

**Montana 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 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 73.9%. These data represent progress from the FFY 2006 data of 68.9%.</p> <p>The State met its FFY 2007 target of 70%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.</p> <p>[Results Indicator]</p>	<p>The State 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 4.5%. These data represent progress from the FFY 2006 data of 5.6%.</p> <p>The State met its FFY 2007 target of 5.6%.</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>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 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 44.3%. These data represent slippage from the FFY 2006 data of 50%.</p> <p>The State met its FFY 2007 target of 40.4%.</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>[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 95.7%. These data represent slippage from the FFY 2006 data of 97.43%.</p> <p>The State met its FFY 2007 target of 95%.</p>	<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 34.8%. These data represent progress from the FFY 2006 data of 33.3%.</p> <p>The State met its FFY 2007 target of 32%.</p>	<p>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 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 appreciates the State's efforts to improve performance. As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 ARP, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007 (2007-2008).</p>										
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>[Results Indicator]</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:</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>The State's FFY 2007 reported data for this indicator are:</p> <table border="1" data-bbox="667 1166 1444 1430"> <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">49</td> <td align="center">51</td> <td align="center">48.5</td> <td align="center">+2%</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.	49	51	48.5	+2%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress								
A. % Removed from regular class less than 21% of the day.	49	51	48.5	+2%								

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[Results Indicator]	B. % Removed from regular class greater than 60% of the day.	12.2	11.7	12.5	+.5%																	
	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.3	1.4	1.7	+.1%																	
	<p>These data represent progress for 5A and 5B and slippage for 5C from the State's FFY 2006 reported data.</p> <p>The State met its FFY 2007 targets.</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>	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="667 1019 1419 1466"> <thead> <tr> <th data-bbox="667 1019 1037 1195">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1037 1019 1157 1195">Social Emotional</th> <th data-bbox="1157 1019 1285 1195">Knowledge &amp; Skills</th> <th data-bbox="1285 1019 1419 1195">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 1195 1037 1263">a. % of preschoolers who did not improve functioning.</td> <td data-bbox="1037 1195 1157 1263">4</td> <td data-bbox="1157 1195 1285 1263">3</td> <td data-bbox="1285 1195 1419 1263">3</td> </tr> <tr> <td data-bbox="667 1263 1037 1430">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td data-bbox="1037 1263 1157 1430">1</td> <td data-bbox="1157 1263 1285 1430">3</td> <td data-bbox="1285 1263 1419 1430">3</td> </tr> <tr> <td data-bbox="667 1430 1037 1466">c. % of preschoolers who</td> <td data-bbox="1037 1430 1157 1466">20</td> <td data-bbox="1157 1430 1285 1466">42</td> <td data-bbox="1285 1430 1419 1466">20</td> </tr> </tbody> </table>					07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	4	3	3	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	1	3	3	c. % of preschoolers who	20	42	20	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.	4	3	3																			
b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	1	3	3																			
c. % of preschoolers who	20	42	20																			

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	improved to a 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.	25	43	16	
	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	50	9	58	
	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 62%. These data represent slippage from the FFY 2006 data of 68.9%.</p> <p>The State reported that by using a 95% confidence interval it met its FFY 2007 target 65.5%.</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>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>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>11. Percent of children with parental consent</p>	<p>The State revised the improvement activities for this indicator and</p>				<p>The State reported that noncompliance</p>

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<p>to evaluate, who were evaluated within 60 days (or State-established timeline). [Compliance Indicator]</p>	<p>OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 91.1%. These data represent progress from the FFY 2006 data of 85.4%. The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to report in the FFY 2007 APR, due February 2, 2009, the correction of noncompliance identified in FFY 2006 for this indicator, and review its improvement activities. The State reported that all of the 38 findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p> <p>In addition, OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State either to provide an explanation of the inconsistency in the data for noncompliance identified in FFY 2005 by the State, or report on the timely correction of noncompliance identified in FFY 2005 for this indicator. The State reported that all of the 11 findings of noncompliance identified in FFY 2005 were corrected in a timely manner.</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 and FFY 2005 with the timely initial evaluation 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 the correction of noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>Although the State reported in its FFY 2007 APR on the timely correction of noncompliance identified in FFY 2007, reporting that all 13 findings of noncompliance identified for this indicator in FFY 2007 were corrected in a timely manner, 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>

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<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State 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 71.5%. These data represent progress from the FFY 2006 data of 61.4%. The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to report in the FFY 2007 APR, due February 2, 2009, the correction of noncompliance identified in FFY 2006 for this indicator, and review its improvement activities. The State reported that all of the 32 findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</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>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>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>Although the State reported in its FFY 2007 on the timely correction of noncompliance identified in FFY 2007, reporting that all 37 findings of noncompliance identified for this indicator in FFY 2007 were corrected in a timely manner, 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>

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<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 62.1%. These data represent slippage from the FFY 2006 data of 63.6%. The State did not meet its FFY 2007 target of 100%.</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, the correction of the noncompliance identified on FFY 2006 for this indicator. The State reported 23 of 24 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that the remaining finding of noncompliance subsequently was corrected.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the secondary transition requirements in 34 CFR §300.320(b) was corrected.</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, 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 80.4%. These data represent progress from the FFY 2006 data of 80.1%.</p> <p>The State met its FFY 2007 target of 79.1%.</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 but in no case later than one year from identification.</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 96.6%. The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that the 141 of 146 findings of noncompliance</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 the State timely corrected noncompliance identified by the State in FFY 2007, in</p>

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<p>[Compliance Indicator]</p>	<p>identified in FFY 2006 were corrected in a timely manner and that the remaining five findings subsequently were corrected by November 2008.</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 the correction of the noncompliance identified in FFY 2005 under Indicators 11, 12, and 13. The State reported that all findings of noncompliance identified under Indicators 11, 12, and 13 were corrected.</p>	<p>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 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 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 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>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>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>The State's FFY 2007 reported data for this indicator are 100%. These data are based on one complaint.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State did not have any complaints the previous year.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>



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[Compliance Indicator]		
<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 2007 reported data for this indicator are 100%. These data are based on one due process hearing.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State did not have any due process hearings the previous year.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.</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 reported that it did not have any resolution sessions during the FFY 2007 reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2006.</p> <p>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 reported that the one mediation held resulted in a mediation agreement.</p> <p>The State reported fewer than ten mediations held in FFY 2006. The State is not required to provide targets or improvement activities until any FFY in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing the State’s data 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 reported data for this indicator are 93.5%. These data represent slippage from the FFY 2006 data of 100%.</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 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>