

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>Status of Public Reporting on LEA Performance: While the State has publicly reported on the FFY 2008 (July 1, 2008-June 30, 2009) performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I), those reports do not contain the required information. Specifically, the State reported only statewide data for Indicator B8 and did not report on the performance of each LEA as required. The State indicated its parent survey does not collect data at the LEA level and the State “will not be able to update this information for the purposes of FFY 2009 public reporting.” The State reported it will revise its parent survey procedures to ensure the State is in compliance with the public reporting requirement for Indicator B8 beginning in FFY 2010.</p>		
<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. The State revised its FFY 2009 and FFY 2010 targets and its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 94.23%. These data represent progress from the FFY 2008 reported data of 68.19%. The State met its FFY 2009 target of 66.23%.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act. 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.</p> <p>The State noted that the “reported graduation rate of 94.23% for the students with disabilities subgroup is, while an accurate calculation using available data, not a number that [the State] believes has full veracity.”</p>	<p>The State provided a plan to collect and report valid and reliable data beginning with the FFY 2010 APR. The State must provide the required data 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 OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 2.32%. These data represent progress from the FFY 2008 reported data of 5.03%. The State met its FFY 2009 target of 6.6%.</p> <p>The State indicated that “the reported dropout rate of 2.32% for the students with disabilities subgroup is, while an accurate calculation using available data, not a number that [the State] believes has full veracity.”</p>	<p>The State provided a plan to collect and report valid and reliable data beginning with the FFY 2010 APR. The State must provide the required data in the FFY 2010 APR, due February 1, 2012.</p>

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	<p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to review the FFY 2007 target reflected in the SPP and revise it, as appropriate. The State clarified that the target listed in the State’s FFY 2007 APR submission was a typographical error.</p>	
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State 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 2012. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 4.76%. These data represent slippage from the FFY 2008 data of 13.33%. The State did not meet its FFY 2009 target of 50%.</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>B. Participation rate for children with IEPs.</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 2012. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 92.79% for reading and 92.42% for math. The State’s FFY 2008 data for this indicator were 93.39% for reading and 93.06% for math. The State did not meet its FFY 2009 targets of 95% for reading and 95% for math.</p> <p>OSEP’s verification letter, dated May 12, 2010, required the State to provide, with its FFY 2009 APR, documentation that demonstrates the State has reported to the public on the participation of students with disabilities in statewide assessments in accordance with 34 CFR §300.160. The State was required to provide a link to the State’s Web site where the data have been posted. The State provided a link to the State’s Web site where the State reports to the public on the participation of students with disabilities in statewide assessments: http://www.nclb.osse.dc.gov/reportcards.asp.</p> <p>OSEP reviewed the information posted on the State’s Web site and was unable to locate reports of the following at the school and district levels: (1) the number of children with disabilities participating in regular assessments; and (2) the number of those children who were provided accommodations (that did not result in an invalid score) in order to</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>The State did not report publicly on the participation of children with disabilities in statewide assessments at the district and school levels with the same frequency and in the same detail as it reports on the assessment of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid</p>

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	<p>participate in those assessments. OSEP notes that the State reports the State level data in its APR which is available on the State’s Web site at http://www.osse.dc.gov/seo/cwp/view,a,1222,q,561151.asp.</p> <p>In correspondence to OSEP dated May 12, 2011, the State reported it is “currently disaggregating the data at the LEA and school level and intends to have the data formatted and posted on or by June 10, 2011.”</p>	<p>score) in order to participate in those assessments at the LEA and school levels. The failure to publicly report as required is noncompliance.</p> <p>Within 30 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f).</p> <p>In addition, OSEP reminds the State that in the FFY 2010 APR the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).</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 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 targets for FFY 2011 and FFY 2012. The State revised its improvement activities for FFY 2010 and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 15.85% for elementary reading, 13.02% for secondary reading, 18.31% for elementary math, and 14.53% for secondary math. OSEP cannot determine progress or slippage because the State, in its FFY 2008 APR, combined the calculation for elementary and secondary reading and elementary and secondary math. The State did not meet its FFY 2009 targets of 60.53% for elementary reading, 57.69% for secondary reading, 55.21% for elementary math, and 55.41% for secondary math.</p> <p>OSEP’s verification letter dated May 12, 2010, required the State to provide with its FFY 2009 APR, documentation that demonstrates the State has reported to the public on the performance of students with disabilities in statewide assessments in accordance</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>

