

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

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator.]</p>	<p>The State provided FFY 2011 and FFY 2012 targets, revised FFY 2009 and FFY 2010 targets, a revised FFY 2009 baseline, and improvement activities through FFY 2012, and OSEP accepts those revisions. The revised targets are less rigorous than the previously-established targets.</p> <p>The State’s FFY 2009 revised baseline for this indicator is 42.43%. OSEP was unable to determine whether there was progress or slippage because the State changed the way data were reported by using the ESEA four-year cohort graduation rate rather than a single-year graduation rate. The State did not meet its revised FFY 2009 target of 65%.</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, a revised target for FFY 2010, and improvement activities through FFY 2012, and OSEP accepts those revisions. The revised target is less rigorous than the previously-established target. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 3.7%. OSEP was unable to determine whether there was progress or slippage because the State changed the way data were reported by using the ESEA Title I dropout rate rather than a State-derived dropout rate. The State met its FFY 2009 target of 3.7%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 22.7%. These data represent slippage from the FFY 2008 data of 27.6%. The State met its FFY 2009 target of 13%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>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 FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 98.3% for reading and 98.3% for math. The State's FFY 2008 data for this indicator were 98.5% for reading and 98.5% for math. The State met its FFY 2009 targets of 95% for reading and 95% for math.</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.</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 49.6% for reading and 47.9% for math. These data represent progress from the FFY 2008 data of 46.5% for reading and 44.1% for math. The State did not meet its FFY 2009 targets of 60% for reading and 59% for math.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</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>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 10.7%. These data represent progress from the FFY 2008 data of 22.84%. The State met its FFY 2009 target of decreasing the percent of districts with a significant discrepancy by 2% from the previous year.</p> <p>The State reported its definition of "significant discrepancy."</p> <p>The State reported that 50 of 197 districts did not meet the State-established minimum "n" size requirement of "more than three IDEA-eligible students with greater than ten days suspension/expulsion" and were excluded from the calculation.</p> <p>The State reported that it reviewed the LEAs' policies, procedures, and practices</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report in its FFY 2010 APR, due February 1, 2012, on the correction of noncompliance that the State identified in FFY 2009 based on FFY 2008 data as a result of the review it conducted pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each LEA with noncompliance</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>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 revised (or 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>The State reported that noncompliance identified in FFY 2008 based on FFY 2007 data through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected in a timely manner.</p>	<p>identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets and improvement activities 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 1.0%.</p> <p>The State reported that three districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State also reported that two 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 186 of 197 districts did not meet the State-established minimum "n" size requirement of "ten IDEA-eligible students who received long-term suspension/expulsions in the same race/ethnic category" and were excluded from the calculation.</p>	<p>OSEP appreciates the State's efforts regarding this indicator and looks forward to data in the FFY 2010 APR, due February 1, 2012, demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2009 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR, that the districts identified with noncompliance based on FFY 2008 data have</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<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 revised (or 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>corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.</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 definition of “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</p>	<p>The State provided targets for FFY 2011 and FFY 2012 and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<p>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>FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="552 363 1583 837"> <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">70.1</td> <td align="center">70.1</td> <td align="center">70.0</td> <td align="center">0.00%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">10.8</td> <td align="center">10.6</td> <td align="center">10.8</td> <td align="center">.20%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.8</td> <td align="center">1.6</td> <td align="center">2.0</td> <td align="center">.20%</td> </tr> </tbody> </table> <p>These data represent progress for 5B and 5C and remain unchanged for 5A from the FFY 2008 data. The State met all of its FFY 2009 targets for this indicator.</p>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	70.1	70.1	70.0	0.00%	B. % Inside the regular class less than 40% of the day	10.8	10.6	10.8	.20%	C. % In separate schools, residential facilities, or homebound/hospital placements	1.8	1.6	2.0	.20%	
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>																		
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B. % Inside the regular class less than 40% of the day	10.8	10.6	10.8	.20%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	1.8	1.6	2.0	.20%																		
<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>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and</p>	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's</p>																				

