

Minnesota 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. [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 revised the improvement activities and targets for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 84.9%. 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 82.2%.</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 appreciates the State's efforts to improve performance.</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) for this indicator and OSEP accepts those revisions.</p> <p>The State revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 4.5%. 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 4.4%.</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</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>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>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 63.5%. These data represent progress from the FFY 2007 data of 63%. The State did not meet its FFY 2008 target of 72.4%.</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), targets, and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 97.7%. The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from FFY 2007 data. The State met its FFY 2008 target of 95%.</p> <p>The State provided web links to 2008 publicly-reported assessment results. http://education.state.mn.us/ReportCard2005/index.do http://education.state.mn.us/MDE/Learning_Support/Special_Education/Statewide_Performance/State_Local_Outcome_Data/index.html</p> <p>In its January 27, 2010 Verification Visit Letter, OSEP found that the State had not reported to the public under Part B on the number of the children with disabilities who were provided accommodations in order to participate in regular assessments, as required by 20 U.S.C. 1412(a)(16)(D)(i). OSEP required the State to submit documentation, by June 1, 2010, to demonstrate that the State is meeting the requirement in 20 U.S.C. 1412(a)(16)(D)(i), and is reporting to the public the number of children with disabilities who were provided accommodations in order to participate in regular assessments with</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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	the same frequency and in the same detail as it reports assessment results for children without disabilities. The State provided the required information. No further action is required to address this finding of noncompliance.																																																																
<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's FFY 2008 reported data for this indicator are:</p> <table border="1" data-bbox="548 532 1419 984"> <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</td> <td>65%</td> <td>64.6%</td> <td>80.1%</td> <td>79.5%</td> <td>81.7%</td> <td>85.0%</td> </tr> <tr> <td>4</td> <td>62.8%</td> <td>64.9%</td> <td>78.2%</td> <td>69.2%</td> <td>71.4%</td> <td>78.3%</td> </tr> <tr> <td>5</td> <td>63.4%</td> <td>65.2%</td> <td>80.0%</td> <td>57.1%</td> <td>59.1%</td> <td>71.3%</td> </tr> <tr> <td>6</td> <td>55.3%</td> <td>59.2%</td> <td>78.8%</td> <td>54.5%</td> <td>52.7%</td> <td>71.4%</td> </tr> <tr> <td>7</td> <td>51.3%</td> <td>51.6%</td> <td>75.5%</td> <td>48.2%</td> <td>48.5%</td> <td>70.6%</td> </tr> <tr> <td>8</td> <td>51.8%</td> <td>53.0%</td> <td>74.3%</td> <td>38.9%</td> <td>44.1%</td> <td>70.3%</td> </tr> <tr> <td>HS</td> <td>58.4%</td> <td>63.0%</td> <td>74.9%</td> <td>18.7%</td> <td>25.1%</td> <td>48.7%</td> </tr> </tbody> </table> <p>The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from FFY 2007 data. The State did not meet its FFY 2008 targets.</p> <p>The State provided web links to 2008 publicly-reported assessment results.</p> <p>http://education.state.mn.us/ReportCard2005/index.do</p> <p>http://education.state.mn.us/MDE/Learning_Support/Special_Education/Statewide_Performance/State_Local_Outcome_Data/index.html</p>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3	65%	64.6%	80.1%	79.5%	81.7%	85.0%	4	62.8%	64.9%	78.2%	69.2%	71.4%	78.3%	5	63.4%	65.2%	80.0%	57.1%	59.1%	71.3%	6	55.3%	59.2%	78.8%	54.5%	52.7%	71.4%	7	51.3%	51.6%	75.5%	48.2%	48.5%	70.6%	8	51.8%	53.0%	74.3%	38.9%	44.1%	70.3%	HS	58.4%	63.0%	74.9%	18.7%	25.1%	48.7%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target																																																											
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3	65%	64.6%	80.1%	79.5%	81.7%	85.0%																																																											
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5	63.4%	65.2%	80.0%	57.1%	59.1%	71.3%																																																											
6	55.3%	59.2%	78.8%	54.5%	52.7%	71.4%																																																											
7	51.3%	51.6%	75.5%	48.2%	48.5%	70.6%																																																											
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HS	58.4%	63.0%	74.9%	18.7%	25.1%	48.7%																																																											
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 1%.</p> <p>Because the State's actual target data for this indicator are from the same year</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																																																															