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	<p>with 34 CFR §300.160. The State was required to provide a link to the State’s Web site where the data have been posted. The State reported the required information, including a link to the State’s Web site where the State reports to the public on the performance of students with disabilities in statewide assessments: http://www.nclb.osse.dc.gov/reportcards.asp. No further action is required.</p>	
<p>4. Rates of suspension and 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>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 revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 42.86%. These data remain unchanged from the FFY 2008 reported data of 42.86%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 29 of 43 districts did not meet the State-established minimum “n” size requirement of 40 children with disabilities 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 six 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 significant discrepancies based on FFY 2008 data.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, a description of the review, and if appropriate, revision of 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 that these policies, procedures, and practices comply with the</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>The State must report, in its FFY 2010 APR, on the status of correction of noncompliance that the State identified in FFY 2010 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,</p>

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	<p>IDEA, for LEAs identified with significant discrepancies in FFY 2007, as required in 34 CFR §300.170(b). The State reported that it corrected the noncompliance with 34 CFR §300.170(b), i.e., that the State 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, for the LEAs identified with significant discrepancies for FFY 2007. The State determined that four of the six LEAs identified with significant discrepancies had policies, procedures, and practices that were in compliance with IDEA requirements and one LEA was not in compliance with the requirements. The sixth LEA closed at the conclusion of the 2009-2010 school year. The State notified the LEAs regarding the results of the review and issued findings of noncompliance in January 2011. The State will report on the correction of the one LEA’s noncompliance in the FFY 2010 APR.</p>	<p>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>The State must also report, in its FFY 2010 APR, on the status of correction of noncompliance that the State identified in FFY 2010 based on FFY 2007 data as a result of the review it conducted pursuant to 34 CFR §300.170(b).</p> <p>When reporting on the status of correction, the State must report that it has verified that the one LEA with noncompliance identified based on FFY 2007 data is correctly implementing the specific regulatory requirements. 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>4. Rates of suspension and expulsion: 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</p>	<p>The State provided FFY 2009 baseline data, using FFY 2008 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 baseline data for this indicator are 28.57%.</p> <p>The State reported that six districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in</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</p>

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<p>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>a school year for children with IEPs. The State also reported that four 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 its definition of “significant discrepancy.”</p> <p>The State reported that 29 of 43 districts did not meet the State-established minimum “n” size requirement of 40 children with disabilities 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 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 significant discrepancies based on FFY 2008 data.</p>	<p>reported for this indicator. The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, 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 requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.</p> <p>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 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</p>

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		discrepancy” and will contact the State if there are questions or concerns.																				
<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 2012. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 631 1583 1105"> <thead> <tr> <th></th> <th><u>FFY 2008</u> <u>Data</u></th> <th><u>FFY 2009</u> <u>Data</u></th> <th><u>FFY 2009</u> <u>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">17.9</td> <td align="center">35.52</td> <td align="center">14.5</td> <td align="center">17.62%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">28.2</td> <td align="center">11.86</td> <td align="center">13.0</td> <td align="center">16.34%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">22.8</td> <td align="center">28.97</td> <td align="center">26.0</td> <td align="center">-6.17%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B and slippage for 5C from the FFY 2008 data. The State met its FFY 2009 targets for 5A and 5B, but did not meet its FFY 2009 target for 5C.</p>		<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	17.9	35.52	14.5	17.62%	B. % Inside the regular class less than 40% of the day	28.2	11.86	13.0	16.34%	C. % In separate schools, residential facilities, or homebound/hospital placements	22.8	28.97	26.0	-6.17%	<p>OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
	<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	17.9	35.52	14.5	17.62%																		
