

Montana 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 74.9%. These data represent slippage from the FFY 2008 data of 76.8%. The State did not meet its FFY 2009 target of 80%.</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 OSEP accepts those revisions.</p> <p>The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 3.4%. These data represent progress from the FFY 2008 data of 4.5%. The State met its FFY 2009 target of 5.0%.</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 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 17.8%. These data represent progress from the FFY 2008 data of 8.8%. The State did not meet its FFY 2009 target of 41%.</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: B. Participation rate for children with IEPs.</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.</p> <p>The State's FFY 2009 reported data for this indicator are 95% for reading and 95.9% for</p> | <p>OSEP appreciates the State's efforts to improve performance.</p> |

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| [Results Indicator] | <p>math. These data remain unchanged from the FFY 2008 data of 95% for reading and represent progress from the FFY 2008 data of 95.4% for math. The State met its FFY 2009 targets of 95% for reading and math.</p> <p>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:</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 the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 48.7% for reading and 30.1% for math. These data represent progress from the FFY 2008 data of 46% for reading and 27.8% for math. The State met part of its FFY 2009 targets of 33%.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</p> | <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> |
| <p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p> | <p>The State 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 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 418 out of 419 districts did not meet the State-established minimum “n” size requirement of ten students with disabilities with suspensions and expulsions of greater than ten days in a school year and were excluded from the calculation. It is unclear to OSEP why one district met the State-established minimum “n” size requirement for this indicator when the State reported that no districts met the same “n” size requirement for Indicator 4B.</p> | <p>OSEP appreciates the State’s efforts to improve performance.</p> <p>In the FFY 2010 APR, due February 1, 2012, the State must clarify the number of districts that did not meet the State-established minimum “n” size requirement of ten students with disabilities with suspensions and expulsions of greater than ten days in a school year for the data reported for this indicator in the FFY 2009 APR.</p> |
| <p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10</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 indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 baseline data for this indicator are 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> | <p>OSEP appreciates the State’s efforts regarding this indicator.</p> <p>In the FFY 2010 APR, due February 1, 2012, the State must clarify the number of districts that did not meet the State-established</p> |

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| Monitoring Priorities and Indicators | Status of APR Data/SPP Revision Issues | OSEP Analysis/Next Steps | | | | | | | | | | | | | | | | | | | | |
|---|--|---|------------------------|----------------------|------------------------|-----------------|--|------|------|------|--------|--|------|------|------|-------|--|-----|------|-----|--------|--|
| <p>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>The State reported that none of the 419 districts met the State-established minimum “n” size requirement of ten students with disabilities with suspensions and expulsions of greater than ten days in a school year. It is unclear to OSEP why one district met the State-established minimum “n” size requirement for Indicator 4A, when the State reported that no districts met the same “n” size requirement for Indicator 4B.</p> | <p>minimum “n” size requirement of ten students with disabilities with suspensions and expulsions of greater than ten days in a school year for the data reported for this indicator in the FFY 2009 APR.</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 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 915 1583 1390"> <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">52.2</td> <td align="center">51.3</td> <td align="center">50.5</td> <td align="center">-0.90%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">11.7</td> <td align="center">11.1</td> <td align="center">11.5</td> <td align="center">0.60%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.5</td> <td align="center">1.85</td> <td align="center">1.6</td> <td align="center">-0.35%</td> </tr> </tbody> </table> <p>These data represent progress for 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 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 | 52.2 | 51.3 | 50.5 | -0.90% | B. % Inside the regular class less than 40% of the day | 11.7 | 11.1 | 11.5 | 0.60% | C. % In separate schools, residential facilities, or homebound/hospital placements | 1.5 | 1.85 | 1.6 | -0.35% | <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 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 | 52.2 | 51.3 | 50.5 | -0.90% | | | | | | | | | | | | | | | | | | |
| B. % Inside the regular class less than 40% of the day | 11.7 | 11.1 | 11.5 | 0.60% | | | | | | | | | | | | | | | | | | |
| C. % In separate schools, residential facilities, or homebound/hospital placements | 1.5 | 1.85 | 1.6 | -0.35% | | | | | | | | | | | | | | | | | | |

