

California Part B FFY 2009 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 64.8%. These data represent progress from the FFY 2008 data of 60.2%. The State did not meet its FFY 2009 target of 83.1% OR improvement of at least 0.1 from the previous year's rate OR improvement in the rate of 0.2 in the average two-year rate (school-wide or LEA-wide).</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).</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and revised its FFY 2010 target, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012 and the revised FFY 2010 target. The revised target is more rigorous than the previously-established target.</p> <p>The State's FFY 2009 reported data for this indicator are 22.1%. These data represent progress from the FFY 2008 data of 39.8%. The State met its FFY 2009 target of 23.1%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: 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. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 18.3%. These data represent slippage from the FFY 2008 data of 38.7%. The State did not meet its FFY 2009 target of 58%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>B. Participation rate for children with IEPs. [Results Indicator]</p>	<p>FFY 2012. The State's FFY 2009 reported data for this indicator are 98.2% for reading and 98.2% for math. These data represent progress from the FFY 2008 data of 93.3% for reading and 92.2% for math. The State met its FFY 2009 targets of 95%. The State provided a Web link to 2009 publicly-reported assessment results.</p>																																				
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="564 719 1587 1321"> <thead> <tr> <th></th> <th colspan="3">English Language Arts</th> <th colspan="3">Math</th> </tr> <tr> <th>Type of LEAs</th> <th>FFY 2008 Data</th> <th>FFY 2009 Data</th> <th>FFY 2009 Target</th> <th>FFY 2008 Data</th> <th>FFY 2009 Data</th> <th>FFY 2009 Target</th> </tr> </thead> <tbody> <tr> <td>Elementary School Districts</td> <td>29.8%</td> <td>35.2%</td> <td>56.8%</td> <td>31.6%</td> <td>38.6%</td> <td>58.0%</td> </tr> <tr> <td>High school Districts (9-12 only)</td> <td>33.1%</td> <td>20.5%</td> <td>55.6%</td> <td>35.3%</td> <td>19.2%</td> <td>54.8%</td> </tr> <tr> <td>Unified School Districts</td> <td>20.1%</td> <td>32.3%</td> <td>56.0%</td> <td>19.3%</td> <td>35.1%</td> <td>54.4%</td> </tr> </tbody> </table> <p>These data represent progress and slippage from the FFY 2008 data. The State did not meet its FFY 2009 targets. The State provided a Web link to 2009 publicly-reported assessment results.</p>		English Language Arts			Math			Type of LEAs	FFY 2008 Data	FFY 2009 Data	FFY 2009 Target	FFY 2008 Data	FFY 2009 Data	FFY 2009 Target	Elementary School Districts	29.8%	35.2%	56.8%	31.6%	38.6%	58.0%	High school Districts (9-12 only)	33.1%	20.5%	55.6%	35.3%	19.2%	54.8%	Unified School Districts	20.1%	32.3%	56.0%	19.3%	35.1%	54.4%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
	English Language Arts			Math																																	
Type of LEAs	FFY 2008 Data	FFY 2009 Data	FFY 2009 Target	FFY 2008 Data	FFY 2009 Data	FFY 2009 Target																															
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Unified School Districts	20.1%	32.3%	56.0%	19.3%	35.1%	54.4%																															
<p>4. Rates of suspension and</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP appreciates the State's</p>																																			

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<p>expulsion: 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 [Results Indicator]</p>	<p>through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 7.5%. These data represent progress from the FFY 2008 data of 10.6%. The State met its FFY 2009 target of 10.1%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 268 of 1,183 districts did not meet the State-established minimum “n” size requirement of 20 and were excluded from the calculation.</p> <p>The State reported that it reviewed the LEAs’ 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 based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it required the affected LEAs to review the LEAs’ 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 based on FFY 2008 data.</p> <p>The State reported that noncompliance identified in FFY 2008 based on FFY 2007 data, through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected.</p>	<p>efforts to improve performance.</p> <p>The State must report, in its FFY 2010 APR, due February 1, 2012, on the correction of noncompliance that the State identified in FFY 2009 based on FFY 2008 data as a result of the review it conducted pursuant to 34 CFR §300.170(b).</p> <p>When reporting on the correction of this noncompliance, the State must report that it has verified that each LEA with noncompliance identified by the State: (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 Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<p>4. Rates of suspension and expulsion:</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this</p>	<p>OSEP appreciates the State’s efforts regarding this indicator</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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]</p>	<p>indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 baseline data for this indicator are 4.3%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 268 of 1,183 districts did not meet the State-established minimum “n” size requirement of 20 and were excluded from the calculation.</p> <p>The State reported that 43 districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State also reported that 39 districts were identified as having 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>The State reported that it reviewed the LEAs’ 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 based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it required the affected LEAs to revise the LEAs’ 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 noncompliance.</p>	<p>and looks forward to data in the FFY 2010 APR due February 1, 2012, demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2009 (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 2010 APR, that the districts identified with noncompliance based on FFY 2008 data have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (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 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate compliance with those</p>