B. % Inside the regular class less than 40% of the day	28.2	11.86	13.0	16.34%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	22.8	28.97	26.0	-6.17%																		
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p>	<p>The State is not required to report on this indicator in the FFY 2009 APR.</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>																				

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<p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</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 improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State did not provide any data for this indicator.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR entry data collected during FFY 2009 (fall 2009 through June 30, 2010). The State reported that the data collected during FFY 2009 are not valid and reliable and that it “cannot offer baseline data at this time.” The State reported it will provide baseline data in its FFY 2010 APR and will set targets after baseline data are established.</p> <p>OSEP’S FFY 2008 SPP/APR response table also required that the State submit its sampling methodology or inform OSEP if the State intends to use census data for the indicator and revise the SPP accordingly. The State clarified in its FFY 2009 APR that it intends to use census data for this indicator and revised its SPP to reflect this information.</p>	<p>While States were required to provide baseline data and establish targets with the FFY 2008 APR and provide progress data in the FFY 2009 APR, the State reported it did not begin collecting valid and reliable data for this indicator until FFY 2010. Therefore, the State was unable to report baseline data, establish targets, and provide progress data.</p> <p>In its FFY 2010 APR, due February 1, 2012, the State must report baseline data and provide targets for FFY 2011 and FFY 2012.</p>
<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. The State revised its improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 82.9%. These data represent progress from the FFY 2008 data of 78.6%. The State met its FFY 2009 target of 71%.</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</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 revised its</p>	<p>Because the State reported less than 100% compliance for FFY</p>

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<p>racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 5.88%. These data represent slippage from the FFY 2008 data of 0%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported that three districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that one district was 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 26 of 43 districts did not meet the State-established minimum “n” size requirement of 40 students with disabilities and were excluded from the calculation.</p>	<p>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, due February 1, 2012, that the one district identified in FFY 2010 based on FFY 2009 data with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification is in compliance with the requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, including that the State verified that the 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</p>

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		actions that were taken to verify the correction. 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>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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 11.76%. These data represent slippage from the FFY 2008 data of 0%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported that seven districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that two districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that 26 of 43 districts did not meet the State-established minimum “n” size requirement of 40 students with disabilities and were excluded from the calculation.</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, due February 1, 2012, that the districts identified in FFY 2010 based on FFY 2009 data 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 requirements (i.e., achieved 100% compliance) based on a review of updated data</p>

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		<p>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 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. The State revised its improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 75.43%. These data represent progress from the FFY 2008 data of 66.56%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 309 of 314 findings of noncompliance identified in FFY 2008 through its dispute resolution processes were corrected in a timely manner and that the remaining findings subsequently were corrected by February 1, 2011.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, and OSEP's FFY 2010 grant award letter (Enclosure E, Special Conditions), dated July 1, 2010, require that the State continue to provide progress reports as specified in the Memorandum of Agreement (MOA) entered into between the U.S. Department of Education and the State on December 7, 2009. The State submitted the progress reports as required on</p>	<p>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, due February 1, 2012, 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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>July 2, 2010, October 1, 2010, January 10, 2011, and March 2, 2011. OSEP responded to the State’s submissions in separate correspondence. The State has not met all of the benchmarks for this area for any MOA reporting period.