

New Mexico Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 53.6%. These data represent progress from the revised FFY 2006 data of 52.1%.</p> <p>The State did not meet its FFY 2007 target of 80%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table, revised November 14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009, valid and reliable data in the FFY 2007 APR. The State provided the required information.</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 0.87%. These data represent progress from the FFY 2006 data of 0.90%.</p> <p>The State did not meet its FFY 2007 target of 0.68%.</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 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 15.4% for reading and 10.3% for math. These data represent progress from the FFY 2006 data of 7.1% for reading and 7.1% for math.</p> <p>The State did not meet its FFY 2007 targets of 22% in reading and 27% in 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>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</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 97.74% for reading and 97.86% for math.</p> <p>The State met its FFY 2007 targets of 95.1% for reading and 95.3% for math.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p>		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State 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 18.42% for reading and 12.84% for math. These data represent progress from the FFY 2006 data of 18% for reading and 12.1% for math.</p> <p>The State did not meet its FFY 2007 targets of 28% for reading and 22% 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 definition of significant discrepancy and 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%. Though the State changed its measure of significant discrepancy, the State indicated that the FFY 2007 data were 0% utilizing both the previous measure and the revised measure. These data represent progress from the FFY 2006 data of 2.2%.</p> <p>The State met its FFY 2007 target of 2.2%.</p> <p>The State reported that all four of its findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table, revised November 14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009, a description of the review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2006. OSEP notes that the State's reference, on page 30, to a revised risk ratio and weighted risk ratio of "3.0 or above"</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State reported that noncompliance identified in FFY 2006 with the requirements in 34 CFR §300.170(b) was corrected in a timely manner.</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 describe the results of the State's examination of data from FFY 2007 (2007-2008).</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
	appears to be a typographical error. The State’s revised risk ratio and weighted risk ratio is “5.0 or above.”																					
<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>	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>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 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="548 865 1467 1406"> <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</td> <td align="center">52.48</td> <td align="center">58</td> <td align="center">1.48%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day.</td> <td align="center">19</td> <td align="center">18.8</td> <td align="center">17</td> <td align="center">0.20%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td align="center">2.02</td> <td align="center">1.34</td> <td align="center">2.0</td> <td align="center">0.68%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2006 data.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day.	51	52.48	58	1.48%	B. % Removed from regular class greater than 60% of the day.	19	18.8	17	0.20%	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	2.02	1.34	2.0	0.68%	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.
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. % Removed from regular class less than 21% of the day.	51	52.48	58	1.48%																		
B. % Removed from regular class greater than 60% of the day.	19	18.8	17	0.20%																		
C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	2.02	1.34	2.0	0.68%																		

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
	The State met its target for 5C and did not meet its FFY 2007 targets for 5A and 5B.																					
<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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 816 1419 1474"> <thead> <tr> <th data-bbox="548 816 1062 992">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1062 816 1182 992">Social Emotional</th> <th data-bbox="1182 816 1299 992">Knowledge & Skills</th> <th data-bbox="1299 816 1419 992">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 992 1062 1089">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1062 992 1182 1089">3</td> <td align="center" data-bbox="1182 992 1299 1089">3.2</td> <td align="center" data-bbox="1299 992 1419 1089">2.7</td> </tr> <tr> <td data-bbox="548 1089 1062 1256">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1062 1089 1182 1256">14</td> <td align="center" data-bbox="1182 1089 1299 1256">15.9</td> <td align="center" data-bbox="1299 1089 1419 1256">12.9</td> </tr> <tr> <td data-bbox="548 1256 1062 1390">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1062 1256 1182 1390">23.5</td> <td align="center" data-bbox="1182 1256 1299 1390">26.4</td> <td align="center" data-bbox="1299 1256 1419 1390">21.2</td> </tr> <tr> <td data-bbox="548 1390 1062 1474">d. % of preschoolers who improved functioning to reach a level comparable</td> <td align="center" data-bbox="1062 1390 1182 1474">27</td> <td align="center" data-bbox="1182 1390 1299 1474">27.2</td> <td align="center" data-bbox="1299 1390 1419 1474">26.2</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	3.2	2.7	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	14	15.9	12.9	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	23.5	26.4	21.2	d. % of preschoolers who improved functioning to reach a level comparable	27	27.2	26.2	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	3.2	2.7																			
b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	14	15.9	12.9																			
c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	23.5	26.4	21.2																			
d. % of preschoolers who improved functioning to reach a level comparable	27	27.2	26.2																			

