

**Massachusetts Part B FFY 2008 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table), targets, and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 64.1%. 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 did not meet its FFY 2007 target of 65%.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR). In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</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. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table), targets, and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 5.5%. 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 did not meet its FFY 2007 target of 5.1%.</p> <p>The State provided a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.</p> <p>The State reported the required dropout rate calculation and timeline established by the Department under the ESEA. This means that the State submitted the most recent dropout data that the State reported to the Department as part of its CSPR. In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>3. Participation and performance</p>	<p>The State's FFY 2008 reported data for this indicator are 68.3% for English</p>	<p>OSEP appreciates the State's efforts to</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>Language Arts and 51.4% for Math. These data represent progress from the FFY 2007 data of 55.5% for English Language Arts and 50.2% for Math. The State met its FFY 2008 targets of 50% for English Language Arts and 40% for Math.</p>	<p>improve performance.</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 reported data for this indicator are 98.1% for English Language Arts and 98.3% 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 98.1% for English Language Arts and 98.3% for Math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at <a href="http://profiles.doe.mass.edu/state_report/special_ed.aspx">http://profiles.doe.mass.edu/state_report/special_ed.aspx</a>.</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) and improvement activities for this indicator, and OSEP accepts those revisions.</p> <p>The State reported on this indicator by providing a Composite Proficiency Index (CPI) for students with disabilities and a percentage of students with IEPs scoring proficient or above on statewide assessment. The State’s FFY 2008 reported data for this indicator are 28.3% (67.9 CPI) for English Language Arts and 19.9% (56.9 CPI) for Math. These data represent progress from the FFY 2007 data of 26.3% for English Language Arts and 19.3% for Math. The State did not meet its FFY 2008 targets of 90.2 CPI for English Language Arts and 84.3 CPI for Math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at <a href="http://profiles.doe.mass.edu/state_report/special_ed.aspx">http://profiles.doe.mass.edu/state_report/special_ed.aspx</a>.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<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>[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 were .57%. 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 did not meet its FFY 2007 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that it reviewed the LEAs’ 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 2007.</p> <p>The State reported that it required the affected LEAs to revise the LEAs’ 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 2006 and 2007 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</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 contribute to the significant discrepancy and do not comply with</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>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) and 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="548 683 1467 1151"> <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>55.7</td> <td>56.8</td> <td>55.5</td> <td>1.10%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>15.1</td> <td>15.4</td> <td>14.9</td> <td>-0.30%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td>6.7</td> <td>6.8</td> <td>6.2</td> <td>-0.10%</td> </tr> </tbody> </table> <p>These data represent progress for 5A from the FFY 2007 data. The State met its FFY 2008 target for 5A, but did not meet its FFY 2008 targets for 5B and 5C.</p>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. % Inside the regular class 80% or more of the day	55.7	56.8	55.5	1.10%	B. % Inside the regular class less than 40% of the day	15.1	15.4	14.9	-0.30%	C. % In separate schools, residential facilities, or homebound/hospital placements	6.7	6.8	6.2	-0.10%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress																		
A. % Inside the regular class 80% or more of the day	55.7	56.8	55.5	1.10%																		
B. % Inside the regular class less than 40% of the day	15.1	15.4	14.9	-0.30%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	6.7	6.8	6.2	-0.10%																		
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related</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 the information that States must report for this indicator in their FFY 2009 APRs.</p>																				

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<p>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>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 the Indicator Measurement Table) 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="548 768 1444 1289"> <thead> <tr> <th data-bbox="548 768 921 883">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="921 768 1194 883"><u>Summary Statement 1</u><sup>1</sup></th> <th data-bbox="1194 768 1444 883"><u>Summary Statement 2</u><sup>2</sup></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 883 921 1019"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="921 883 1194 1019">66</td> <td data-bbox="1194 883 1444 1019">81</td> </tr> <tr> <td data-bbox="548 1019 921 1190"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="921 1019 1194 1190">65</td> <td data-bbox="1194 1019 1444 1190">53</td> </tr> <tr> <td data-bbox="548 1190 921 1289"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="921 1190 1194 1289">68</td> <td data-bbox="1194 1190 1444 1289">62</td> </tr> </tbody> </table>	08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> <sup>1</sup>	<u>Summary Statement 2</u> <sup>2</sup>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	66	81	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	65	53	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	68	62	<p>The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p>
08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> <sup>1</sup>	<u>Summary Statement 2</u> <sup>2</sup>												
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	66	81												
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	65	53												
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	68	62												

<sup>1</sup> 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.

