noncompliance.</p> <p>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining nine findings of noncompliance identified in FFY 2004, the remaining two findings of noncompliance identified in FFY 2005, and the remaining nine findings of noncompliance identified in FFY 2006 that the State reported were not corrected in the FFY 2007 APR.</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 timely corrected noncompliance identified by the State in FFY 2007, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e)and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance, 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</p>

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	<p>which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>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 4A, 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 the verification visit letter of March 5, 2009, under Critical Element GS 2, OSEP required the State to submit the following data from monitoring visits conducted during FFY 2007 with its 2008 APR, due February 1, 2010: (1) the date of the on-site monitoring visit; (2) the date of the final report finding noncompliance; (3) the date that MASSDE verified that the noncompliance was corrected and notified the LEA of the correction; and (4) a sample of 10 CAPs with approved activities that address correction of the noncompliant practices based on the statutory and/or regulatory requirements at issue and the root cause(s) of the noncompliance.</p> <p>OSEP looks forward to receiving the required documentation in the State's FFY 2008 APR, due February 1, 2010.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.</p>

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<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 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 91.5%. These data represent progress from the FFY 2006 data of 91%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFY 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</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 complaint resolution requirements in 34 CFR §300.152.</p> <p>In the verification visit letter of March 5, 2009, under Critical Element GS 3, OSEP required the State to submit with its 2008 APR, due February 1, 2010 the following: (1) a sample of ten State complaints that have been extended, including the letter of complaint, the letter extending the complaint, and the final written decision (or disposition if the complaint was closed without a written decision); and (2) MASSDE’s revised procedures ensuring that an extension of the 60-day timeline for complaint resolutions is granted only if the requirements in 34 CFR §300.152(b)(1) are satisfied—that is, the 60-day timeline is extended only if exceptional circumstances exist with respect to a particular complaint; or the parties agree to extend the time to engage in mediation or other alternative dispute resolution. The procedures must include MASSDE’s criteria for extending the 60-day timeline for complaint resolutions and the circumstances under which the 60-day timeline may be extended.</p> <p>OSEP looks forward to receiving the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		required documentation in the State's FFY 2008 APR, due February 1, 2010.
<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 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 94.4%. These data represent slippage from the FFY 2006 data of 96.2%.</p> <p>The State did not meet its FFY 2007 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 provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p> <p>In the verification visit letter of March 5, 2009, under Critical Element GS 3, OSEP required the State to submit with its 2008 APR, due February 1, 2010 the following with respect to due process timelines:</p> <p>(1) documentation demonstrating that MASSDE has procedures to ensure that LEAs convene a resolution session within 15 days of receipt of the parent's due process complaint, or within seven days of receipt of the parent's due process complaint on a disciplinary matter, and that timely resolution sessions have occurred consistent with these procedures, unless the parent agrees in writing to waive the resolution meeting or the parties agree to engage in mediation; and</p> <p>(2) if the resolution process is unsuccessful in resolving the parent's due process complaint, documentation demonstrating that the 45-day due process hearing timeline commences at the expiration of the 30-day resolution</p>

**Massachusetts Part B FFY 2007 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>period under 34 CFR §300.510(a), or within the adjusted time periods described in 34 CFR §300.510(c).</p> <p>OSEP looks forward to receiving the required documentation in the State's FFY 2008 APR, due February 1, 2010.</p>
<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 3.6%. However, the State did not provide valid and reliable data for this indicator. These data are not valid and reliable because the State reported on page 79 of the APR that "these data are not reliable." Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p>	<p>The State provided a plan to collect and report valid and reliable data beginning with the FFY 2008 APR. The State must provide the required 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 83.9%. These data represent progress from the FFY 2006 data of 83.7%.</p> <p>The State did not meet its FFY 2007 target of 86%.</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 98.8%. These data represent progress from the FFY 2006 of 93%.</p> <p>The State did not meet its FFY 2007 target of 100%.</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 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>