

Kentucky Part B FFY 2008 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.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>Rather than reporting the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Act (ESEA), the State reported 618 data. The State's FFY 2008 reported data for this indicator are 72.07%. These data represent progress from the FFY 2007 data of 67.34%. The State did not meet its FFY 2008 target of 75.9%.</p> <p>The State reported that it is currently restructuring its data collection system to allow disaggregation of data by subpopulations that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>
<p>2. Percent of youth with IEPs dropping out of high school.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator language and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>Rather than reporting the required dropout rate calculation and timeline established by the Department under the Elementary and Secondary Act (ESEA), the State reported 618 data. The State's FFY 2008 reported data for this indicator are 3.23%. These data represent progress from the FFY 2007 data of 4.24%. The State met its FFY 2008 target of 3.84%.</p> <p>The State reported that it is currently restructuring its data collection system to allow disaggregation of data by subpopulations that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the</p>	<p>The State's FFY 2008 reported data for this indicator are 58.62%. These data represent progress from the FFY 2007 data of 41%. The State met its FFY 2008 target of 50%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>State's minimum "n" size that meet the State's AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>		
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 data reported for this indicator are 100% for reading and 100% for math. The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from the State's reported FFY 2007 data. The State met its FFY 2008 targets of 100% for reading and 100% for math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at http://applications.education.ky.gov/ktr/default.aspx</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>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 41.91% for reading and 38.33% for math. The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from the State's reported FFY 2007 data. The State met its FFY 2008 target of 39.82% for reading and 38% for math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at http://applications.education.ky.gov/ktr/default.aspx</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 that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p>	<p>The State's FFY 2007 reported data for this indicator are 7.39%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State met its FFY 2007 target of 7.95%.</p> <p>The State reported its definition of "significant discrepancy."</p> <p>The State reported that it reviewed the LEA's policies, procedures, and</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>[Results Indicator]</p>	<p>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 2007.</p> <p>The State reported that it 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, pursuant to 34 CFR §300.170(b) for the LEAs identified with significant discrepancies for FFY 2007.</p> <p>The State reported that noncompliance identified in FFY 2007 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected in a timely manner.</p> <p>OSEP’s September 8, 2009 verification letter required the State to demonstrate in the FFY 2008 APR that it collects and examines data to determine if significant disproportionality based on race and ethnicity is occurring in the State and LEAs with respect to the placement of students with disabilities in particular educational settings, and the incidence, duration, and type of disciplinary actions, in accordance with 34 CFR §300.646(a). The State reported that significant disproportionality has been calculated for placement in special education, categories of disability, educational settings by race, and settings by race and disability. The State also reported that it has verified district discipline data by race and ethnicity and is in the process of making the calculations to determine significant disproportionality in the area of discipline.</p>	
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR.</p>	<p>Indicator 4B is new for FFY 2009. Baseline data from 2008-2009, targets (0%), and improvement activities must be submitted with the FFY 2009 APR.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<p>contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator; New for FFY 2009]</p>																						
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) 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="550 748 1467 1256"> <thead> <tr> <th></th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td>68.69</td> <td>69.63</td> <td>64</td> <td>0.94%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>9.93</td> <td>9.84</td> <td>11.2</td> <td>0.09%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td>2.09</td> <td>2.09</td> <td>2.10</td> <td>0.00%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B and remain unchanged for 5C from the FFY 2007 data. The State met all its FFY 2008 targets for this indicator.</p>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. % Inside the regular class 80% or more of the day	68.69	69.63	64	0.94%	B. % Inside the regular class less than 40% of the day	9.93	9.84	11.2	0.09%	C. % In separate schools, residential facilities, or homebound/hospital placements	2.09	2.09	2.10	0.00%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress																		
A. % Inside the regular class 80% or more of the day	68.69	69.63	64	0.94%																		
B. % Inside the regular class less than 40% of the day	9.93	9.84	11.2	0.09%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	2.09	2.09	2.10	0.00%																		
<p>6. Percent of children aged 3</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR.</p>	<p>The instruction package for the FFY 2009 APR/SPP will provide guidance regarding</p>																				