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>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 1.6%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that it reviewed the LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies for FFY 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>In its January 27, 2010 Verification Visit Letter, OSEP found that the State’s public reporting on Indicator B-4A was incomplete because the State did not provide the State target (percent of districts with significant discrepancy) or whether the district had a significant discrepancy. OSEP required the State by June 1, 2010, to report, to the public on the performance of each district against the State’s SPP/APR targets for FFY 2008 by posting the information on MDE’s website. The State met this requirement. No further action is required to address this finding.</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>60.8</td> <td>60.7</td> <td>62.0</td> <td>-0.10%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>10.1</td> <td>10.3</td> <td>9.1</td> <td>-0.20%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td>4.2</td> <td>4.3</td> <td>4.7</td> <td>-0.1%</td> </tr> </tbody> </table> <p>These data represent slippage for 5A and 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>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. % Inside the regular class 80% or more of the day	60.8	60.7	62.0	-0.10%	B. % Inside the regular class less than 40% of the day	10.1	10.3	9.1	-0.20%	C. % In separate schools, residential facilities, or homebound/hospital placements	4.2	4.3	4.7	-0.1%	<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	60.8	60.7	62.0	-0.10%																		
B. % Inside the regular class less than 40% of the day	10.1	10.3	9.1	-0.20%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	4.2	4.3	4.7	-0.1%																		
<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 B. Separate special education class, separate school or residential facility. [Results Indicator; New]</p>														
<p>7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions. The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator in its SPP, and OSEP accepts the State's submission for this indicator. The State's FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="548 764 1444 1291"> <thead> <tr> <th data-bbox="548 764 919 878">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="919 764 1192 878"><u>Summary Statement 1</u>¹</th> <th data-bbox="1192 764 1444 878"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 878 919 1016">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="919 878 1192 1016">81.3</td> <td data-bbox="1192 878 1444 1016">51.6</td> </tr> <tr> <td data-bbox="548 1016 919 1187">Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td data-bbox="919 1016 1192 1187">80.7</td> <td data-bbox="1192 1016 1444 1187">54.8</td> </tr> <tr> <td data-bbox="548 1187 919 1291">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="919 1187 1192 1291">82.1</td> <td data-bbox="1192 1187 1444 1291">69.9</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) (%)	81.3	51.6	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	80.7	54.8	Outcome C: Use of appropriate behaviors to meet their needs (%)	82.1	69.9	<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> ¹	<u>Summary Statement 2</u> ²												
Outcome A: Positive social-emotional skills (including social relationships) (%)	81.3	51.6												
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	80.7	54.8												
Outcome C: Use of appropriate behaviors to meet their needs (%)	82.1	69.9												

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.

Minnesota Part B FFY 2008 SPP/APR Response Table

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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's FFY 2008 reported data for this indicator are 67.6%. These data represent slippage from the FFY 2007 data of 71.3%. The State did not meet its FFY 2008 target of 69%.</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 looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 0%. These data represent progress from the FFY 2007 data of .2%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that 17 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no 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 its definition of disproportionate representation.</p> <p>The State reported that the one finding of noncompliance identified in FFY 2007 for this indicator was corrected in a timely manner. Although the State reported that it verified that the LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, in its January 27, 2010 Verification Visit Letter, OSEP informed the State that it could not determine whether the State was verifying correction consistent with the requirements in OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02), and required the State to submit specified documentation within 60 days from the date of that letter. OSEP has reviewed the State's March 25, 2010 submission and it is still unclear whether the State has verified correction, consistent with OSEP Memo 09-02. OSEP's analysis and request for additional information are set forth in Indicator 15 of this response table.</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>10. Percent of districts with</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>OSEP appreciates the State's efforts</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

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<p>disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 0%. These data represent progress from the FFY 2007 data of 1.4%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that 41 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 its definition of disproportionate representation.</p> <p>The State reported that all seven of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner. Although the State reported that it verified that each LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, in its January 27, 2010 Verification Visit Letter, OSEP informed the State that it could not determine whether the State was verifying correction consistent with the requirements in OSEP Memo 09-02, and required the State to submit specified documentation within 60 days from the date of that letter. OSEP has reviewed the State’s March 25, 2010 submission and it is still unclear whether the State has verified correction, consistent with OSEP Memo 09-02. OSEP’s analysis and request for additional information are set forth in Indicator 15 of this response table.</p>	<p>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 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 94.8%. These data represent progress from the FFY 2007 data of 89.4%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all 40 of its findings of noncompliance identified in</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>When reporting on the correction of</p>