<sup>2</sup> 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>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 2008 reported data for this indicator are 77.3%. These data represent slippage from the FFY 2007 data of 77.5%. The State met its FFY 2008 target of 76%.</p> <p>In its description of its FFY 2008 data, the State addressed whether the response group was representative of the population.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 0%. These data remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.</p> <p>The State provided the definition of disproportionate representation.</p>	<p>OSEP appreciates the State's efforts to improve performance.</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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 0%. These data remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that 18 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no 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 to improve performance regarding this indicator.</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>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%. These data represent progress from the FFY 2007 data of 94.8%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that four of five findings of noncompliance identified in</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</p>

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<p>[Compliance Indicator]</p>	<p>FFY 2007 were corrected in a timely manner and that the remaining finding subsequently was corrected by February 1, 2010.</p> <p>However, the State did not report that it verified that each LEA with noncompliance identified in FFY 2007 has completed the required action, 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). Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>correction of noncompliance reflected in the data the State reported for this indicator.</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: (1) is correctly implementing 34 CFR §300.301(c)(1) (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 completed the evaluation, although late, for any child whose initial evaluation 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>The State must demonstrate, in the FFY 2009 APR that the remaining five uncorrected noncompliance findings identified in FFY 2007 were corrected.</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 remaining noncompliance identified in FFY 2007 has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<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 88.5%. These data represent progress from the FFY 2007 data of 82.9%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that of the districts identified as noncompliant with the requirements under Indicator 12 in FFY 2007 all but six districts corrected the noncompliance in a timely manner. The State reported that it notified the six districts of noncompliance related to this indicator for FFY 2007 on March 18, 2009 and will report on correction of those findings in the FFY 2009 APR, due February 1, 2011.</p> <p>The State reported that all nine findings of noncompliance identified in FFY 2006 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 State took as a result of that technical assistance. The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 1, 2009.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). 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.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining six uncorrected noncompliance findings identified in FFY 2008 based on FFY 2007 data were corrected.</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 FFY 2008 data the State reported for this indicator and the LEAs with the remaining six uncorrected noncompliance findings identified in FFY 2008 based on FFY 2007 data: (1) are correctly implementing 34 CFR §300.124(b) (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) have developed and implemented the IEP , although late, for any child for whom implementation of the IEP was not timely,</p>

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		<p>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 or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>	<p>Although the State is not required to provide actual target data for FFY 2008 for this indicator, the State provided FFY 2008 reported data of 99.5%. These data represent progress from the FFY 2007 data of 99.1%. The State did not meet its FFY 2008 target of 100%. The State reported that both of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p> <p>OSEP cannot determine if the State verified that the LEA with an individual, rather than systemic, finding of noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirement in 34 CFR §300.320(b). Therefore, OSEP cannot determine if the State has demonstrated that it corrected the noncompliance.</p>	<p>Although not required, the State reported FFY 2008 data for Indicator 13.</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 secondary transition requirements in 34 CFR §300.320(b). 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 on 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 FFY 2008 data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.320(b) (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</p>

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		<p>the child is no longer within the jurisdiction 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.</p> <p>The State must demonstrate in the FFY 2009 APR that the remaining uncorrected noncompliance finding identified in FFY 2007 was corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that the LEA with the remaining uncorrected noncompliance finding identified in FFY 2007 is correctly implementing 34 CFR §300.320(b) (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, 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>In the FFY 2009 APR the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</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:</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>

