

South Carolina 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 2007 reported data for this indicator are 46.1%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State met its FFY 2007 target of 40.3%.</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's FFY 2007 reported data for this indicator are 5.6%. 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 5.6%.</p> <p>The State provided a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.</p> <p>The State reported the required dropout rate calculation and timeline established by the Department under the ESEA. This means that the State submitted the most recent dropout data that the State reported to the Department as part of its CSPR. In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP 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
<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 0%. These data remain unchanged from the FFY 2007 data of 0%. The State did not meet its FFY 2008 target of 35.5%.</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 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 98.2% for reading and 98.2% 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 95%.</p> <p>The State provided a web link to 2008 publicly-reported assessment results.</p> <p>http://www.ed.sc.gov/agency/Standards-and-Learning/Exceptional-Children/OECDistrictProfiles.html</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 46.8% for reading and 40.8% 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 27.60% for reading and 25% for math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results.</p> <p>http://www.ed.sc.gov/agency/Standards-and-Learning/Exceptional-Children/OECDistrictProfiles.html</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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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 29.4%. 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 29.4%.</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 did not revise (and did not require 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, because the State did not identify any noncompliance related to those policies, procedures, and practices.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR.</p>	<p>In the FFY 2009 APR, the State must report a new baseline, targets, and, as needed, improvement activities using the 2009-2010 data.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
procedural safeguards. [Compliance Indicator; New for FFY 2009]																						
5. Percent of children with IEPs aged 6 through 21 served: A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions. The State's reported data for this indicator are: <table border="1" data-bbox="548 548 1467 1016"> <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>56.39</td> <td>56.8</td> <td>52</td> <td>0.41%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>20.5</td> <td>19.7</td> <td>15.45</td> <td>0.80%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td>2.43</td> <td>2.43</td> <td>2.19</td> <td>0.00%</td> </tr> </tbody> </table> These data represent progress for 5A and 5B and remain unchanged for 5C from the FFY 2007 data. The State met its FFY 2008 target for 5A, but did not meet its FFY 2008 targets for 5B and 5C.		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. % Inside the regular class 80% or more of the day	56.39	56.8	52	0.41%	B. % Inside the regular class less than 40% of the day	20.5	19.7	15.45	0.80%	C. % In separate schools, residential facilities, or homebound/hospital placements	2.43	2.43	2.19	0.00%	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.
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress																		
A. % Inside the regular class 80% or more of the day	56.39	56.8	52	0.41%																		
B. % Inside the regular class less than 40% of the day	20.5	19.7	15.45	0.80%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	2.43	2.43	2.19	0.00%																		
6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential	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.																				

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps												
facility. [Results Indicator; New]														
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]	The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) and OSEP accepts those revisions. The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator, and OSEP accepts the State’s submission for this indicator. The State’s FFY 2008 reported baseline data for this indicator are: <table border="1" data-bbox="548 597 1444 1123"> <thead> <tr> <th data-bbox="548 597 921 712">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="921 597 1194 712"><u>Summary Statement 1</u>¹</th> <th data-bbox="1194 597 1444 712"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 712 921 849">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="921 712 1194 849">84.19</td> <td data-bbox="1194 712 1444 849">69.52</td> </tr> <tr> <td data-bbox="548 849 921 1019">Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td data-bbox="921 849 1194 1019">81.86</td> <td data-bbox="1194 849 1444 1019">62.10</td> </tr> <tr> <td data-bbox="548 1019 921 1123">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="921 1019 1194 1123">84.22</td> <td data-bbox="1194 1019 1444 1123">82.49</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) (%)	84.19	69.52	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	81.86	62.10	Outcome C: Use of appropriate behaviors to meet their needs (%)	84.22	82.49	The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.
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) (%)	84.19	69.52												
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	81.86	62.10												
Outcome C: Use of appropriate behaviors to meet their needs (%)	84.22	82.49												
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	The State revised its improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2008 reported data for this indicator are 36%. These data represent progress from the FFY 2007 data of 34%. The State met its FFY	OSEP appreciates the State’s efforts to improve performance.												

