

Vermont 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), baseline, FFY 2009 and 2010 targets, and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 66.61%. Because the State established new baseline for this indicator, OSEP cannot comment on whether there is progress or slippage or whether the State met its target.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma. The State reported that the conditions that youth with IEPs must meet to graduate with a regular diploma are different than for youth without an IEP. The State explained the difference.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR). In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table), baseline, 2009 and 2010 targets, and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 3.9%. Because the State established new baseline for this indicator, OSEP cannot comment on whether there is progress or slippage or whether the State met its target.</p> <p>The State provided a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.</p> <p>The State reported the required dropout rate calculation and timeline established by the Department under the ESEA. This means that the State submitted the most recent dropout data that the State reported to the Department as part of its CSPR. In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>

Vermont Part B FFY 2008 SPP/APR Response Table

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 revised the baseline and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 2.86%. OSEP was unable to determine whether there was progress or slippage, or whether or not the State met its target because the State submitted new baseline data.</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), baseline, 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 99.01% for reading and 98.73% for math. OSEP was unable to determine whether there was progress or slippage, or whether the State met its target because the data source for this indicator has changed and because the State submitted new baseline data.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at http://education.vermont.gov/new/html/pgm_assessment/data.html#necap.</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 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), baseline, 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 25.65%% for reading and 22.39% for math. OSEP was unable to determine whether there was progress or slippage, or whether the State met its target because the data source for this indicator has changed and the State submitted new baseline data.</p> <p>The State provided a web link to 2008 publicly-reported assessment results at http://education.vermont.gov/new/html/pgm_assessment/data.html#necap.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>4. Rates of suspension and</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>OSEP appreciates the State’s efforts to</p>

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 0%. Because the State’s actual target data for this indicator are from the same year as the data reported for this indicator in the State’s FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State met its FFY 2007 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p>	<p>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 procedural safeguards.</p> <p>[Compliance Indicator; New]</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</p>	<p>The State previously revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepted those revisions.</p> <p>The State’s reported data for this indicator are:</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
placements. [Results Indicator]		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	
	A. % Inside the regular class 80% or more of the day	69.95	69.82	78.5	-0.13%	
	B. % Inside the regular class less than 40% of the day	9.47	8.90	7.5	0.57%	
	C. % In separate schools, residential facilities, or homebound/hospital placements	6.48	6.88	4.0	-0.40%	
	These data represent progress for 5B and slippage for 5C from the FFY 2007 data. The State did not meet any of its FFY 2008 targets for this indicator.					
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 facility. [Results Indicator; New]	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 APR.
7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:	The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.					The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps												
<p>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.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="548 412 1444 1079"> <thead> <tr> <th data-bbox="548 412 919 529">08-09 Preschool Outcome Baseline Data</th> <th data-bbox="919 412 1192 529"><u>Summary Statement 1</u>¹</th> <th data-bbox="1192 412 1444 529"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 529 919 711">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="919 529 1192 711">92.38</td> <td data-bbox="1192 529 1444 711">52.84</td> </tr> <tr> <td data-bbox="548 711 919 930">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="919 711 1192 930">90.71</td> <td data-bbox="1192 711 1444 930">49.53</td> </tr> <tr> <td data-bbox="548 930 919 1079">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="919 930 1192 1079">92.77</td> <td data-bbox="1192 930 1444 1079">60.73</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) (%)	92.38	52.84	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	90.71	49.53	Outcome C: Use of appropriate behaviors to meet their needs (%)	92.77	60.73	
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) (%)	92.38	52.84												
Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	90.71	49.53												
Outcome C: Use of appropriate behaviors to meet their needs (%)	92.77	60.73												
<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>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 36.18%. These data represent progress from the FFY 2007 data of 34.13%. The State met its FFY 2008 target of 34.12%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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.

