

Maine 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>The State's FFY 2008 reported data for this indicator are 70%. These data represent slippage from the FFY 2007 data of 76%. The State did not meet its FFY 2008 target of 82%.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma. The State reported that the conditions that youth with IEPs must meet to graduate with a regular diploma are different than for youth without an IEP. The State explained the difference.</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 2008 data for this indicator. The State explained that FFY 2008 data are the most recent data that the State has reported to the Department as part of its CSPR.</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 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 3.8%. These data represent slippage from the FFY 2007 data of 3.7%. The State did not meet its FFY 2008 target of 3.0%.</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 2008 data for this indicator. The State explained that FFY 2008 data are the most recent data that the State has reported to 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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	Department as part of its CSPR.	
<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 State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2008 reported data for this indicator are 95%. OSEP was unable to determine if there was progress or slippage because the State’s FFY 2008 reported data represent the percentage of districts meeting the State’s AYP targets for both reading and math, while the FFY 2007 data represented the percentage of districts meeting AYP targets for reading and the percentage of districts meeting AYP targets for math. The State did not meet its FFY 2008 target of 97%.</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 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 the targets for this indicator and OSEP accepts those revisions.</p> <p>The State revised the targets to add grades 3, 5, 6, and 7 and to align the target values with the NCLB performance targets for FFY 2007 through FFY 2010. The State indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The State’s FFY 2008 reported data for this indicator are 98% for reading and 99% for math. The FFY 2008 data for this indicator cannot be compared to the FFY 2007 data because the calculation has changed to include additional grades. Therefore, OSEP cannot determine progress or slippage from the State’s reported FFY 2007 data. The State met its revised FFY 2008 targets of 98% for reading and 98% for math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results:</p> <p>http://www.maine.gov/education/mea/school_reports.htm</p> <p>http://www.maine.gov/education/mhsa/school_reports.htm</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>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and the targets for this indicator and OSEP accepts those revisions.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>

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<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 indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The State revised the targets to add grades 3, 5, 6, and 7 and to align the target values with the NCLB performance targets for FFY 2007 through FFY 2010.</p> <p>The State’s FFY 2008 data for this indicator are:</p> <table border="1" data-bbox="548 480 1419 847"> <thead> <tr> <th>Grade</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> <tr> <td>3-8</td> <td>%</td> <td>35%</td> <td>58%</td> <td>%</td> <td>32%</td> <td>50%</td> </tr> <tr> <td>HS</td> <td>%</td> <td>15%</td> <td>64%</td> <td>%</td> <td>11%</td> <td>43%</td> </tr> </tbody> </table> <p>The FFY 2008 data for this indicator cannot be compared to the FFY 2007 data because the calculation has changed to include additional grades. Therefore, OSEP cannot determine progress or slippage from the State’s reported FFY 2007 data. The State did not meet its FFY 2008 targets for reading or math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results: http://www.maine.gov/education/mea/school_reports.htm http://www.maine.gov/education/mhsa/school_reports.htm</p>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3-8	%	35%	58%	%	32%	50%	HS	%	15%	64%	%	11%	43%	
Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target																								
	Reading			Math																										
3-8	%	35%	58%	%	32%	50%																								
HS	%	15%	64%	%	11%	43%																								
<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 0%. 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 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>																												

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps										
[Results Indicator]												
<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 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>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>										
<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="548 1174 1467 1435"> <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 align="center">57</td> <td align="center">53.8</td> <td align="center">63</td> <td align="center">-3.20%</td> </tr> </tbody> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. Inside the regular class 80% or more of the day	57	53.8	63	-3.20%	<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	57	53.8	63	-3.20%								

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	B. Inside the regular class less than 40% of the day	11.5	12.5	9	-1.00%	
	C. In separate schools, residential facilities, or homebound/hospital placements	3.5	3.4	3.5	0.10%	
	These data represent slippage for 5A and 5B and progress for 5C from the FFY 2007 data. The State met its FFY 2008 target for 5C, but did not meet its FFY 2008 targets for 5A and 5B.					
<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 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>	The State is not required to report on this indicator in the FFY 2008 APR.					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>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>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>					The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.