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>children with disabilities. [Results Indicator]</p>	<p>2008 target of 30.83%. In its description of its FFY 2008 data, the State addressed whether the response group was representative of the population.</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. [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%. The State reported that one district was 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. The State provided in its FFY 2008 APR its definition of disproportionate representation of racial and ethnic groups in special education and related services.</p>	<p>OSEP appreciates the State's efforts regarding this indicator. OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 0%. These data represent progress from the FFY 2007 data of 3.5%. The State met its FFY 2008 target of 0%. The State reported that 26 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification. The State provided in its FFY 2008 APR its definition of disproportionate representation of racial and ethnic groups in specific disability categories. The State reported that all three of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner. The State reported that the one finding of noncompliance identified in FFY 2006 for this indicator was corrected.</p>	<p>OSEP appreciates the State's efforts regarding this indicator. 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</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>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR, the State's data demonstrating</p>

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<p>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’s FFY 2008 reported data for this indicator are 96%. These data represent progress from the FFY 2007 data of 91%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 16 of 53 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that 31 findings were subsequently corrected by April 12, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that 39 of 44 findings of noncompliance identified in FFY 2006 were corrected. 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>that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</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 demonstrate, in the FFY 2009 APR, that the remaining six uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator and each of the LEAs with the remaining six uncorrected noncompliance findings identified in FFY 2007: (1) are 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) have 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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>The State also must demonstrate, in the FFY 2009 APR, that the remaining five uncorrected findings identified in FFY 2006 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>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 93%. These data represent progress from the FFY 2007 data of 88%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 24 of 38 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that eight findings were subsequently corrected by April 12, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that 15 of 18 findings of noncompliance identified in FFY 2006 were corrected. 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</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>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 demonstrate, in the FFY 2009 APR, that the remaining six uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that</p>

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	<p>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>each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator and each of the LEAs with the remaining six uncorrected noncompliance findings identified in FFY 2007: (1) are correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) have developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>The State also must demonstrate, in the FFY 2009 APR, that the remaining three uncorrected noncompliance findings identified in FFY 2006 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>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</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 26 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p> <p>The State reported that six findings of noncompliance identified in FFY 2006</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p>

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<p>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>for this indicator were corrected.</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>The State is not required to provide actual target data, targets or improvement activities for FFY 2008 for this indicator.</p>	<p>In the FFY 2009 APR, the State must report a new baseline, targets, and, as needed, improvement activities.</p>

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[Results Indicator]		
<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 77%. These data represent slippage from the FFY 2007 data of 94.68%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 181 of 236 findings of noncompliance identified in FFY 2007 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>Except as to the noncompliance identified in Indicators 11, 12, and 13, the State did not report, as required by OSEP Memo 09-02, that it verified that each LEA with noncompliance identified in FFY 2007: (1) is correctly implementing the specific regulatory requirements; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.</p> <p>Although the State reported that the remaining five findings of noncompliance identified in FFY 2006 were corrected, this information was not consistent with the information the State provided in Indicators 11 and 12.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the remaining 55 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR, and the remaining eight findings from FFY 2006 reported in Indicators 11 and 12, were corrected.</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>Although the State did not report for this indicator that it verified correction of noncompliance identified in FFY 2007 consistent with the 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>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 and each LEA with remaining uncorrected findings from FFY 2007: (1) is correctly implementing the specific</p>

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		<p>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 addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 11 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 its January 15, 2009 Verification Visit Letter, OSEP found that the State was not issuing findings of noncompliance when the State obtained reliable data reflecting noncompliance with Part B requirements. OSEP also found that the State's use of a percentage threshold of 95% or less for identifying noncompliance and requiring correction was inconsistent with Part B monitoring and correction requirements in IDEA sections 612(a)(11) and 616, 34 CFR §§300.149 and 300.600, and 20 U.S.C 1232d(b)(3)(E).</p> <p>OSEP's letter noted that following the visit, the State changed its procedures to</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>require the identification of noncompliance whenever the State finds a compliance level of less than 100%, and sent letters in October 2008 to all districts with a compliance level of 95% or higher, but less than 100%, for FFY 2006 for Indicators 11, 12, or 13, in which the State made findings of noncompliance and required correction as soon as possible, and in no case later than one year.</p> <p>In its FFY 2008 APR, due February 1, 2010, OSEP required the State to provide a written assurance that it: (1) makes findings of noncompliance without unreasonable delay from the date it has reliable data reflecting noncompliance; and (2) requires correction of all identified noncompliance, without regard to the compliance level of the program. The State provided the assurance and necessary documentation to OSEP demonstrating compliance with the requirements in sections 612(a)(11) and 616, 34 CFR §§300.149 and 300.600, and 20 U.S.C 1232d(b)(3)(E). No further action is required to address this finding of noncompliance.</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</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data 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>

South Carolina Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data are based on four 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's FFY 2008 reported data for this indicator are 60%. These data represent progress from the FFY 2007 data of 52.6%. The State did not meet its FFY 2008 target of 70%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that three of four mediations resulted in mediation agreements.</p> <p>The State reported fewer than ten mediations held in FFY 2008. The State is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State indicated in its FFY 2008 APR that it revised its 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 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).</p> <p>In reporting on Indicator 20 in the FFY</p>

South Carolina Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		2009 APR, the State must use the Indicator 20 Data Rubric.