

**Nebraska Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>
<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 71.25%. These data represent slippage from the FFY 2008 data of 78.82%. The State did not meet its FFY 2009 target of 83.97%.</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. 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 1.64%. These data represent progress from the FFY 2008 data of 1.87%. The State met its FFY 2009 target of 2.12%.</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 revised the targets for FFY 2009 and FFY 2010, improvement activities for FFY 2009 and FFY 2010, and baseline for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the FFY 2011 and FFY 2012 targets and revised targets. The revised targets are more rigorous than the previously-established targets.</p> <p>The State's FFY 2009 reported data for this indicator are 34.48%. These data represent slippage from the FFY 2008 data of 53.03%. The State met its FFY 2009 target of 34.48%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: B. Participation rate for children</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>OSEP appreciates the State's efforts to improve performance.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>																														
<p>with IEPs. [Results Indicator]</p>	<p>The State's FFY 2009 reported data for this indicator are 99.64% for reading and 98.64% for math. These data represent progress from the FFY 2008 data of 97.92% for reading and represent progress from the FFY 2008 data of 97.17% for math. The State met its FFY 2009 targets of 95%.</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: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. For reading, the State revised its FFY 2009 and FFY 2010 targets, improvement activities, and baseline for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the FFY 2011 and FFY 2012 targets and revised FFY 2009 and FFY 2010 targets. The revised targets for reading are more rigorous than the previously-established targets.</p> <p>The State's FFY 2009 reported a revised baseline data for this indicator are :</p> <table border="1" data-bbox="550 784 1585 1063"> <thead> <tr> <th><u>Grade</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td></td> <td align="center" colspan="2"><u>Reading</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td>Elementary</td> <td align="center">42.77%</td> <td align="center">81%</td> <td align="center">82.37%</td> <td align="center">85.79%</td> <td align="center">83%</td> </tr> <tr> <td>Middle</td> <td align="center">33.10%</td> <td align="center">81%</td> <td align="center">74.01%</td> <td align="center">75.44%</td> <td align="center">79%</td> </tr> <tr> <td>High</td> <td align="center">29.44%</td> <td align="center">83%</td> <td align="center">64.14%</td> <td align="center">66.98%</td> <td align="center">81%</td> </tr> </tbody> </table> <p>These data represent progress for math. OSEP was unable to determine whether there was progress or slippage for reading because the State changed its baseline. The State did not meet its FFY 2009 targets, except for elementary math.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</p>	<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>		<u>Reading</u>		<u>Math</u>			Elementary	42.77%	81%	82.37%	85.79%	83%	Middle	33.10%	81%	74.01%	75.44%	79%	High	29.44%	83%	64.14%	66.98%	81%	<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>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																											
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<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</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>OSEP appreciates the State's efforts to improve performance.</p>																														

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>										
for children with IEPs; and [Results Indicator]	The State reported its definition of “significant discrepancy.”  The State reported that 48 of 253 districts did not meet the State-established minimum “n” size requirement of 30 children with disabilities who were expelled or suspended for more than ten days and were excluded from the APR reporting.											
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 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.  [Compliance Indicator]	The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012 for this indicator. However, the State did not provide targets for FFY 2010. The State must revise its SPP to include targets for FFY 2010.  The State’s FFY 2009 baseline data for this indicator are 0%.  The State reported that no districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.  The State reported its definition of “significant discrepancy.”  The State reported on the number of districts that did not meet the State-established minimum “n” size requirement of 30 or more children with disabilities expelled or suspended for more than ten days in a racial or ethnic category and were excluded from the APR reporting for each racial and ethnic category.	OSEP appreciates the State’s efforts regarding this indicator..										
5. Percent of children with IEPs aged 6 through 21 served:  A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements.  [Results Indicator]	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.  The State’s FFY 2009 reported 618 data for this indicator are: <table border="1" data-bbox="552 1284 1583 1487"> <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">71.8</td> <td align="center">72.06</td> <td align="center">58.9</td> <td align="center">0.26%</td> </tr> </tbody> </table>		<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	71.8	72.06	58.9	0.26%	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.
	<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	71.8	72.06	58.9	0.26%								

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					Nebraska Correction
	B. % Inside the regular class less than 40% of the day	6.72	6.69	11.8	-0.03%	
	C. % In separate schools, residential facilities, or homebound/hospital placements	2.83	2.96	2.6	0.13%	
	<p>However, the State reported data are: 5A) 72.08; 5B) 6.67; and 5C) 2.76. The State explained that data may not match the 618 reported data because districts are allowed a period of correction for all data submitted to the State.</p> <p>Based on the 618 data, these data represent progress 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>					
<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>