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
	to same-aged peers.				
	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	32	27.1	36.8	
	Total (approx. 100%)	99.50%	99.80%	99.80%	
<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 75.3%. These data represent slippage from the FFY 2006 data of 89.5%.</p> <p>The State did not meet its FFY 2007 target of 87%.</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 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 3.3%. These data represent progress from the FFY 2006 data of 5.6%.</p> <p>The State did not meet 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 specific</p>				<p>The State reported that noncompliance identified in FFY 2006 with the requirements in 34 CFR §§300.173, 300.111, 300.201, and 300.301 through 300.311 was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2008 APR, due February 1, 2010, that demonstrate that the State has in effect the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>disability categories that was the result of inappropriate identification.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table, revised November 14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009 information demonstrating that the State has corrected the remaining noncompliance identified in FFY 2005. The State provided the required information.</p> <p>The State reported that all five of its findings of noncompliance identified in FFY 2006 related to this indicator 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>policies and procedures required by 34 CFR §300.173 and that the LEAs identified in FFY 2007 as having disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p> <p>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 each LEA with remaining noncompliance identified in FFY 2007: (1) is correctly implementing the specific regulatory requirements; and (2) has corrected each individual case of noncompliance, 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>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 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 97.1%. These data represent progress from the FFY 2006 data of 73.9%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table, revised November 14, 2008, required the State to include in the FFY 2007 APR, due February 2,</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely initial evaluation requirements in 34 CFR §300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining four uncorrected noncompliance findings were corrected.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>2009, valid and reliable data. The State provided the required information.</p> <p>The State reported that five of nine findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that the remaining four LEAs were required to include Indicator 11 in the Educational Plan for Student Success (EPSS) or Corrective Action Plan (CAP) and were monitored by Special Education Bureau (SEB) staff.</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>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 §300.301(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 (each LEA with noncompliance from FFY 2007 and each LEA with remaining noncompliance from FFY 2006): (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 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 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 95.2%. These data represent slippage from the FFY 2006 data of 97.2%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table, revised November 14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009 information demonstrating that the State has corrected the remaining</p>	<p>The State reported that noncompliance identified in FFY 2006 with the early childhood transition requirements in 34 CFR §300.124(b) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining three uncorrected noncompliance findings were corrected.</p> <p>OSEP appreciates the State's efforts and</p>

New Mexico Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>noncompliance identified in FFY 2005. The State provided the required information.</p> <p>The State reported that 15 of 18 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that the remaining three LEAs were required to include Indicator 12 in the EPSS, are on a CAP, and are receiving technical assistance from the Special Education Technical Assistance Team (SETAT).</p>	<p>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 (each LEA with noncompliance from FFY 2007 and each LEA with remaining noncompliance from 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>
<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. [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 82.9%. These data represent slippage from the FFY 2006 data of 94%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that the two findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table, revised November</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</p>

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	<p>14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009, a review of its improvement activities and revise them, if appropriate, to ensure they will enable the State to provided data in the FFY 2007 APR, due February 2, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006 APR. The State provided the required information.</p>	<p>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 86.7%. These data represent slippage from the FFY 2006 data of 87.5%.</p> <p>The State did not meet its FFY 2007 target of 87.6%.</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>[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 87.5%. These data represent slippage from the FFY 2006 data of 92.1%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 84 of 96 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that five subsequently were corrected by January 27, 2009. For the uncorrected noncompliance, the State reported that the LEA had been placed on a corrective action plan, was monitored by a Special Education Bureau (SEB) education administrator, and had been assigned the expertise of a Special Education Technical Assistance Team (SETAT).</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table, revised November</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>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining findings of noncompliance identified in the FFY</p>

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	<p>14, 2008, required the State to include in the FFY 2007 APR, due February 2, 2009, information demonstrating that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2004 and FFY 2005. The State provided the required information.</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>2006 APR that were not reported as corrected in the FFY 2007 APR.</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>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. [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 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 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</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 100%. These data are based on three due process hearings.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.</p>

New Mexico Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>officer at the request of either party. [Compliance Indicator]</p>	<p>The State met its FFY 2007 target of 100%.</p>	
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]</p>	<p>The State reported that the one resolution session that was held did not result in a settlement agreement. 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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State reported that six of nine mediations resulted in settlement agreements. The State reported fewer than ten mediations held in FFY 2007. The State is not required to meet its targets or provide 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. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 95.3%. However, OSEP's calculation of the data for this indicator is 97.7%. These data represent progress from the FFY 2006 of 96.4%.</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). In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.</p>