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<p>A. Enrolled in higher education within one year of leaving high school.</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>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.</p> <p>[Results Indicator]</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's FFY 2008 reported data for this indicator are 85.5%. These data represent progress from the FFY 2007 data of 62.2%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 1,018 of 1,191 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that all 173 remaining findings subsequently were corrected by February 1, 2010.</p> <p>OSEP's June 1, 2009 FFY 2007 SPP/APR response table required the State to include in the FFY 2008 APR, due February 1, 2010, data that demonstrate the State has corrected the remaining nine findings of noncompliance identified in FFY 2004, the remaining two findings of noncompliance identified in FFY 2005, and the remaining nine findings of noncompliance identified in FFY 2006, that the State reported were not corrected in the FFY 2007 APR. The State reported that all 20 findings of noncompliance identified in FFY 2004, FFY 2005, and FFY 2006 were corrected.</p> <p>OSEP's June 1, 2009 FFY 2007 SPP/APR response table also required the State to include in the FFY 2008 APR information in response to OSEP's verification visit letter of March 5, 2009. Under Critical Element GS 2, the State was required to submit the following data from monitoring visits conducted during FFY 2007: (1) the date of the on-site monitoring visit; (2) the date of the final report finding noncompliance; (3) the date that MASSDE verified that the noncompliance was corrected and notified the LEA of the</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 2009 APR, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2008 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), 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,</p>

**Massachusetts Part B FFY 2008 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>correction; and (4) a sample of ten corrective action plans (CAPs) with approved activities that address correction of the noncompliant practices based on the statutory and/or regulatory requirements at issue and the root cause(s) of the noncompliance. The State provided all 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 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. The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 1, 2009.</p>	<p>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 addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 11, 12, and 13 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</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, 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>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 FFY 2008 reported data for this indicator are 94%. These data represent progress from the FFY 2007 data of 91.5%. The State did not meet its FFY 2008 target of 100%.</p> <p>OSEP’s June 1, 2009 FFY 2007 SPP/APR response table required the State to include in the FFY 2008 APR, due February 1, 2010, information in response to OSEP’s verification visit letter of March 5, 2009. Under Critical Element GS 3, OSEP required the State to submit the following: (1) a sample of ten State complaints that have been extended, including the letter of complaint, the letter extending the complaint, and the final written decision (or disposition if the complaint was closed without a written decision); and (2) MASSDE’s revised procedures ensuring that an extension of the 60-day timeline for complaint resolutions is granted only if the requirements in 34 CFR §300.152(b)(1) are satisfied -- that is, the 60-day timeline is extended only if exceptional circumstances exist with respect to a particular complaint;</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR demonstrating that the State is in 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>or the parties agree to extend the time to engage in mediation or other alternative dispute resolution. MASSDE was required to include the criteria for extending the 60-day timeline for complaint resolutions and the circumstances under which the 60-day timeline may be extended. The State provided all 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 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. The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 1, 2009.</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’s FFY 2008 reported data for this indicator are 100%. These data represent progress from the FFY 2007 data of 94.4%. The State met its FFY 2008 target of 100%.</p> <p>OSEP’s June 1, 2009 FFY 2007 SPP/APR response table required the State to include in the FFY 2008 APR, due February 1, 2010, information in response to OSEP’s verification visit letter of March 5, 2009. Under Critical Element GS 3, OSEP required the State to submit the following with respect to due process timelines: (1) documentation demonstrating that MASSDE has procedures to ensure that LEAs convene a resolution session within 15 days of receipt of the parent’s due process complaint, or within seven days of receipt of the parent’s due process complaint on a disciplinary matter, and that timely resolution sessions have occurred consistent with these procedures, unless the parent agrees in writing to waive the resolution meeting or the parties agree to</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>

**Massachusetts Part B FFY 2008 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>engage in mediation; and (2) if the resolution process is unsuccessful in resolving the parent’s due process complaint, documentation demonstrating that the 45-day due process hearing timeline commences at the expiration of the 30-day resolution period under 34 CFR §300.510(a), or within the adjusted time periods described in 34 CFR §300.510(c). The State provided all 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 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. The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 1, 2009.</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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 42.5%. OSEP was unable to determine if there was progress or slippage because the State did not provide valid and reliable data for FFY 2007. The State did not meet its FFY 2008 target of 49%.</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. The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	<p>reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the lack of valid and reliable data. The State submitted the required information on October 1, 2009.</p>	
<p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State revised the targets for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 84.5%. These data represent progress from the FFY 2007 data of 83.9%. The State met its FFY 2008 target of 75-86%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</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 2008 reported data for this indicator are 97.7%. These data represent slippage from the FFY 2007 data of 98.8%. The State did not meet its FFY 2008 target of 100%.</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 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 2009 APR, the State must use the Indicator 20 Data Rubric.  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>