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		<p>requirements in the FFY 2010 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 methodology for identifying "significant discrepancy" and will contact the State if there are questions or concerns.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="552 881 1583 1357"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">51.6</td> <td align="center">51.4</td> <td align="center">68</td> <td align="center">-0.20%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">22.5</td> <td align="center">22.7</td> <td align="center">14</td> <td align="center">-0.20%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">4.5</td> <td align="center">4.6</td> <td align="center">3.9</td> <td align="center">-0.10%</td> </tr> </tbody> </table> <p>These data represent slippage for 5C from the FFY 2008 data. The State did not meet any of its FFY 2009 targets for this indicator.</p>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	51.6	51.4	68	-0.20%	B. % Inside the regular class less than 40% of the day	22.5	22.7	14	-0.20%	C. % In separate schools, residential facilities, or homebound/hospital placements	4.5	4.6	3.9	-0.10%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>																		
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C. % In separate schools, residential facilities, or homebound/hospital placements	4.5	4.6	3.9	-0.10%																		
<p>6. Percent of children aged 3</p>	<p>The State is not required to report on this indicator in the FFY 2009 APR.</p>	<p>The State is not required to report</p>																				

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<p>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>on this indicator in the FFY 2010 APR, due February 1, 2012.</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 early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 797 1583 1505"> <thead> <tr> <th data-bbox="548 797 1010 894"><u>Summary Statement 1</u></th> <th data-bbox="1010 797 1213 894"><u>FFY 2008 Data</u></th> <th data-bbox="1213 797 1407 894"><u>FFY 2009 Data</u></th> <th data-bbox="1407 797 1583 894"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 894 1010 1000">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="1010 894 1213 1000">72.2</td> <td align="center" data-bbox="1213 894 1407 1000">72.4</td> <td align="center" data-bbox="1407 894 1583 1000">63.6</td> </tr> <tr> <td data-bbox="548 1000 1010 1138">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td align="center" data-bbox="1010 1000 1213 1138">69.5</td> <td align="center" data-bbox="1213 1000 1407 1138">70.2</td> <td align="center" data-bbox="1407 1000 1583 1138">62.2</td> </tr> <tr> <td data-bbox="548 1138 1010 1243">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="1010 1138 1213 1243">74.5</td> <td align="center" data-bbox="1213 1138 1407 1243">75.2</td> <td align="center" data-bbox="1407 1138 1583 1243">65.8</td> </tr> <tr> <th data-bbox="548 1243 1010 1341"><u>Summary Statement 2</u></th> <th data-bbox="1010 1243 1213 1341"><u>FFY 2008 Data</u></th> <th data-bbox="1213 1243 1407 1341"><u>FFY 2009 Data</u></th> <th data-bbox="1407 1243 1583 1341"><u>FFY 2009 Target</u></th> </tr> <tr> <td data-bbox="548 1341 1010 1438">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="1010 1341 1213 1438">81.6</td> <td align="center" data-bbox="1213 1341 1407 1438">80.1</td> <td align="center" data-bbox="1407 1341 1583 1438">69.5</td> </tr> <tr> <td data-bbox="548 1438 1010 1505">Outcome B: Acquisition and use of knowledge</td> <td align="center" data-bbox="1010 1438 1213 1505">82</td> <td align="center" data-bbox="1213 1438 1407 1505">79.2</td> <td align="center" data-bbox="1407 1438 1583 1505">69.9</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	72.2	72.4	63.6	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	69.5	70.2	62.2	Outcome C: Use of appropriate behaviors to meet their needs (%)	74.5	75.2	65.8	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	81.6	80.1	69.5	Outcome B: Acquisition and use of knowledge	82	79.2	69.9	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																											
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	and skills (including early language/communication) (%)				
	Outcome C: Use of appropriate behaviors to meet their needs (%)	78.5	78.1	65.4	
	These data represent progress and slippage from the FFY 2008. The State met its FFY 2009 targets for this indicator.				
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 97.5%. These data represent progress from the FFY 2008 data of 84.4%. The State met its FFY 2009 target of 86%.</p> <p>In its description of its FFY 2009 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>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 2.0%. These data represent progress from the FFY 2008 data of 5%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported that 71 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that 18 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 262 of 1,183 districts did not meet the State-established minimum "n" size requirement of 20 and were excluded from the calculation.</p> <p>The State reported that all 42 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected.</p>				<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2010 APR, due February 1, 2012 demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2009 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR, that the districts identified in FFY 2009 with disproportionate representation of racial and ethnic</p>