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|--|---|---|-------------------------------|-----------------------------|-------------------------------|--|------|------|------|---|------|------|------|---|------|------|------|-----------------------------------|-----------------------------|-----------------------------|-------------------------------|---|
| <p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p> | <p>The State is not required to report on this indicator in the FFY 2009 APR.</p> | <p>The State is not required to report 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. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 911 1583 1520"> <thead> <tr> <th data-bbox="548 911 957 1013"><u>Summary Statement 1</u></th> <th data-bbox="957 911 1163 1013"><u>FFY 2008 Data</u></th> <th data-bbox="1163 911 1373 1013"><u>FFY 2009 Data</u></th> <th data-bbox="1373 911 1583 1013"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1013 957 1149">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 1013 1163 1149">61.4</td> <td align="center" data-bbox="1163 1013 1373 1149">71.1</td> <td align="center" data-bbox="1373 1013 1583 1149">61.5</td> </tr> <tr> <td data-bbox="548 1149 957 1318">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td align="center" data-bbox="957 1149 1163 1318">70.3</td> <td align="center" data-bbox="1163 1149 1373 1318">78.7</td> <td align="center" data-bbox="1373 1149 1583 1318">70.0</td> </tr> <tr> <td data-bbox="548 1318 957 1422">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 1318 1163 1422">58.1</td> <td align="center" data-bbox="1163 1318 1373 1422">73.3</td> <td align="center" data-bbox="1373 1318 1583 1422">59.0</td> </tr> <tr> <th data-bbox="548 1422 957 1520"><u>Summary Statement 2</u></th> <th data-bbox="957 1422 1163 1520"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1422 1373 1520"><u>FFY 2009 Data</u></th> <th data-bbox="1373 1422 1583 1520"><u>FFY 2009 Target</u></th> </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) (%) | 61.4 | 71.1 | 61.5 | Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%) | 70.3 | 78.7 | 70.0 | Outcome C: Use of appropriate behaviors to meet their needs (%) | 58.1 | 73.3 | 59.0 | <u>Summary Statement 2</u> | <u>FFY 2008 Data</u> | <u>FFY 2009 Data</u> | <u>FFY 2009 Target</u> | <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> | | | | | | | | | | | | | | | | | | | |
| Outcome A: Positive social-emotional skills (including social relationships) (%) | 61.4 | 71.1 | 61.5 | | | | | | | | | | | | | | | | | | | |
| Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%) | 70.3 | 78.7 | 70.0 | | | | | | | | | | | | | | | | | | | |
| Outcome C: Use of appropriate behaviors to meet their needs (%) | 58.1 | 73.3 | 59.0 | | | | | | | | | | | | | | | | | | | |
| <u>Summary Statement 2</u> | <u>FFY 2008 Data</u> | <u>FFY 2009 Data</u> | <u>FFY 2009 Target</u> | | | | | | | | | | | | | | | | | | | |

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|--|---|------|------|------|--|
| | Outcome A: Positive social-emotional skills (including social relationships) (%) | 59.2 | 63.4 | 60.0 | |
| | Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%) | 31.6 | 43.7 | 32.0 | |
| | Outcome C: Use of appropriate behaviors to meet their needs (%) | 64.1 | 68.5 | 64.0 | |
| | These data represent progress from the FFY 2008 data. The State met its FFY 2009 targets. | | | | |
| 8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. [Results Indicator] | 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's FFY 2009 reported data for this indicator are 72.7%. The State's FFY 2008 data for this indicator were 72.9%. The State met its FFY 2009 target of 67%. In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population. | | | | OSEP appreciates the State's efforts to improve performance. |
| 9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator] | The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%. The State reported that two districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that none of the districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. The State reported that 197 of 417 districts did not meet the State-established minimum | | | | OSEP appreciates the State's efforts regarding this indicator. |

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| | <p>“n” size requirement of ten “for at least one racial and ethnic group” and were excluded from the calculation.</p> | |
| <p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p> | <p>The State 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 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that one district was identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported that 197 of 417 districts did not meet the State-established minimum “n” size requirement of ten “for at least one racial and ethnic group” and were excluded from the calculation.</p> | <p>OSEP appreciates the State’s efforts regarding this indicator.</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. [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 97.2%. These data represent progress from the FFY 2008 data of 90.1%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all six 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 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. 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>When reporting on the correction</p> |

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| | | <p>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 §300.301(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 Memorandum, 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>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 reported data for this indicator are 82.9%. These data represent progress from the FFY 2008 data of 70.5%. The State did not meet its FFY 2009 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2008, the State did not make any findings of noncompliance for this indicator during FFY 2008. The State reported that all 15 instances of noncompliance were timely corrected, and that, because the State verified correction within 90 days of identification of noncompliance, the State did not make findings of noncompliance.</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</p> |

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| | | <p>State reported for this indicator. 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>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: (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>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</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 85.3%.</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).</p> |

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| <p>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>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. 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>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; 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>14. Percent of youth who are no longer in secondary school, had</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</p> | <p>The State must report actual target data for FFY 2010 with the</p> |

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| <p>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>accepts the State’s submission for this indicator.</p> <p>A. 26.6% enrolled in higher education within one year of leaving high school;</p> <p>B. 72% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 85.4% 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>FFY 2010 APR, due February 1, 2012.</p> |
| <p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p> | <p>The State 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 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p> <p>The State reported that all 177 of its findings of noncompliance identified in FFY 2008 were corrected in a timely manner.</p> | <p>OSEP appreciates the State’s efforts in timely correcting findings of noncompliance identified in FFY 2008.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, due February 1, 2012, 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,</p> |

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|---|--|--|
| | | <p>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 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 11, 12 and 13 in the FFY 2010 APR due February 1, 2012, 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 are based on four complaints. 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 process hearing requests that were adjudicated within the 45-day timeline or a timeline that is</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 reported that none of the eight requests for due process hearings were fully</p> | <p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p> |

Montana Part B FFY 2009 SPP/APR Response Table

| Monitoring Priorities and Indicators | Status of APR Data/SPP Revision Issues | OSEP Analysis/Next Steps |
|---|---|--|
| <p>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>adjudicated during the reporting period.</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 OSEP accepts those revisions.</p> <p>The State reported that none of the three resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions 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 resolution sessions were held.</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 OSEP accepts those revisions.</p> <p>The State reported that both mediations resulted in mediation agreements.</p> <p>The State reported fewer than ten mediations held in FFY 2009. The State is not required to meet its targets or provide improvement activities until any fiscal year in which fewer than ten mediations were held.</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 100%. These data remain unchanged from the FFY 2008 data of 100%. The State did meet its FFY 2009 target of 100%.</p> | <p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, due February 1, 2012, the State must use the Indicator 20 Data Rubric.</p> |