</p> <p>The State was identified as being in need of intervention for four consecutive years based on the State’s FFY 2005, FFY 2006, FFY 2007, and FFY 2008 APRs, and was required to submit a corrective action plan (CAP). In addition, the Department directed the State to use \$500,000 of its FFY 2010 State-level funds under IDEA section 611(e) to address the longstanding noncompliance with the requirements to conduct timely initial evaluations and reevaluations. The State was required to report with its October 1, 2010 MOA progress report whether it intended to: (1) use \$500,000 of its FFY 2010 State-level funds under IDEA section 611(e) to carry out initial evaluations and reevaluations for children who have not been provided a timely initial evaluation or reevaluation (i.e., to reduce the backlog of overdue evaluations and reevaluations); (2) direct those LEAs that demonstrated noncompliance with the requirements to conduct timely initial evaluations and reevaluations to use \$500,000 of their FFY 2010 Part B funds to reduce the backlog of overdue evaluations and reevaluations; or (3) use a portion of its FFY 2010 State-level funds under IDEA section 611(e), and direct those LEAs that demonstrated noncompliance with the requirements to conduct timely initial evaluations and reevaluations to use a portion of their FFY 2010 Part B funds, to reduce the backlog of overdue evaluations and reevaluations. The State was required to provide information on how it would track the use of these funds to ensure they are used for the required purpose and documentation that demonstrates that the FFY 2010 funds were, used to reduce the backlog.</p> <p>The State’s CAP, submitted to OSEP on August 2, 2010 and amended October 1, 2010, includes the information required by OSEP’s June 3, 2010 determination letter. The State provided the required information related to the directed use of State-level funds on October 1, 2010 and February 1, 2011. The State provided a report on May 23, 2011 on the status of the State’s use of \$250,000 of its FFY 2010 State-level funds under IDEA section 611(e) and the District of Columbia Public Schools’ (DCPS’) use of \$250,000 of the LEA’s FFY 2010 Part B funds to reduce the backlog of overdue evaluations and reevaluations. OSEP’s FFY 2010 grant award letter (Enclosure E, Special Conditions), dated July 1, 2010, required that the State report on its progress toward implementing the CAP on October 1, 2010, February 1, 2011, and May 1, 2011. The State submitted the progress reports as required. OSEP responded to the State’s CAP and CAP progress reports in separate correspondence.</p>	<p>§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>In its final FFY 2010 progress report, submitted May 2, 2011, the State provided data for the February 2, 2011 through March 31, 2011 reporting period that demonstrate continued noncompliance with the timely initial evaluation requirements in 34 CFR §300.301(c).</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 future submissions to OSEP demonstrating that the State is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c).</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 30.25%. These data represent progress from the FFY 2008 data of 8%. The State did not meet its FFY 2009 target of 100%.</p> <p>OSEP stated in its FFY 2008 SPP/APR response table, dated June 3, 2010, that the State’s FFY 2008 reported data were not valid and reliable because the State indicated that “it is not clear whether the reported decrease in compliance is due to truly decreased performance or whether it results from inaccuracies in data collection and reporting.” OSEP required that the State provide revised FFY 2008 data in the FFY 2009 APR. In its FFY 2009 APR, the State reported that the data submitted for this indicator in the FFY 2008 APR are valid and reliable. The State reported that it “conducted a thorough review of the data and determined that the reported decrease was due to decreased performance.”</p> <p>The State reported that in FFY 2008, it identified two findings of noncompliance for this indicator through its dispute resolution processes and both were corrected in a timely manner.</p> <p>OSEP’s verification letter, dated May 12, 2010, required that the State:</p> <ul style="list-style-type: none"> • Provide a plan that ensures that the State will collect and report valid and reliable data for Indicator B12. The plan must include a description of how the State will ensure that the reasons for any delay in developing and implementing an IEP for children referred by Part C and found eligible for Part B services are properly documented and accounted for when reporting on Indicator B12. The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010, and submitted reports of its progress in implementing the CAP on October 1, 2010 and February 1, 2011. • Provide a plan that describes the actions the State will take to ensure that for children served in Part C and referred to Part B, the LEA initiates the evaluation process by providing the parent prior written notice consistent with the requirement at 34 CFR §300.503 and attempting to obtain informed parental consent, consistent with 34 CFR §300.300, in a manner that enables the State to meet its obligation to ensure, for those children found eligible for Part B, an IEP 	<p>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> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, due February 1, 2012, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In its final FFY 2010 progress report, submitted May 2, 2011, the State provided preliminary</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>is developed and implemented by the child’s third birthday. The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010 and submitted reports of its progress in implementing the CAP on October 1, 2010, February 1, 2011, and May 2, 2011.