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		<p>groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements in 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 requirement(s) (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 2010 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 2010 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 2.0%. These data represent</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2010 APR, due February 1, 2012,</p>

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<p>of inappropriate identification. [Compliance Indicator]</p>	<p>progress from the FFY 2008 data of 5%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that 268 of 1,183 districts did not meet the State-established minimum “n” size requirement and were excluded from the calculation.</p> <p>On page 54 of the revised APR, the State reported that 24 of 915 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. OSEP notes that on page 61 of the revised APR, the State reported 26 of 832 districts, and concludes that the latter data represent an editing error. The State reported in both instances that 18 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported that all 42 of its findings of noncompliance identified in FFY 2008 were corrected in a timely manner.</p>	<p>demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2009 (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 2010 APR, that the districts identified in FFY 2009 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 in 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 requirement(s) (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 2010 APR, the State must describe the specific actions that were taken to</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 97%. These data represent progress from the FFY 2008 data of 87.58%. The State did not meet its FFY 2009 target of 100%.</p> <p>OSEP’s February 7, 2011 letter required that, with its response, during the SPP/APR clarification period to OSEP’s FFY 2009 California Part B SPP/APR Status Table, the State must describe the extent to which it verified correction of findings of noncompliance identified in FFY 2008 under Indicator 11 in a manner consistent with the guidance in OSEP Memo 09-02. The State provided the required description.</p> <p>On page 68 of the FFY 2009 APR, the State reported that 6,562 of 6,602 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining 40 findings subsequently were corrected by February 1, 2011. However, on page 69 of the APR, in describing the actions taken to comply with OSEP Memo 09-02, the State reported that there were “4,329 student level findings made in 2008-09,” and 2,264 of these findings were corrected both at the student level and through a subsequent sample review of student records. Therefore, the State has not demonstrated that it corrected all the noncompliance consistent with OSEP Memo 09-02. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating 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 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate, in the FFY 2010 APR, that the remaining uncorrected noncompliance findings identified in FFY 2008 were corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator and each LEA with remaining noncompliance</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>identified in FFY 2008: (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 2010 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 2010 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 data for this indicator are 89.8% as reported in the table on page 71 of the revised APR. These data represent slippage from the FFY 2008 data of 92.57%. The State did not meet its FFY 2009 target of 100%. OSEP notes that in the discussion of the data, the State reported the data to be 89.9% and OSEP concludes that this was an editing error.</p> <p>OSEP's February 7, 2011 letter required that, with its response, during the SPP/APR clarification period to OSEP's FFY 2009 California Part B SPP/APR Status Table, the State must describe the extent to which it verified correction of findings of noncompliance identified in FFY 2008 under Indicator 12 in a manner consistent with</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, 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 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>the guidance in OSEP Memo 09-02. The State provided the required description.</p> <p>On page 72 of the FFY 2009 APR, the State reported that 1,430 of 1,441 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining 11 findings were subsequently corrected by February 1, 2011. However, on page 73 of the APR, in describing the actions taken to comply with OSEP Memo 09-02, the State reported that there were “960 student level findings made in 2008-09,” and 578 findings were corrected both at the student level and through a subsequent sample review of student records. Therefore, the State has not demonstrated that it corrected all the noncompliance consistent with OSEP Memo 09-02. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, that the remaining uncorrected noncompliance findings identified in FFY 2008 were corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator and each LEA with remaining noncompliance identified in FFY 2008: (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 2010 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 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>