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<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 2007 through 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 revised baseline data for this indicator are:</p> <table border="1" data-bbox="548 483 1583 1489"> <thead> <tr> <th data-bbox="548 483 957 651"><u>Summary Statement 1</u></th> <th data-bbox="957 483 1163 651"><u>FFY 2008 Data</u></th> <th data-bbox="1163 483 1373 651"><u>FFY 2009 Revised Baseline Data</u></th> <th data-bbox="1373 483 1583 651"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 651 957 786"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 651 1163 786">45.6</td> <td data-bbox="1163 651 1373 786">62.6</td> <td data-bbox="1373 651 1583 786">46.1</td> </tr> <tr> <td data-bbox="548 786 957 954"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td data-bbox="957 786 1163 954">60.8</td> <td data-bbox="1163 786 1373 954">60.4</td> <td data-bbox="1373 786 1583 954">61.3</td> </tr> <tr> <td data-bbox="548 954 957 1057"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="957 954 1163 1057">53.5</td> <td data-bbox="1163 954 1373 1057">63.2</td> <td data-bbox="1373 954 1583 1057">54.0</td> </tr> <tr> <th data-bbox="548 1057 957 1224"><u>Summary Statement 2</u></th> <th data-bbox="957 1057 1163 1224"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1057 1373 1224"><u>FFY 2009 Revised Baseline Data</u></th> <th data-bbox="1373 1057 1583 1224"><u>FFY 2009 Target</u></th> </tr> <tr> <td data-bbox="548 1224 957 1360"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 1224 1163 1360">81.9</td> <td data-bbox="1163 1224 1373 1360">72.4</td> <td data-bbox="1373 1224 1583 1360">66.7</td> </tr> <tr> <td data-bbox="548 1360 957 1489"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication)</td> <td data-bbox="957 1360 1163 1489">84.0</td> <td data-bbox="1163 1360 1373 1489">60.8</td> <td data-bbox="1373 1360 1583 1489">72.0</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline Data</u>	<u>FFY 2009 Target</u>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	45.6	62.6	46.1	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	60.8	60.4	61.3	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	53.5	63.2	54.0	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline Data</u>	<u>FFY 2009 Target</u>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	81.9	72.4	66.7	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication)	84.0	60.8	72.0	<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 Revised Baseline Data</u>	<u>FFY 2009 Target</u>																											
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	(%)				
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)				
	84.6	74	82.9		
	The State provided revised baseline data using FFY 2009 data. Therefore, OSEP is not comparing the FFY 2009 data to FFY 2008 data. The State met part of its revised FFY 2009 targets for this indicator.				
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 FFY 2012.  The State's FFY 2009 reported data for this indicator are 78.7%. These data represent progress from the FFY 2008 data of 78.1%. The State met its FFY 2009 target of 70.2%.  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	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.				OSEP appreciates the State's efforts regarding this indicator.

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>
<p>education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</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 no districts were identified with "disproportionate representation" of racial and ethnic groups in special education and related services.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 241 of 253 districts did not meet the State-established minimum "n" size requirement of 30 and were excluded from the APR reporting.</p>	
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State 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 no districts were identified with "disproportionate representation" of racial and ethnic groups in special education and related services.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 241 of 253 districts did not meet the State-established minimum "n" size requirement of 30 and were excluded from the APR reporting.</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.</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 99.38%. These data represent progress from the FFY 2008 data of 98.9%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 12 of 15 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the three remaining findings subsequently were corrected by December 31, 2010.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	Nebraska Correction
		<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 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>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the early childhood transition requirements in 34 CFR §300.124(b).</p>

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<p>birthdays. [Compliance Indicator]</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 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. [Compliance Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 reported baseline data for this indicator are 86.73%.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; 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</p>

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		<p>APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010 through FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator. OSEP cannot accept the targets for 14C because the FFY 2012 target does not reflect improvement over the baseline data. The State must revise its FFY 2012 target for 14C to reflect improvement.</p> <p>The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 through FFY 2012.</p> <p>The State’s reported FFY 2009 baseline data for this indicator are:</p> <p>A. 39.4% enrolled in higher education within one year of leaving high school;</p> <p>B. 65.2% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 83.6% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>	<p>The State must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and 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 reported data for this indicator are 99.27%. These data represent progress from the FFY 2008 data of 97.9%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 412 of 415 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the three remaining findings subsequently</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 the State timely corrected noncompliance identified in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR</p>

**Nebraska Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>
	<p>were corrected by December 31, 2010.</p>	<p>§§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (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 addition, in responding to Indicators 11 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>16. Percent of signed written complaints with reports issued that</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>OSEP appreciates the State's efforts in achieving compliance</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	Nebraska Correction
<p>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's FFY 2009 reported data for this indicator are 100%. These data are based on three complaints. The State met its FFY 2009 target of 100%.</p>	<p>with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party 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.</p> <p>The State reported that it did not receive any requests for due process hearings during the reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that no resolution sessions were held during the reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2009. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State reported that two of three mediations resulted in mediation agreements.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

**Nebraska Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>Nebraska Correction</b>
	<p>The State reported fewer than ten mediations held in FFY 2009. The State is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediations were held.</p>	
<p>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.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data represent progress from the FFY 2008 data of 97.61%. The State met 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>