</p> <ul style="list-style-type: none"> • Provide a description of how the State ensures that noncompliance with the early childhood transition requirements is identified and corrected in a timely manner. This includes: (1) an explanation of how the State is monitoring LEA compliance with the requirements in section 612(a)(9) and 34 CFR §300.124(b); (2) a report of any findings the State has issued in FFY 2009 to an LEA found out of compliance with the requirements; and (3) a description of steps the State has taken in FFY 2009 to improve the State’s compliance with the early childhood transition requirements, such as conducting a review of updated data, professional development and training for State and local-level Part B and Part C personnel, policy development, etc. The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010, and submitted reports of its progress in implementing the CAP on October 1, 2010, February 1, 2011, and May 2, 2011. <p>The State was identified as being in need of intervention for four consecutive years based on the State’s FFY 2005, FFY 2006, FFY 2007, and FFY 2008 APRs, and was required to submit a CAP. The State’s CAP, submitted on August 2, 2010 and amended October 1, 2010, includes the information required by OSEP’s May 12, 2010 verification letter and June 3, 2010 determination letter.</p> <p>OSEP’s FFY 2010 grant award letter (Enclosure E, Special Conditions), dated July 1, 2010, required that the State report on its progress toward implementing the CAP on October 1, 2010, February 1, 2011, and May 1, 2011. The State submitted the progress reports as required. OSEP responded to the State’s CAP and CAP progress reports in separate correspondence.</p>	<p>data for the period July 1, 2010 through March 31, 2011 that demonstrate continued noncompliance with the early childhood transition requirements in 34 CFR §300.124(b).</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 future submissions to OSEP demonstrating that the State is in compliance with the early childhood transition requirements in 34 CFR §300.124(b).</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will</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 3%.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to continue to provide progress reports as specified in the MOA. The State submitted the progress reports as required on July 2, 2010, October 1, 2010, January 10, 2011, and</p>	<p>Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about OSSE’s very low FFY 2009 data (below 75%) for this indicator. In 2012, OSEP will consider States’ FFY 2010 data for Indicator 13 in</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>March 2, 2011. OSEP responded to the State’s submissions in separate correspondence. The State met the benchmark for this area for the first MOA reporting period but did not meet the benchmarks for the subsequent MOA reporting periods.</p> <p>The State was identified as being in need of intervention for four consecutive years based on the State’s FFY 2005, FFY 2006, FFY 2007, and FFY 2008 APRs, and was required to submit a CAP. The State’s CAP, submitted on August 2, 2010 and amended October 1, 2010, includes the information required by OSEP’s June 3, 2010 determination letter.</p> <p>OSEP’s FFY 2010 grant award letter (Enclosure E, Special Conditions), dated July 1, 2010, required that the State report on its progress toward implementing the CAP on October 1, 2010, February 1, 2011, and May 1, 2011. The State submitted the progress reports as required. OSEP responded to the State’s CAP and CAP progress reports in separate correspondence.</p>	<p>determinations.</p> <p>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, due February 1, 2012, 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; 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>In its final FFY 2010 progress report, submitted May 2, 2011, the State provided data for the</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>February 2, 2011 through March 31, 2011 reporting period that demonstrate continued noncompliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). OSEP will address this issue in separate correspondence.</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 future submissions to OSEP demonstrating that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b).</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 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. 23% enrolled in higher education within one year of leaving high school;</p> <p>B. 45% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 55% 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>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 98%. OSEP was unable to determine whether there was progress or slippage because the State did not provide valid and reliable FFY 2008 data for this indicator. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 1,102 of 1,122 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the 20 remaining findings subsequently were corrected by February 1, 2011.</p> <p>The State reported that it did not verify, as required by OSEP Memo 09-02, 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. The State reported on page 107 of its FFY 2009 APR that it “has responded to OSEP’s additional guidance by changing its policies and practices regarding the verification of correction of noncompliance; however, because this additional guidance was issued at the end of FFY 2009, not all of the data [the State] is reporting in the FFY 2009 APR reflect the additional guidance or amended practices.” The State further noted that while it “did not verify correction of FFY 2008 findings based on OSEP’s most recent guidance, the majority of the corrections of noncompliance would satisfy current guidance based on the nature of the findings” (i.e., 1,114 of the 1,122 findings of noncompliance from FFY 2008 were identified through dispute resolution processes).</p> <p>OSEP’s verification letter, dated May 12, 2010, required that the State:</p> <ul style="list-style-type: none"> • Provide a plan that ensures that the State will collect and report valid and reliable data for Indicator B15. The plan must include a description of how the State will account for findings of noncompliance identified through all components of its general supervision system, including due process hearings. The State provided the required information in its CAP, submitted August 2, 	<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: (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 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In responding to Indicators 4A, 4B, 9, 10, 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In its final FFY 2010 progress report, submitted May 2, 2011,</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>2010 and amended October 1, 2010, and submitted reports of its progress in implementing the CAP on October 1, 2010 and February 1, 2011. The State provided the required information and no further action is needed.