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<p>through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>		<p>the information that States must report for this indicator in their FFY 2009 APRs.</p>						
<p>7. Percent of preschool children aged 3 through 5 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 measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="548 930 1444 1226"> <thead> <tr> <th data-bbox="548 930 919 1047">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="919 930 1192 1047"><u>Summary Statement 1</u>¹</th> <th data-bbox="1192 930 1444 1047"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1047 919 1226">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="919 1047 1192 1226">68.1</td> <td data-bbox="1192 1047 1444 1226">39.7</td> </tr> </tbody> </table>	08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²	Outcome A: Positive social-emotional skills (including social relationships) (%)	68.1	39.7	<p>The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p> <p>In addition, in the FFY 2009 APR, the State must describe the steps it has taken to ensure that the denominators are consistent across all three outcome areas, and the data are valid and reliable.</p>
08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²						
Outcome A: Positive social-emotional skills (including social relationships) (%)	68.1	39.7						

¹ Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned six years of age or exited the program.

² Summary Statement 2: The percentage of preschool children who were functioning within age expectations in each Outcome by the time they turned six years of age or exited the program.

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	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	62.7	35.5	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	31.7	27.6	
	<p>The measurement for this indicator requires States to report on the functional outcomes of preschool children through five with IEPs who demonstrate improved: (1) positive social-emotional skills; (2) acquisition and use of knowledge and skills; and (3) use of appropriate behaviors to meet their needs. However, OSEP notes a discrepancy in the denominator of each functional outcome, i.e., 2,547 for Functional Outcome A, 2,243 for Functional Outcome B, and 1879 for Functional Outcome C. Denominators should be consistent across all outcome areas. The State provided the following explanation for the discrepancy on page 6 of the SPP: “As shown by Tables 1a, 1b, and 1c, each of the three Indicator 7 outcomes was analyzed separately, using the clean, complete data set available to KDE after the data-cleaning process. Because there are three separate outcomes, there are three separate sets of data. The difference in the N size for each outcome is a result of the number of data sets that were usable after the cleaning process. For example, Outcome A had the largest number of data sets available for analysis, at 2547 children. Outcome C had the lowest number (1879), due to its higher number of data sets that did not meet criteria for analysis.”</p>			
<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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2008 reported data for this indicator are 27.9%. These data represent progress from the FFY 2007 data of 23%. The State did not meet its FFY 2008 target of 29.5%. In its description of its FFY 2008 data, the State addressed whether the</p>			<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>

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	response group was representative of the population.	
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 1.14%. These data represent slippage from the FFY 2007 data of 0%. The State did not meet its FFY 2008 target of 0%.</p> <p>The State reported that 11 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that two districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided the definition of disproportionate representation.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>Because the State reported less than 100% compliance for FFY 2008 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2008 with disproportionate representation of racial and ethnic groups in special education and related services 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, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate</p>

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		<p>compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</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's FFY 2008 reported data for this indicator are 4.55%. These data represent slippage from the FFY 2007 data of 0%. The State did not meet its FFY 2008 target of 0%.</p> <p>The State reported that 26 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that eight districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided the definition of disproportionate representation.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>Because the State reported less than 100% compliance for FFY 2008 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2008 with disproportionate representation of racial and 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, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction</p>

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		<p>of the district, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 99%. These data represent progress from the FFY 2007 data of 94.87%. The State did not meet its FFY 2008 target of 100%.</p> <p>OSEP's June 1, 2009 SPP/APR response table required that the State demonstrate in the FFY 2008 APR 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 (i.e., the five LEAs with remaining noncompliance from FFY 2005; the 55 LEAs for which the State made findings of noncompliance in May 2008 based on FFY 2006 data; and the LEAs with findings of noncompliance based on FFY 2007 data).</p> <p>The State reported that the five findings of noncompliance identified in FFY 2005 for this indicator were corrected. The State reported that the 55 findings of noncompliance identified in FFY 2006 for this indicator were corrected.</p> <p>The State reported that all 23 findings of noncompliance identified in FFY 2007 from FFY 2006 data for this indicator were corrected.</p> <p>The State reported that it did not make findings of noncompliance based on its</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR, the State's data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator; specifically, the 18 findings of noncompliance identified in FFY 2008, based on FFY 2007 data, where the State reported that child-specific corrections were verified by February 1, 2010.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator, is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100%</p>