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<p>C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>	<p>08-09 Preschool Outcome Baseline Data</p>	<p align="center"><u>Summary Statement 1</u>¹</p>	<p align="center"><u>Summary Statement 2</u>²</p>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	<p align="center">63.1</p>	<p align="center">37</p>	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	<p align="center">65.5</p>	<p align="center">35.4</p>	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	<p align="center">58.3</p>	<p align="center">51</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's FFY 2008 reported data for this indicator are 91%. These data represent progress from the FFY 2007 data of 88.7%. The State met its FFY 2008 target of 89%.</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</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</p>			<p>OSEP appreciates the State's efforts regarding this indicator.</p>

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>racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>2008 target of 0% for this indicator.</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 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% for this indicator.</p> <p>The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories.</p> <p>The State provided the definition of disproportionate representation.</p>	<p>OSEP appreciates the State’s efforts 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>[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 91.3%. These data represent slippage from the FFY 2007 data of 94.6%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that none of the 13 findings of noncompliance identified during FFY 2007 for this indicator were corrected. The State reported on the actions it took to address the uncorrected noncompliance. While the State reported under this indicator that none of the 13 findings of noncompliance identified during FYY 2007 for this indicator were corrected, the State also reported under Indicator 15 that five of 14 findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the timely initial evaluation requirement 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.</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>The State must clarify the number of findings of noncompliance identified in FFY 2007 for this indicator and the number of findings that were corrected. The State must demonstrate, in the FFY 2009 APR, that the remaining 13 uncorrected noncompliance findings identified in FFY</p>

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		<p>2007 (or the revised number of findings of noncompliance 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 noncompliance reflected in the FFY 2008 data the State reported for this indicator and each LEA with remaining uncorrected findings of noncompliance identified in FFY 2007: (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 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>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) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 86.6%. 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 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>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<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 §300.124(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) 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</p>	<p>The State is not required to provide actual target data for FFY 2008 for this indicator.</p> <p>The State reported that 15 of 18 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that the three remaining findings subsequently were corrected by February 1, 2010.</p> <p>In its FFY 2007 APR, the State had reported on the correction of 18 findings of noncompliance identified in FFY 2006. Under the heading, “Correction of findings [of] non-compliance identified in FFY 2007,” the State reported that “the FFY 2007 APR reported correction of 15 of 18 findings of noncompliance” and that the three remaining findings subsequently were</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>In the FFY 2009 APR, the State must clarify the number of findings of noncompliance identified in FFY 2007 for this indicator and the number of those findings that were corrected. When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with</p>

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<p>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>corrected by February 1, 2010. The State reported under Indicator 15 that four of four findings of noncompliance identified in FFY 2007 for this indicator were corrected. It appears that in the FFY 2008 APR the State has again reported on the correction of the 18 findings of noncompliance identified in FFY 2006 for this indicator, rather than reporting on the correction of findings identified in FFY 2007. Further, the State did not report that it verified that any LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §300.320(b). Therefore, the State has not demonstrated that it has corrected any FFY 2007 findings of noncompliance.</p>	<p>noncompliance identified in FFY 2007: (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 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>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>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>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,</p>	<p>The State’s FFY 2008 reported data for this indicator are 93%. These data represent progress from the FFY 2007 data of 92.5%. The State did not meet</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the remaining eight</p>

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<p>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>its FFY 2008 target of 100%.</p> <p>The State reported that 237 of 255 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that three findings subsequently were corrected by February 1, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>OSEP’s June 1, 2009 FFY 2007 SPP/APR response table required the State to confirm in the FFY 2008 APR, due February 1, 2010, that it has included in the Indicator 15 Worksheet all Part B findings of noncompliance from both CDS sites and school districts. The State provided the required information. The State was also required to demonstrate that it has corrected the 13 remaining findings of noncompliance regarding provision of services to preschool children with disabilities identified in CDS sites that it followed up on in its September 2007 letters. The State reported that five of 13 findings of noncompliance regarding provision of services to preschool children with disabilities identified in CDS sites that it followed up on in its September 2007 letters were corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected 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>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>findings of noncompliance regarding provision of services to preschool children with disabilities identified in CDS sites that it followed up on in its September 2007 letters that were not reported as corrected in the FFY 2008 APR were corrected. The State’s failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State’s general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2009 APR, that it has corrected this noncompliance.</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>

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		<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 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 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 for this indicator (consistent with revisions in the Indicator Measurement Table) and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 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 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</p>	<p>The State revised the indicator language for this indicator (consistent with revisions in the Indicator Measurement Table) and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data are based on five due process hearings. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>

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timelines. [Compliance Indicator]		
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]	The State reported that two of four resolution sessions resulted in settlement agreements. The State reported fewer than ten resolution sessions held in FFY 2008; therefore the State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.	OSEP looks forward to reviewing the State's data in the FFY 2009 APR.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State's FFY 2008 reported data for this indicator are 86%. These data represent progress from the FFY 2007 data of 83%. The State met its FFY 2008 target of 80%.	OSEP looks forward to reviewing the State's data in the FFY 2009 APR.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2008 reported data for this indicator are 95.2%. These data represent progress from the FFY 2007 data of 82.6%. The State did not meet its FFY 2008 target of 100%. 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 and lack of valid and reliable data. The State submitted the required information on October 1, 2009.	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). 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. In reporting on Indicator 20 in the FFY 2009 APR, the State must use the Indicator 20 Data Rubric.