</p> <ul style="list-style-type: none"> • Provide a plan that ensures that the State uses all the components of its general supervision system, including data the State receives through its LEA self-assessments, statewide database, State complaints, and due process hearings, to timely identify and notify LEAs of noncompliance and the responsibility to ensure that all such noncompliance is corrected as soon as possible and in no case later than one year after the date of the State’s identification of the noncompliance (i.e., written notification to the LEA of the noncompliance). The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010 and submitted reports of its progress in implementing the CAP on October 1, 2010, February 1, 2011, and May 2, 2011. • Provide a plan that ensures that the State will: (a) determine the correction of noncompliance by verifying that each LEA with noncompliance is: (i) correctly implementing the specific regulatory requirements; and (ii) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA; and (b) review updated data, which may be from subsequent on-site monitoring or data collected through a State data system, when determining whether an LEA is correctly implementing the specific regulatory requirements. The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010, and submitted reports of its progress in implementing the CAP on October 1, 2010, February 1, 2011, and May 2, 2011. • Provide a plan that ensures that the State will: (a) examine each hearing decision (beginning with hearing decisions issued in FFY 2008 and in subsequent years) to determine if the hearing officer identified any systemic findings of noncompliance; and (b) ensure any systemic noncompliance identified by the hearing officer is corrected as soon as possible and in no case later than one year after the date the LEA is notified of the noncompliance. The State provided the required information in its CAP, submitted August 2, 2010 and amended October 1, 2010, and submitted reports of its progress in implementing the CAP on October 1, 2010, February 1, 2011, and May 2, 2011. In correspondence to OSEP dated May 12, 2011, the State reported it has completed its review of all of the FFY 2008 hearing decisions and those FFY 2009 hearing decisions that were issued through July 10, 2009. The State 	<p>the State reported preliminary data on the timely correction of findings the State issued between July 1, 2009 and June 30, 2010. The State reported that it understands “student level findings of noncompliance are not deemed ‘corrected’ until the LEA has demonstrated that it is implementing the specific regulatory requirement” consistent with OSEP Memo 09-02. In its May 2, 2011 report, the State indicated it was providing data at the “student level to display its efforts to correct noncompliance, even though [the State] will not be able to report all of the student level findings as timely 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 future submissions to OSEP demonstrating that the State timely corrected noncompliance 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>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>indicated it expects to complete its review of the remaining FFY 2009 hearing decisions on or before September 1, 2011.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, and verification letter, dated May 12, 2010, required the State to continue to provide progress reports as specified in the MOA. The State submitted the progress reports as required on July 2, 2010, October 1, 2010, January 10, 2011, and March 2, 2011. OSEP responded to the State’s MOA progress reports in separate correspondence.</p> <p>The State was identified as being in need of intervention for four consecutive years based on the State’s FFY 2005, FFY 2006, FFY 2007, and FFY 2008 APRs, and was required to submit a CAP. The State’s CAP, submitted to OSEP on August 2, 2010 and amended October 1, 2010, includes the information required by OSEP’s May 12, 2010 verification letter and June 3, 2010 determination letter.</p> <p>OSEP’s FFY 2010 grant award letter (Enclosure E, Special Conditions), dated July 1, 2010, required that the State report on its progress toward implementing the CAP on October 1, 2010, February 1, 2011, and May 1, 2011. The State submitted the progress reports as required. OSEP responded to the State’s CAP and CAP progress reports in separate correspondence.</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. The State revised its improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 85.7%. These data are based on seven complaints. The State did not meet its FFY 2009 target of 100%.</p> <p>OSEP’s verification letter, dated May 12, 2010, required that the State provide documentation that demonstrates the State complies with the 60-day time limit for issuing a written decision for a State complaint or an extended timeline if exceptional circumstances exist with respect to the 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. (34 CFR §300.152(a) and (b)). The State provided the required information on February 1, 2011. No further action is required.</p> <p>OSEP’s May 12, 2010 verification letter also required that the State provide a plan that ensures that the State will collect and report valid and reliable data for Indicator B16</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 2010 APR, due February 1, 2012, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	and IDEA section 618 data reported on Table 7. The plan must include a description of how the State will ensure an accurate report of the number of State complaint reports issued with findings of noncompliance. The State provided the required information on July 12, 2010. No further action is required.	
