

New Jersey 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's FFY 2008 Consolidated State Performance Report (CSPR) reported data for this indicator are 95.5%. The State was able to report the CSPR graduation rate for all students but not for students with disabilities.</p> <p>The State reported that it is currently in a transition period preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012.</p> <p>The State provided a detailed progress report in its CSPR on its status of implementing a data collection system that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</p> <p>Since the CSPR report did not include graduation rate for students with disabilities, the State reported the State's previously-established graduation rate calculation compared to the previously-established target.</p> <p>The State's FFY 2008 618 reported data for this indicator are 80.43%. These data represent progress from the FFY 2007 data of 78.3%. The State met its FFY 2008 target of 79%.</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's FFY 2008 reported CSPR data for this indicator are 2.9%.</p> <p>The State reported that it is currently in a transition period preparing to meet the new reporting requirements for calculating the dropout data used in the ESEA graduation calculation using the adjusted cohort rate in 2010-2011, to be reported in 2012.</p> <p>The State provided a detailed progress report in its CSPR on its status of implementing a data collection system that will allow the State to calculate the</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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	<p>graduation rate in accordance with 34 CFR §200.19.</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>Since there is no CSPR target for students with disabilities and New Jersey has not yet adopted an adjusted cohort rate, the State reported the dropout calculation previously established in the SPP and compared it to the previously-established SPP target.</p> <p>The State's FFY 2008 618 reported data for this indicator are 4.43%. These data represent progress from the FFY 2007 data of 4.7%. The State met its FFY 2008 target of 4.7%.</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 84.7%. These data represent slippage from the FFY 2007 data of 89.5%. The State did not meet its FFY 2008 targets of 100%.</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>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 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 98.09% for reading and 98.77% 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 97%.</p> <p>The State provided a web link to 2008 publicly-reported assessment results. www.state.nj.us/education/schools/achievement/2010.</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 the measurement language (consistent with revisions in the Indicator Measurement Table) 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's FFY 2008 reported data for this indicator are:</p> <table border="1" data-bbox="548 282 1419 732"> <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>62.49%</td> <td>38.76%</td> <td>59%</td> <td>73.16%</td> <td>59.12%</td> <td>66%</td> </tr> <tr> <td>4</td> <td>56.19%</td> <td>35.89%</td> <td>59%</td> <td>66.24%</td> <td>54.00%</td> <td>66%</td> </tr> <tr> <td>5</td> <td>27.21%</td> <td>33.39%</td> <td>59%</td> <td>49.96%</td> <td>53.95%</td> <td>66%</td> </tr> <tr> <td>6</td> <td>21.68%</td> <td>34.38%</td> <td>72%</td> <td>38.62%</td> <td>39.10%</td> <td>61%</td> </tr> <tr> <td>7</td> <td>32.14%</td> <td>34.82%</td> <td>72%</td> <td>27.86%</td> <td>31.38%</td> <td>61%</td> </tr> <tr> <td>8</td> <td>45.05%</td> <td>48.78%</td> <td>72%</td> <td>28.38%</td> <td>33.06%</td> <td>61%</td> </tr> <tr> <td>HS</td> <td>44.68%</td> <td>47.56%</td> <td>85%</td> <td>32.55%</td> <td>30.49%</td> <td>74%</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 a web link to 2008 publicly-reported assessment results. www.state.nj.us/education/schools/achievement/2010.</p>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3	62.49%	38.76%	59%	73.16%	59.12%	66%	4	56.19%	35.89%	59%	66.24%	54.00%	66%	5	27.21%	33.39%	59%	49.96%	53.95%	66%	6	21.68%	34.38%	72%	38.62%	39.10%	61%	7	32.14%	34.82%	72%	27.86%	31.38%	61%	8	45.05%	48.78%	72%	28.38%	33.06%	61%	HS	44.68%	47.56%	85%	32.55%	30.49%	74%	
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<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's FFY 2007 reported data for this indicator are 2.91%. These data remain unchanged from the FFY 2007 data of 2.9%. The State met its FFY 2008 target of 3.0%.</p> <p>The State reported its definition of "significant discrepancy" that was revised in FFY 2006.</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 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,</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																																																															

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	<p>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 in a timely manner.</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 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 the revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="550 1284 1467 1430"> <tr> <td></td> <td>FFY 2007 Data</td> <td>FFY 2008 Data</td> <td>FFY 2008 Target</td> <td>Progress</td> </tr> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress			

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	A. % Inside the regular class 80% or more of the day	45.0	47.0	43.0	+2.00%	
	B. % Inside the regular class less than 40% of the day	16.2	15.8	19.0	+0.40%	
	C. % In separate schools, residential facilities, or homebound/hospital placements	10.1	8.0	9.0	+2.10%	
	<p>These data represent progress from the FFY 2007 data. The State met all of its FFY 2008 targets for this indicator.</p> <p>The State's data reported in this indicator are not the same as the State's 618 data reported in Table 3. The State provided an explanation.</p>					
<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>	<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>
<p>7. Percent of preschool children age 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</p>	<p>The State revised the measurement language (consistent with the 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 must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p>