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]	In its description of its FFY 2008 data, the State addressed whether the response group was representative of the population.	
<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 remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that two 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 of racial and ethnic groups in special education and related services.</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 disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State 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 remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories.</p> <p>The State provided its definition of disproportionate representation of racial and ethnic groups in specific disability categories.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 82.50%. These data represent slippage from the FFY 2007 data of 90.84%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 12 of 14 findings of noncompliance identified in FFY</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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<p>2007 based on FFY 2006 data for this indicator were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that it verified correction of noncompliance identified in FFY 2007 based on FFY 2006 data for this indicator, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). However, OSEP found in its January 13, 2010 verification visit letter that the State did not have procedures to ensure that the LEA has corrected each individual case of child-specific noncompliance, or, in the case of timeline requirements, has completed the required action, as described in OSEP Memo 09-02. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator, each LEA with noncompliance reflected in the FFY 2008 findings, based on the FFY 2007 data the State reported for this indicator in the FFY 2007 APR, and each LEA with remaining 14 noncompliance findings identified in FFY 2007, based on FFY 2006 data: (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>
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	The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.	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

Vermont Part B FFY 2008 SPP/APR Response Table

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<p>implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 98.80%. The State's FFY 2007 reported data for this indicator were 99.27%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all four of its findings of noncompliance identified in FFY 2007 based on FFY 2006 data for this indicator were corrected in a timely manner.</p> <p>The State reported that it verified correction of noncompliance identified in FFY 2007 based on FFY 2006 data for this indicator, consistent with OSEP Memo 09-02. However, OSEP found in its January 13, 2010 verification visit letter that the State did not have procedures to ensure that the LEA has corrected each individual case of child-specific noncompliance, or, in the case of timeline requirements, has completed the required action, as described in OSEP Memo 09-02. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>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 FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator, each LEA with noncompliance reflected in the FFY 2008 findings, based on the FFY 2007 data the State reported for this indicator in the FFY 2007 APR, and each LEA with remaining four noncompliance findings identified in FFY 2007, based on FFY 2006 data: (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, it must review its improvement activities and</p>

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 ten of 17 findings of noncompliance identified in FFY 2007 based on FFY 2006 data for this indicator were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that it verified correction of noncompliance identified in FFY 2007 based on FFY 2006 data for this indicator, consistent with OSEP Memo 09-02. However, OSEP found in its January 13, 2010 verification visit letter that the State did not have procedures to ensure that the LEA has corrected each individual case of child-specific noncompliance, or, in the case of timeline requirements, has completed the required action, as described in OSEP Memo 09-02. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>revise them, if necessary.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the remaining 17 uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting on the correction of noncompliance, the State must report in its FFY 2009 APR, that it has verified that each LEA with remaining noncompliance identified in FFY 2007, based on FFY 2006 data: (1) is correctly implementing 34 CFR §300.320(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction. If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p>	<p>The State is not required to provide actual target data, targets or improvement activities for FFY 2008 for this indicator.</p>	<p>In the FFY 2009 APR, the State must report a new baseline, targets and, as needed, improvement activities.</p>

Vermont Part B FFY 2008 SPP/APR Response Table

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<p>A. Enrolled in higher education within one year of leaving high school. B. Enrolled in higher education or 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 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 84.34%. These data represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 70 of 83 findings of noncompliance identified in FFY 2007, including those findings identified in FFY 2007 based on FFY 2006 data, were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that it verified correction of noncompliance identified in FFY 2007, including noncompliance identified in FFY 2007 based on FFY 2006 data, consistent with OSEP Memo 09-02. However, OSEP found in its January 13, 2010 verification visit letter that the State did not have procedures to ensure that the LEA has corrected each individual case of child-specific noncompliance, or, in the case of timeline requirements, has completed the required action, as described in OSEP Memo 09-02.</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, including noncompliance identified in FFY 2007 based on FFY 2006 data, consistent with the OSEP 09-02 memo, 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</p>