<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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 97.8%. These data represent progress from the FFY 2008 data of 89.27%. 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 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. The State revised its target for FFY 2010 and the revised target is more rigorous than the previously-established target. The State indicated that stakeholders were provided an opportunity to comment on the revised FFY 2010 target. The State revised its improvement activities for FFY 2009 and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 48.6%. These data represent progress from the FFY 2008 data of 24.4%. The State met its FFY 2009 target of 11%.</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. The State revised its target for FFY 2010 and the revised target is more rigorous than the previously-established target. The State indicated that stakeholders were provided an opportunity to comment on the revised FFY 2010 target. The State revised its improvement activities for FFY 2009 and OSEP accepts those revisions.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

District of Columbia 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 State reported that three of five mediations resulted in mediation agreements. The State reported fewer than ten mediations held in FFY 2009. The State is not required to meet its targets or provide improvement activities in any fiscal year in which fewer than ten mediations were held.</p>	
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 88.42%. However, OSEP recalculated the data for this indicator to be 86.03%. These data represent slippage from the FFY 2008 data of 87.73%. OSEP has attached a copy of the Indicator 20 Data Rubric. The State did not meet its FFY 2009 target 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 2010 APR, due February 1, 2012, demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric.</p>
OSEP Verification Issues		
<p>General Supervision Critical Element GS-3 (GS-3) Dispute Resolution</p>	<p>OSEP's verification letter, dated May 12, 2010, required the State to provide with its FFY 2009 APR:</p> <ul style="list-style-type: none"> • Documentation that demonstrates the State issues written decisions to each complainant that address each allegation in the State complaint. (34 CFR §300.152(a)(5)). • Documentation that demonstrates the State issues written decisions to each complainant that clearly state the State's conclusions as to whether the public agency violated a requirement of IDEA. (34 CFR §300.152(a)(5)). • Documentation that demonstrates the State has revised its Procedural Safeguards Notice document to ensure the information is consistent with IDEA, its implementing regulations, and the State's revised State complaint and due process procedures. (34 CFR §300.504(b)). <p>The State provided the required information for each of the above on February 1, 2011.</p>	<p>The State provided the required information and no further action is required.</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>OSEP’s May 12, 2010 verification letter also required that the State submit with its FFY 2009 APR, documentation that demonstrates the State timely transmits due process findings and decisions to the State Advisory Panel. (34 CFR §300.513(d)). The State provided the required information on April 1, 2011.</p>	
<p>GS-5: Implementation of Grant Assurances Determinations and Enforcement</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State submit with its FFY 2009 APR, documentation that demonstrates the State has revised its rubric for making local determinations to include consideration of any audit findings against an LEA consistent with IDEA section 616 and OSEP guidance. The State provided the required information on February 1, 2011.</p> <p>The State was also required to provide documentation that demonstrates the State has revised the document that describes the State’s enforcement actions to state that LEAs determined to “need assistance” for two consecutive years are advised of available sources of technical assistance and required to access assistance consistent with 34 CFR §§300.600(a)(3) and 300.604(a)(1). The State provided the required information in documentation submitted to OSEP on February 1, 2011 and May 12, 2011.</p>	<p>The State provided the required information and no further action is required.</p>
<p>GS-5: Implementation of Grant Assurances Procedures for Determining Significant Disproportionality</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State submit with its FFY 2009 APR, documentation that demonstrates the State has established policies and procedures: (a) for determining if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs with respect to the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular disability category; the placement in particular educational settings; the incidence, duration and type of disciplinary actions, including suspensions and expulsions; and (b) for ensuring that if the State determines an LEA has significant disproportionality in one or more of these areas based on its examination of the LEA’s data, the State: (i) provides for the review and, if appropriate revision of the policies, procedures and practices used in the identification, placement, or discipline of children with disabilities to ensure compliance with the requirements of IDEA; (ii) requires the LEA to reserve 15 percent of its Part B funds for coordinated early intervening services (CEIS); and (iii) requires the LEA to publicly report on the revisions of policies, practices, and procedures, consistent with IDEA section 618(d) and 34 CFR §§300.173 and 300.646. The State provided the required information in documentation submitted to OSEP on February 1, 2011 and May 12, 2011.</p>	<p>The State provided the required information and no further action is required.</p>