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	<p>FFY 2007 data until FFY 2008 (May 8, 2009) with correction due in FFY 2009 (May 2010). For all 18 findings of noncompliance identified in FFY 2008, the State reported that child-specific corrections were verified by February 1, 2010. However, the State did not report that it verified that each LEA with noncompliance identified in FFY 2008 is correctly implementing the specific regulatory requirements in 34 CFR §300.301(c)(1) consistent with OSEP Memo 09-02. Therefore, the State has not demonstrated that it corrected the noncompliance.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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>compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</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 measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 98.73%. These data represent progress from the FFY 2007 data of 95.69%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that the noncompliance identified in 24 of 25 districts in FFY 2007 based on FFY 2006 data were corrected and that the remaining noncompliance was subsequently corrected by February 1, 2010.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2009 APR, the State’s data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b).</p> <p>Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated</p>

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		<p>data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent</p>	<p>The State is not required to provide actual target data for FFY 2008 for this indicator.</p> <p>OSEP’s June 1, 2009 FFY 2007 SPP/APR response table required the State to report on the timely correction and subsequent correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR (i.e., the 14 LEAs with findings of noncompliance in FFY 2006 based on FFY 2005 data; and the 58 LEAs with FFY 2007 findings of noncompliance issued in May 2008, based on FFY 2006 data). The State reported that all 121 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p> <p>The State reported that 14 findings of noncompliance identified in FFY 2006 for this indicator were corrected.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p>

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<p>or student who has reached the age of majority. [Compliance Indicator]</p>	<p>State took as a result of that technical assistance.</p>	
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: A. Enrolled in higher education within one year of leaving high school. B. Enrolled in higher education or competitively employed within one year of leaving high school. C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. [Results Indicator]</p>	<p>The State is not required to provide actual target data, targets or improvement activities for FFY 2008 for this indicator.</p>	<p>In the FFY 2009 APR, the State must report a new baseline, targets, and, as needed, improvement activities.</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. [Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 95.15%. These data represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 216 of 227 findings of noncompliance identified through formal complaints or due process hearings in FFY 2007 and identified in FFY 2007 from the State's district self-assessment process using FFY 2006 data were corrected in a timely manner.</p> <p>OSEP's September 8, 2009 verification letter required the State to include in the FFY 2008 APR the State's description of the State's policies, procedures and practices to ensure that LEAs correct identified noncompliance in a timely manner and for documenting the conclusion by DECS that noncompliance was timely corrected. If the LEA did not correct identified noncompliance in</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the remaining 11 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR, the State's data demonstrating that the State timely corrected noncompliance, identified in FFY 2008, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e);</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>a timely manner, the State was required to describe the steps used by the State to ensure subsequent correction including a description of the specific enforcement activities taken against any LEA program with longstanding noncompliance. The State provided all of the required information.</p>	<p>and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; 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. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 9, 10, 11, and 12 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's reported FFY 2008 data for this indicator are 100%. These data</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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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State reported that there were no fully adjudicated due process hearings during the FFY 2008 reporting period.</p> <p>OSEP September 8, 2009 verification letter required the State to include in the FFY 2008 APR documentation that the State has established appropriate procedures to make due process findings and decisions available to the public as set forth in 34 CFR §300.513(d) (i.e., that do not rely on the State’s FOIA process). Appropriate procedures include, but are not limited to, posting of redacted findings and decisions on the State website and distribution of findings and decisions to advocacy groups and other interested stakeholders. The State provided all of the required information.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</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 two of four resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2008. The State is not required to meet its targets or provide improvement activities in any fiscal year in which fewer than ten resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2008 reported data for this indicator are 68%. These data represent slippage from the FFY 2007 data of 90%. The State did not meet its FFY 2008 target of 75%.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</p>
<p>20. State reported data (618 and</p>	<p>The State’s FFY 2008 reported data for this indicator are 100%. These data</p>	<p>OSEP appreciates the State’s efforts in</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>achieving 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 2009 APR, the State must use the Indicator 20 Data Rubric.</p>