Vermont Part B FFY 2008 SPP/APR Response Table

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		<p>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. The State also must demonstrate, in the FFY 2009 APR, that the remaining 13 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected.</p> <p>In reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 11, 12, and 13 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>OSEP's June 1, 2009 FFY 2007 SPP/APR response table required the State to include in the FFY 2008 APR information demonstrating that it makes findings of noncompliance in a timely manner. Although the State did not provide the</p>

Vermont Part B FFY 2008 SPP/APR Response Table

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		<p>required information in its FFY 2008 APR, OSEP's January 13, 2010 verification visit letter also required the State to submit with its FFY 2010 Grant Application, due May 10, 2010, documentation demonstrating that it has reduced the delay between the end of the reporting period and the issuance of findings of noncompliance related to the compliance indicators. In its May 10, 2010 submission responding to OSEP's January 13, 2010 verification visit letter, the State provided the required documentation, and no further action is required. In its May 10, 2010 submission responding to OSEP's January 13, 2010 verification visit letter, the State also provided the required documentation responding to the finding that the State was not ensuring that each LEA is correcting findings of child specific noncompliance consistent with OSEP Memo 09-02. Consistent with the analysis column for this indicator and Indicators 11, 12, and 13, OSEP looks forward to information in the FFY 2009 APR demonstrating that the State has verified that each LEA has corrected previously identified and current findings of child specific noncompliance, unless the child is no longer in the jurisdiction of the LEA, or in the case of a timeline requirement, has completed the required action, although late, consistent with OSEP Memo 09-02.</p> <p>OSEP's January 13, 2010 verification visit letter also included findings requiring the State to identify and track data on correction of findings of noncompliance</p>

Vermont Part B FFY 2008 SPP/APR Response Table

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		<p>with the IDEA made in focused monitoring reports and in due process hearings and to include such data in the data reported for Indicator 15. In the FFY 2008 APR, the State included data on correction of findings from focused monitoring reports in the data reported for indicator 15, but did not include data on the one due process hearing in its Indicator 15 data because that hearing did not result in a finding of noncompliance. Also, the State's May 10, 2010 response to OSEPS's January 13, 2010 verification visit letter provided further documentation to address these findings, and no further action is required.</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) 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>
<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</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) and OSEP accepts those revisions.</p> <p>The State reported that it did not receive any requests for due process hearings during the reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</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 reported that five of six resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2008. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</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's FFY 2008 reported data for this indicator are 80%. These data represent slippage from the FFY 2007 data of 88.89%. The State met its FFY 2008 target of 76%.</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's FFY 2008 reported data for this indicator are 100%. However, OSEP's calculation of the data for this indicator is 90%. These data represent slippage from the FFY 2007 data of 100%.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR, demonstrating that 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).</p> <p>In reporting on Indicator 20 in the FFY 2009 APR, the State must use the Indicator 20 Data Rubric.</p> <p>In an October 23, 2009 letter to Vermont Commissioner of Education Armando Vilaseca, OSEP informed Vermont that it would no longer accept suppressed data for purposes of section 618 data collections and in evaluating the State's compliance with APR Indicator 20. For the November 1, 2009 and February 1, 2010 required</p>

Vermont Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>section 618 data collections for child count, education environments, and exiting and discipline data, the State continued its practice of submitting suppressed data. Therefore, in evaluating Vermont’s compliance with the indicator 20 data rubric, OSEP determined that Vermont did not submit complete and accurate data for its Child Count, Education Environments, Exiting and Discipline data submissions. OSEP’s January 13, 2010 verification visit letter also informed Vermont that because of Vermont’s practice of reporting suppressed data to the Department for required section 618 data collections, OSEP could not determine that Vermont has a data system that is reasonably designed to report valid and reliable data to the Department. To achieve 100% compliance with this indicator, in the FFY 2009 APR, Vermont must discontinue its practice of submitting suppressed data for required section 618 data collections for child count, education environments, exiting and discipline data and must report unsuppressed data to the Department for these required data collections, in accordance with 34 CFR §76.720 and consistent with the Office of Management and Budget-approved Education Department instructions for section 618 data collections.</p>