<p>GS-5: Implementation of Grant</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State submit with its</p>	<p>The State provided documentation that demonstrates</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>Assurances</p> <p>Examination of FFY 2007 and FFY 2008 Data to Determine if Significant Disproportionality is Occurring</p>	<p>FFY 2009 APR:</p> <ul style="list-style-type: none"> Documentation that demonstrates the State has completed an examination of FFY 2007 data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs with respect to the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular disability category; the placement in particular educational settings; the incidence, duration and type of disciplinary actions, including suspensions and expulsions and for LEAs determined to have significant disproportionality based on FFY 2007 data, completed the required actions consistent with IDEA section 618(d) and 34 CFR §300.646(b). Documentation that demonstrates the State has conducted an examination of FFY 2008 data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs with respect to the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular disability category; the placement in particular educational settings; the incidence, duration and type of disciplinary actions, including suspensions and expulsions and for LEAs determined to have significant disproportionality based on FFY 2008 data, completed the required actions consistent with IDEA section 618(d) and 34 CFR §300.646(b). <p>In correspondence, dated February 23, 2011 and received on March 10, 2011, the State requested that OSEP release the State from the required corrective action. The State provided information explaining why it is unable to conduct an examination of FFY 2007 and FFY 2008 data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs with respect to the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular disability category; the placement in particular educational settings; the incidence, duration ,and type of disciplinary actions, including suspensions and expulsions.</p> <p>The State provided documentation to demonstrate that it has completed the examination of FFY 2009 data for the purpose of making significant disproportionality determinations and required the LEAs identified as having significant disproportionality to reserve 15% of their IDEA, Part B funds. The State also reported it has taken steps to “create a sustainable system to annually determine if significant disproportionality is</p>	<p>it has established procedures to ensure the State examines data annually for the purpose of making significant disproportionality determinations and requires LEAs identified as having significant disproportionality to complete the required actions consistent with IDEA section 618(d) and 34 CFR §300.646. No further action is required.</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	occurring in the State and LEAs” consistent with the requirements in 34 CFR §300.646(b). Based on this information, OSEP granted OSSE’s request and released the State from the required corrective action.	
<p>GS-5: Implementation of Grant Assurances</p> <p>Coordinated Early Intervening Services (CEIS)</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State submit with its FFY 2009 APR, documentation that demonstrates the State has informed LEAs that choose to use Part B funds for CEIS that they have the option of choosing which Part B funds (i.e., section 611, section 619, or a combination of the two) to use for CEIS consistent with 34 CFR §300.226(a). The State provided the required information on February 1, 2011.</p> <p>OSEP’s May 12, 2010 verification letter also required that the State submit with its FFY 2009 APR, documentation that demonstrates the State has developed a mechanism to track the number of students receiving CEIS and the number of those students who subsequently receive special education services consistent with 34 CFR §300.226(d). The State provided the required information on April 1, 2011.</p>	<p>The State provided the required information and no further action is required.</p>
<p>GS-5: Implementation of Grant Assurances</p> <p>National Instructional Materials Accessibility Standard (NIMAS)</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State provide with its FFY 2009 APR, documentation that the State adopted the NIMAS standard and established procedures to ensure that instructional materials for blind persons or other persons with print disabilities are provided in a timely manner and consistent with 34 CFR §300.172. The State provided the required information on February 1, 2011.</p>	<p>The State provided the required information and no further action is required.</p>
<p>Fiscal System Critical Element FS-2 (FS-2): Appropriate Distribution of IDEA Funds</p> <p>FS-3: Appropriate Use of IDEA Funds</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State provide progress reports to the Department as required under the State’s High Risk Corrective Action Plan (HRCAP). The State submitted the progress reports as required on July 30, 2010, October 29, 2010, March 1, 2011, and April 29, 2011. OSEP responded to the State’s submissions in separate correspondence. OSEP looks forward to reviewing the State’s July 30, 2011 HRCAP submission.</p>	<p>The State must continue to provide progress reports as required under the HRCAP.</p>
<p>Focused Monitoring: Least Restrictive Environment</p>	<p>OSEP’s verification letter, dated May 12, 2010, required that the State:</p> <ul style="list-style-type: none"> • Provide a plan that describes the actions the State will take to ensure LEAs are aware of and properly implement the prior written notice requirements. • Provide a plan that describes the actions the State will take to ensure IEP teams consider the factors required under 34 CFR §300.324(a)(1) and (2) when developing, reviewing, and revising each child’s IEP. 	<p>The State provided the required information and no further action is required.</p>

District of Columbia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<ul style="list-style-type: none"> • Provide a plan that describes the actions the State will take to ensure IEP teams include the required participants. • Provide a plan that describes the actions the State will take to ensure LEAs timely transmit education records of children transferring within the LEA and from one LEA to another in the State. <p>The State submitted the required information on July 12, 2010.</p>	