

South Dakota 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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 82.45%. These data represent progress from the FFY 2006 data of 79.4%. The State met its FFY 2007 target of 82%.</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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 4.53%. These data represent slippage from the FFY 2006 data of 4.07%. The State met its FFY 2007 target of 4.70%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 100% for reading and 100% for math. These data represent progress from the FFY 2006 data of 99.3% for reading and 98.79% for math. The State met its FFY 2007 targets of 100% for reading and 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: 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</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data are 99.54% for reading. However, the State's FFY 2007 data under IDEA section 618 for this indicator are 87.84%. These data represent slippage from FFY 2006 data of 99.43% for reading. The State's FFY 2007 reported data are 99.56% for math. However, the State's FFY 2007 data under IDEA section 618 for this indicator are 87.85%. These data represent slippage from FFY 2006 data of 99.54% 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>

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<p>against alternate achievement standards. [Results Indicator]</p>	<p>The State did not meet its targets of 98.7% for reading and 98.8% for math.</p>	
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. [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 59.09% for K-8 reading and 19.19% for 9-12 reading. These data represent progress from the FFY 2006 data of 56% for K-8 reading and slippage from the FFY 2006 data of 20.05% for 9-12 reading.</p> <p>The State's FFY 2007 reported data for this indicator are 45.73% for math for K-8 and 16.39% for math for 9-12. These data represent progress from the FFY 2006 data of 41.93% for math for K-8 and 15.43% for math for 9-12.</p> <p>The State did not meet its targets.</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: A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 0%. These data represent progress from the FFY 2006 data of 0.6%.</p> <p>The State met its FFY 2007 target of 1.20%.</p> <p>The State described on page 45 of the APR how they reviewed, and revised, 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 the LEAs identified with significant discrepancies for FFY 2006. The State reported that for FFY 2006, they reviewed the policies, procedures and practices and "IEP implementation" for the one district with significant discrepancy. The State concluded that the district was correctly writing and implementing students' IEPs and appropriately following the policies, procedures and practices. The district had seven of its eleven schools utilizing the State's PBIS grant and trainings for the past two years and reduced the number of long-term suspensions and expulsions of children with disabilities from 28 to five.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007 (2007-2008).</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<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>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 708 1467 1187"> <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>65.65</td> <td>67.6</td> <td>65 or higher</td> <td>1.95%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day.</td> <td>6.73</td> <td>5.96</td> <td>6.5 or lower</td> <td>0.77%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td>3.15</td> <td>3.06</td> <td>4.0 or lower</td> <td>.09%</td> </tr> </tbody> </table> <p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>These data represent progress for 5A, 5B and 5C from the FFY 2006 data.</p> <p>The State met its FFY 2007 targets.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day.	65.65	67.6	65 or higher	1.95%	B. % Removed from regular class greater than 60% of the day.	6.73	5.96	6.5 or lower	0.77%	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	3.15	3.06	4.0 or lower	.09%	<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.	65.65	67.6	65 or higher	1.95%																		
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C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	3.15	3.06	4.0 or lower	.09%																		
<p>6. Percent of preschool children with IEPs who received special</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</p>																				

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																												
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). [Results Indicator]		February 1, 2010.																												
7. Percent of preschool children with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	The State's FFY 2007 reported progress data for this indicator are: <table border="1" data-bbox="548 574 1419 1328"> <thead> <tr> <th data-bbox="548 574 1060 748">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1060 574 1180 748">Social Emotional</th> <th data-bbox="1180 574 1299 748">Knowledge & Skills</th> <th data-bbox="1299 574 1419 748">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 748 1060 816">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1060 748 1180 816">0</td> <td align="center" data-bbox="1180 748 1299 816">0</td> <td align="center" data-bbox="1299 748 1419 816">0</td> </tr> <tr> <td data-bbox="548 816 1060 954">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1060 816 1180 954">3.69</td> <td align="center" data-bbox="1180 816 1299 954">16.39</td> <td align="center" data-bbox="1299 816 1419 954">7.79</td> </tr> <tr> <td data-bbox="548 954 1060 1053">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1060 954 1180 1053">5.74</td> <td align="center" data-bbox="1180 954 1299 1053">16.80</td> <td align="center" data-bbox="1299 954 1419 1053">13.11</td> </tr> <tr> <td data-bbox="548 1053 1060 1157">d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1053 1180 1157">15.98</td> <td align="center" data-bbox="1180 1053 1299 1157">27.87</td> <td align="center" data-bbox="1299 1053 1419 1157">22.13</td> </tr> <tr> <td data-bbox="548 1157 1060 1261">e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1157 1180 1261">74.59</td> <td align="center" data-bbox="1180 1157 1299 1261">38.93</td> <td align="center" data-bbox="1299 1157 1419 1261">56.97</td> </tr> <tr> <td data-bbox="548 1261 1060 1328">Total (approx. 100%)</td> <td align="center" data-bbox="1060 1261 1180 1328">100.00 %</td> <td align="center" data-bbox="1180 1261 1299 1328">100.00 %</td> <td align="center" data-bbox="1299 1261 1419 1328">100.00 %</td> </tr> </tbody> </table>	07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	0	0	0	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	3.69	16.39	7.79	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	5.74	16.80	13.11	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	15.98	27.87	22.13	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	74.59	38.93	56.97	Total (approx. 100%)	100.00 %	100.00 %	100.00 %	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																											
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Total (approx. 100%)	100.00 %	100.00 %	100.00 %																											
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of	The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 79.2%. These data	OSEP appreciates the State's efforts to improve performance.																												