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	<p>FFY 2007 for this indicator were corrected in a timely manner. Although the State reported that it verified that each LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, in its January 27, 2010 Verification Visit Letter, OSEP informed the State that it could not determine whether the State was verifying correction consistent with the requirements in OSEP Memo 09-02, and required the State to submit specified documentation within 60 days from the date of that letter. OSEP has reviewed the State’s March 25, 2010 submission and it is still unclear whether the State has verified correction, consistent with OSEP Memo 09-02. OSEP’s analysis and request for additional information are set forth in Indicator 15 of this response table.</p>	<p>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>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. [Compliance Indicator]</p>	<p>The State revised the 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 2008 reported data for this indicator are 99.7%. The FFY 2007 data were 99.9%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that the one finding of noncompliance identified in FFY 2007 for this indicator was corrected in a timely manner. Although the State reported that it verified that each LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §300.124(b), in its January 27, 2010 Verification Visit Letter, OSEP informed the State that it could not determine whether the State was verifying correction consistent with the requirements in OSEP Memo 09-02, and required the State to submit specified documentation within 60 days from the</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). 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>When reporting on the correction of noncompliance, the State must report, in its</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>date of that letter. OSEP has reviewed the State’s March 25, 2010 submission and it is still unclear whether the State has verified correction, consistent with OSEP Memo 09-02. OSEP’s analysis and request for additional information are set forth in Indicator 15 of this response table.</p>	<p>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 student’s transition services needs. There also must be evidence that the student was invited to the IEP Team</p>	<p>The State is not required to provide actual target data for FFY 2008 for this indicator.</p> <p>The State reported that 74 of 85 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that 11 findings subsequently were corrected by February 1, 2010. Although the State reported that it verified that each LEA with noncompliance identified in FFY 2007 is correctly implementing the specific regulatory requirements in 34 CFR §300.320(b), in its January 27, 2010 Verification Visit Letter , OSEP informed the State that it could not determine whether the State was verifying correction consistent with the requirements in OSEP Memo 09-02, and required the State to submit specified documentation within 60 days from the date of that letter. OSEP has reviewed the State’s March 25, 2010 submission and it is still unclear whether the State has verified correction, consistent with OSEP Memo 09-02. OSEP’s analysis and request for additional information are set forth in</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>Indicator 15 of this response table.</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, 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 92.7%. These data represent slippage from the FFY 2007 data of 99.7%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 1,200 of 1,294 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that 94 findings subsequently were corrected by February 1, 2010.</p> <p>The State reported in its FFY 2008 APR that, “through the monitoring system,</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</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>examination of district monitoring data, desk audits, action plans and technical assistance to districts, [the State] verifies that the LEAs identified in FFY 2007 are in compliance with IDEA requirements for Indicator 15” and that each LEA with noncompliance is correctly implementing the specific statutory requirements consistent with OSEP Memo 09-02.</p> <p>However, OSEP’s January 27, 2010 Verification Visit Letter found that the State had not demonstrated that it had a general supervision system that is reasonably designed to ensure correction of identified noncompliance in a timely manner because it is unclear whether the use of a single self-selected record from a case manager in a district is representative updated data to verify correction. The State was required to submit, within 60 days from January 27, 2010, written documentation of the specific procedures it uses, including the types and amount of data it examines, to verify that a district is currently in compliance with the specific regulatory requirements that formed the basis of a finding of noncompliance, consistent with OSEP Memo 09-02. OSEP’s Verification Visit Letter also required that the documentation explain how the updated data confirming current (subsequent to the finding) compliance with the specific regulatory requirements are representative.</p> <p>With respect to the requirement that the State verify that each LEA with noncompliance has corrected each individual case of noncompliance, the State reported in its March 25, 2010 response to the Verification Visit Letter that:</p> <ul style="list-style-type: none"> • It reviews “at least 20% of the documents demonstrating correction for child-specific noncompliance, and requires districts to submit a statement of assurance verifying correction of all remaining noncompliance”; and • On page 2 of Attachment A of that letter, for “timeline violations,” the documentation of correction includes “if the evaluation or IEP has not been completed, the completed and compliant ER or IEP must be submitted for the child whose file was cited. Timelines violations are released if the evaluation or IEP has been completed. For any timeline findings, the district must develop an action plan during the SR year, or a corrective action plan during the MDE review year.” <p>Accordingly, the State has demonstrated that it verifies that each LEA with noncompliance has corrected each individual case of noncompliance, unless</p>	<p>300.600(e), and OSEP Memo 09-02.