California Part B FFY 2009 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 provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2009 reported baseline data for this indicator are 72%.</p>	<p>Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about the State's very low FFY 2009 data (below 75%) for this indicator. In 2012, OSEP will consider the State's FFY 2010 data for Indicator 13 in determinations.</p> <p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, 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 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(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;</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 2010 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 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's reported FFY 2009 baseline data for this indicator are:</p> <p>A. 56% enrolled in higher education within one year of leaving high school;</p> <p>B. 76.8% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 86.8% 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 must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the remaining</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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 2009 reported data for this indicator are 99.3% as set out in the table on page 88 of the revised APR. These data represent progress from the FFY 2008 data of 97.99%. The State did not meet its FFY 2009 target of 100%. OSEP notes that in the discussion of the data on page 88, the State failed to revise the number from the previously reported 98.98% and OSEP concludes this was a typographical error.</p> <p>The State reported that 38,436 of 38,689 findings of noncompliance identified in FFY 2008 were corrected in a timely manner. The State also reported that 307 findings were subsequently corrected by February 1, 2011. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>OSEP’s February 7, 2011 verification letter required that, with its response, during the SPP/APR clarification period to OSEP’s FFY 2009 California Part B SPP/APR Status Table, the State must describe the extent to which it verified correction of findings of noncompliance identified in FFY 2008 under Indicators 11, 12, and 15 in a manner consistent with the guidance in OSEP Memo 09-02. The State provided the required description. In addition to the data that the State reported in the Indicator 15 Worksheet, the State reported, in its response to the Status Table, that there were 23,801 student level findings made in 2008-09, and that 13,331 of those findings were corrected both at the student level and through a subsequent sample review of student records. Therefore, the State has not demonstrated that it corrected all the noncompliance consistent with OSEP Memo 09-02. The State reported on the actions it will take to verify correction of the other 10,470 findings in a manner consistent with OSEP Memo 09-02.</p> <p>OSEP’s February 7, 2011 verification letter also required that, within 90 days of receipt of that letter, the State must provide an assurance that it revised its procedures for verifying the correction of noncompliance for Indicators 11, 12, and 15 (timely correction) so that it verifies that noncompliance has been corrected only if the LEA is: (1) 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 noncompliance for each child, unless the child is no longer within the jurisdiction of the LEA. The State reported in its May 6, 2011 response to the verification letter that it has made the required revisions to its procedures for verifying the correction of noncompliance.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to demonstrate, in the FFY 2009 APR, due February 1, 2011, that the remaining 147 findings of noncompliance identified in FFY 2007, and the remaining two findings</p>	<p>findings of noncompliance identified in FFY 2008 and 2006, that were not reported as corrected in the FFY 2009 APR, were corrected.</p> <p>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 2010 APR, that it has corrected this noncompliance.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009 and each LEA with uncorrected noncompliance identified in 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-</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>identified in FFY 2006, that were not reported as corrected in the FFY 2008 APR were corrected. OSEP notes that the State reported that it changed its methodology so that “findings are reported in the year in which the district was notified of noncompliance” and therefore “some of the finding totals cited in prior APRs may not match with this APR because they were reported by initiation date (date of review) rather than the notification date. The State reported that all 147 of its findings of noncompliance identified in FFY 2007 were corrected. The State reported that two remaining findings identified in FFY 2006, were not corrected. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>OSEP’s February 7, 2011 verification letter found that the State does not take action to ensure that LEAs implement corrective actions that a due process hearing officer specifies in a due process hearing decision, unless the parent files a complaint under the State complaint procedures. OSEP required that within 90 days from the date of the letter, the State submit to OSEP State procedures for ensuring that LEAs implement corrective actions specified in due process hearing decisions. In its May 6, 2011 response to OSEP’s verification letter, the State provided the required information, including a description of its revised procedures for informing LEAs of the documentation they must submit to demonstrate that they have implemented corrective actions required in a hearing officer’s decision and of the timelines for the submission of the required documentation.</p>	<p>02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State does not report 100% compliance for this indicator in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>In reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 4A, 4B, 9, 10, 11, 12, and 13, and 17 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP appreciates the State’s</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 99%. These data represent progress from the FFY 2008 data of 92%. The State did not meet its FFY 2009 target of 100%.</p>	<p>efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the due process hearing timeline requirements in 34 CFR §300.515. If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 50%. These data represent progress from the FFY 2008 data of 26%. The State did not meet its FFY 2009 target of 67%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 60%. These data remain unchanged from the FFY 2008 data of 60%. The State did not meet its FFY 2009 target of 80%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 95.24%. These data represent slippage from the FFY 2008 data of 97.6%. The State did not meet its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely and accurate data reporting</p>

California Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric. If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>