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<p>early language/communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>	<p>The State's FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="548 280 1444 808"> <thead> <tr> <th data-bbox="548 280 919 396">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="919 280 1192 396"><u>Summary Statement 1</u>¹</th> <th data-bbox="1192 280 1444 396"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 396 919 534">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="919 396 1192 534">78.3</td> <td data-bbox="1192 396 1444 534">69.7</td> </tr> <tr> <td data-bbox="548 534 919 703">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="919 534 1192 703">61.4</td> <td data-bbox="1192 534 1444 703">47.8</td> </tr> <tr> <td data-bbox="548 703 919 808">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="919 703 1192 808">69.1</td> <td data-bbox="1192 703 1444 808">56.2</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) (%)	78.3	69.7	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	61.4	47.8	Outcome C: Use of appropriate behaviors to meet their needs (%)	69.1	56.2	
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) (%)	78.3	69.7												
Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	61.4	47.8												
Outcome C: Use of appropriate behaviors to meet their needs (%)	69.1	56.2												
<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 83.3%. These data represent progress from the FFY 2007 data of 81.1%. The State met its FFY 2008 target of 81.6% for this indicator.</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>The State's FFY 2008 reported data for this indicator are 1.45%. These data represent slippage from the FFY 2007 data of .81%. The State did not meet its target of 0%.</p> <p>The State reported that 24 districts were identified with disproportionate representation of racial and ethnic groups in special education and related</p>	<p>OSEP appreciates the State's efforts regarding this indicator and looks forward to reviewing data in the FFY 2009 APR demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2008 (greater than 0%</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>[Compliance Indicator]</p>	<p>services.</p> <p>The State reported that nine districts were determined in FFY 2008 to have disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State reported in its APR its definition of disproportionate representation of racial and ethnic groups in special education and related services.</p> <p>The State reported that all five of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2008 with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with the OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State’s definition of disproportionate</p>

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		representation and will contact the State if there are questions or concerns.
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 1.29%. These data represent slippage from the FFY 2007 data of 0%. The State did not meet its target of 0%.</p> <p>The State reported that 16 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories.</p> <p>The State reported that eight districts were determined in FFY 2008 to have disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported in its APR its definition of disproportionate representation of racial and ethnic groups in specific disability categories.</p> <p>The State reported that all four of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts regarding this indicator and looks forward to reviewing data in the FFY 2009 APR demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2008 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the districts identified in FFY 2008 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction 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>

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		<p>If the State is unable to demonstrate compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 88%. These data represent slippage from the FFY 2007 data of 99%. The State did not meet its target of 100%.</p> <p>The State reported that all three of its 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 requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</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</p>

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		<p>actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 89.6%. These data represent slippage from the FFY 2007 data of 93%. The State did not meet its target of 100%.</p> <p>The State reported that all 47 of its 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 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. 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%</p>

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		compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.
<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>The State is not required to provide actual target data for FFY 2008 for this indicator.</p> <p>The State reported that all 23 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</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>A. Enrolled in higher education within one year of leaving high school.</p> <p>B. Enrolled in higher education or</p>	<p>The State is not required to provide actual target data, targets or improvement activities for FFY 2008 for this indicator.</p> <p>Although not required for the FFY 2008 APR submission, the State reported on this indicator using the “previous” requirement.</p> <p>The State’s FFY 2008 reported data (using previous indicator requirement) for this indicator are 79%. These data remain unchanged from the FFY 2007 data of 79%. The State did not meet its FFY 2008 target of 80%.</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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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>competitively employed within one year of leaving high school. C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</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 95.92%. These data represent progress from the FFY 2007 data of 95.44%. The State did not meet its target of 100%.</p> <p>The State reported that 683 of 712 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that 21 of 29 remaining findings were subsequently corrected by February 1, 2010.</p> <p>For the remaining eight findings of noncompliance, the State reported on actions it took to address the continuing noncompliance.</p> <p>The State reported that 79 of 79 findings of noncompliance identified in FFY 2006 were corrected.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2009 APR, the State’s data demonstrating that the State timely corrected noncompliance, identified in FFY 2008, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In responding to Indicators 11 and 12 in the</p>

New Jersey Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, 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 98%. These data represent slippage from the FFY 2007 data of 99%. The State did not meet its 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.</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>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 95%. These data represent progress from the FFY 2007 data of 91%. The State did not meet its 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 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</p>	<p>The State's FFY 2008 reported data for this indicator are 69%. These data represent progress from the FFY 2007 data of 50%. The State met its FFY 2008 target of 45-55%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>

New Jersey Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
session settlement agreements. [Results Indicator]		
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	<p>The State revised the target for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets utilize a range for the target for this indicator.</p> <p>The State's FFY 2008 reported data for this indicator are 32%. These data represent slippage from the FFY 2007 data of 37%. The State met its FFY 2008 target of 32-42%.</p>	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]	<p>The State's FFY 2008 reported data for this indicator are 95.24%. These data represent slippage from the FFY 2007 reported data of 97.7%. 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.</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>