</p> <p>Although it is unclear whether the State verified correction of noncompliance findings identified in FFY 2007 consistent with OSEP Memo 09-02, OSEP accepted the data for this indicator this year because this indicator measures timely correction of noncompliance and OSEP Memo 09-02 was issued after the beginning of the FFY 2008 correction period.</p> <p>Further, 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>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.</p> <p>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</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>With respect to the requirement that the State verify that each LEA with noncompliance is correctly implementing the specific regulatory requirements, the State reported, on page 2 of its March 25, 2010 letter, that it requires LEAs with noncompliance “to submit a district-generated [corrective action plan (CAP)] to address noncompliance associated with other regulatory requirements found to be systemic and to change, if needed, any policies, procedures or practices in the district. MDE requires a review of updated data for a specific time period in response to CAP directives in order to ensure that the district is currently implementing specific regulatory requirements correctly.”</p> <p>The State did not, as part of its March 25, 2010 response, provide the type and amount of data it examines to verify that the LEA is correctly implementing the specific regulatory requirements. It remains unclear whether: (1) the State verifies that an LEA with noncompliance is correctly implementing the specific regulatory requirements by reviewing updated data from the LEA if the State has not identified “systemic noncompliance” and required a CAP; and (2) the State has verified correction, consistent with OSEP Memo 09-02.</p> <p>OSEP’s Verification Visit Letter also required the State to submit, with its FFY 2010 Part B application: (1) written confirmation that it has issued findings against (or verified correction by) those districts for whom MDE has found noncompliance through its fiscal monitoring in FFYs 2008 and 2009; and (2) a written assurance that it will make findings of noncompliance based on noncompliance identified through fiscal monitoring. In the May 3, 2010 cover letter for its FFY 2010 Part B application, Minnesota confirmed that it has issued findings against or verified correction by those districts for which MDE has found noncompliance through its fiscal monitoring in fiscal years 2008 and 2009, and assured that it will make findings of noncompliance based on noncompliance identified through fiscal monitoring.</p>	<p>15 Worksheet.</p> <p>In response to the State’s March 25, 2010 verification letter response submission, the State must provide by July 30, 2010: (1) documentation of the types (monitoring, database, etc.) and the specific amount of data (number of records, period of time, etc.) it examines, to verify that a district is currently in compliance with the specific regulatory requirements that formed the basis of any finding of noncompliance (whether child-specific, systemic or the basis of a CAP), consistent with OSEP Memo 09-02; and (2) an explanation of how the updated data confirming current (subsequent to the finding) compliance with the specific regulatory requirements are representative of the compliance data generally. OSEP will review the State’s submission, and inform the State of any additional action that may be required.</p> <p>In order to respond to the finding in OSEP’s Verification Visit Letter, the State must also: (1) confirm in Indicator 15 in the FFY 2009 APR that it has included findings of noncompliance that it was required to make as result of the required actions identified in the General Supervision Critical Elements 1 and 2 sections of the Verification Visit Letter – (findings of noncompliance based on fiscal monitoring) and report on the correction of those findings in the FFY 2010 APR, due February 1, 2012; and (2) provide to OSEP by July 30, 2010 copies of those fiscal findings referenced in the State’s March 25,</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		2010 Verification Visit Letter response submission.
<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) 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 slippage from the FFY 2007 data of 100%. 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 complaint resolution requirements in 34 CFR §300.152. 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>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) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data are based on three 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>
<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 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 0%. These data represent slippage from the FFY 2007 data of 11%. The State did not meet its FFY 2008 target of 63%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>19. Percent of mediations held that</p>	<p>The State revised an improvement activity for this indicator and OSEP accepts</p>	<p>OSEP looks forward to reviewing the</p>

Minnesota Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>resulted in mediation agreements. [Results Indicator]</p>	<p>that revision. The State's FFY 2008 reported data for this indicator are 87.5%. These data represent slippage from the FFY 2007 data of 89.1%. The State met its FFY 2008 target of 75-85%.</p>	<p>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 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 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.</p>