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>improving services and results for children with disabilities. [Results Indicator]</p>	<p>represent progress from the FFY 2006 data of 75.3%. The State met its FFY 2007 target of 63.2%.</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. [Compliance Indicator]</p>	<p>The State revised the improvement activities and the calculation for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 0%. These data represent progress from the FFY 2006 data of 0.6%. The State met its FFY 2007 target of 0%. The State reported that no districts were identified as having disproportionate representation of racial or ethnic groups in special education and related services based on the State's calculation of the data. The State reported that the one LEA identified in FFY 2006 as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification is in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>	<p>OSEP appreciates the State's efforts regarding this indicator. 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>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State revised the improvement activities and calculation for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 0%. These data represent progress from the FFY 2006 data of 0.61%. The State met its FFY 2007 target of 0%. The State reported that no districts were identified as having disproportionate representation of racial or ethnic groups in specific disability categories based on the State's calculation of the data. The State reported that the one LEA identified in FFY 2006 as having disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>	<p>OSEP appreciates the State's efforts regarding this indicator. 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>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 99.57%. These data represent progress from the FFY 2006 data of 98.05%.</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 required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that the uncorrected FFY 2005 noncompliance with timely evaluations requirements in 34 CFR §300.301(c)(1) was corrected. The State provided this information.</p> <p>The State reported that all 27 findings of noncompliance identified in FFY 2006 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>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. 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 C prior to age 3, who are found eligible for Part B, and who have an IEP developed and</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</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the requirements in early childhood transition 34 CFR §300.124(b).</p>

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<p>implemented by their third birthdays. [Compliance Indicator]</p>	<p>remain unchanged from the FFY 2006 data of 100%. The State met its FFY 2007 target of 100%.</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. The State's FFY 2007 reported data for this indicator are 85.18%. These data represent progress from the FFY 2006 data of 48%. The State did not meet its FFY 2007 target of 100%. The State reported that all 27 findings of noncompliance identified in FFY 2006 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. 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 corrected each individual case of noncompliance, unless the child 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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 81.70%. These data represent slippage from the FFY 2006 data of 84%. The State met its FFY 2007 target of 81.70%.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>

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<p>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 99%. These data represent progress from the FFY 2006 data of 98.94%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 592 of 598 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. On page 122 of the APR, the State explained the sanctions imposed on six districts to correct the uncorrected noncompliance.</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 that were not reported as corrected in the FFY 2007 APR.</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 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 Department); and (2) verified that each LEA program 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 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>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</p>

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		<p>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>[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 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 reported no fully adjudicated due process hearing requests during this reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the 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 reported that the one resolution session resulted in a settlement agreement.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that three of five mediations resulted in mediation agreements.</p> <p>The State reported fewer than ten mediations held in FFY 2007. 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</p>	<p>The State's FFY 2007 reported data for this indicator are 98%. However,</p>	<p>OSEP appreciates the State's efforts and</p>

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<p>State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>OSEP’s calculation of the data for this indicator is 97.7%. The recalculated data represent progress from the FFY 2006 data of 96.6%.</p> <p>The State did not meet its FFY 2007 target of 100%.</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 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>