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>																												
<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>FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 363 1583 1472"> <thead> <tr> <th data-bbox="548 363 957 464"><b><u>Summary Statement 1</u></b></th> <th data-bbox="957 363 1163 464"><b><u>FFY 2008 Data</u></b></th> <th data-bbox="1163 363 1373 464"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1373 363 1583 464"><b><u>FFY 2009 Target</u></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 464 957 647"> <b>Outcome A:</b>                      Positive social-emotional skills (including social relationships) (%)                 </td> <td align="center" data-bbox="957 464 1163 647">75.06</td> <td align="center" data-bbox="1163 464 1373 647">74.3</td> <td align="center" data-bbox="1373 464 1583 647">75.1</td> </tr> <tr> <td data-bbox="548 647 957 863"> <b>Outcome B:</b>                      Acquisition and use of knowledge and skills (including early language/communication) (%)                 </td> <td align="center" data-bbox="957 647 1163 863">65.82</td> <td align="center" data-bbox="1163 647 1373 863">60.5</td> <td align="center" data-bbox="1373 647 1583 863">65.8</td> </tr> <tr> <td data-bbox="548 863 957 1029"> <b>Outcome C:</b>                      Use of appropriate behaviors to meet their needs (%)                 </td> <td align="center" data-bbox="957 863 1163 1029">57.33</td> <td align="center" data-bbox="1163 863 1373 1029">44.8</td> <td align="center" data-bbox="1373 863 1583 1029">57.3</td> </tr> <tr> <th data-bbox="548 1029 957 1130"><b><u>Summary Statement 2</u></b></th> <th data-bbox="957 1029 1163 1130"><b><u>FFY 2008 Data</u></b></th> <th data-bbox="1163 1029 1373 1130"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1373 1029 1583 1130"><b><u>FFY 2009 Target</u></b></th> </tr> <tr> <td data-bbox="548 1130 957 1313"> <b>Outcome A:</b>                      Positive social-emotional skills (including social relationships) (%)                 </td> <td align="center" data-bbox="957 1130 1163 1313">29.58</td> <td align="center" data-bbox="1163 1130 1373 1313">32.5</td> <td align="center" data-bbox="1373 1130 1583 1313">29.6</td> </tr> <tr> <td data-bbox="548 1313 957 1472"> <b>Outcome B:</b>                      Acquisition and use of knowledge and skills (including early language/                 </td> <td align="center" data-bbox="957 1313 1163 1472">22.50</td> <td align="center" data-bbox="1163 1313 1373 1472">23.6</td> <td align="center" data-bbox="1373 1313 1583 1472">22.5</td> </tr> </tbody> </table>	<b><u>Summary Statement 1</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	75.06	74.3	75.1	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	65.82	60.5	65.8	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	57.33	44.8	57.3	<b><u>Summary Statement 2</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	29.58	32.5	29.6	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/	22.50	23.6	22.5	<p>data demonstrating improvement in the FFY 2010 APR, due February 1, 2012.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.</p>
<b><u>Summary Statement 1</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>																											
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	75.06	74.3	75.1																											
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<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	29.58	32.5	29.6																											
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/	22.50	23.6	22.5																											

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	communication) (%)				
	<p><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</p>	36.66	31.7	36.7	
	<p>These data represent progress and slippage from the FFY 2008 data. The State met part of its FFY 2009 targets for this indicator.</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.</p> <p>The State's FFY 2009 reported data for this indicator are 61% for preschool-aged children (ages 3-5) and 28% for school-aged children. These data represent progress from the FFY 2008 data of 48.5% for preschool-aged children (ages 3-5) and slippage from the FFY 2008 data of 32.5% for school-aged children. The State met its FFY 2009 target of 61% for preschool-aged children and did not meet its FFY 2009 target of 37% for school-aged children.</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 and looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012 and revised 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 eight districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 29 of 197 districts did not meet the State-established minimum</p>				<p>OSEP appreciates the State's efforts regarding this indicator.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	<p>“n” size requirement of “at least ten IDEA eligible students in the same race/ethnicity category in special education” 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 41 districts were 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 provided its definition of “disproportionate representation.”</p> <p>The State reported that 43 of 197 districts did not meet the State-established minimum “n” size requirement of “at least ten IDEA eligible students in the same race/ethnicity category and disability category” 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 the improvement activities.</p> <p>The State’s FFY 2009 reported data for this indicator are 97%. These data represent progress from the FFY 2008 data of 96.5%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 77 districts with findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</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 of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the</p>

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		<p>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 Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012 and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 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>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable</p>	<p>The State provided FFY 2009 baseline data, targets, and improvement activities for this indicator, and OSEP accepts the State's submission for this indicator.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in</p>

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<p>postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2009 reported baseline data for this indicator are 77.2%.</p>	<p>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 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</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		improvement activities and revise them, if necessary.
<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, and improvement activities 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. The State’s reported FFY 2009 baseline data for this indicator are:</p> <p>A. 24.18% enrolled in higher education within one year of leaving high school;</p> <p>B. 50.6% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 66.04% 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 98.7%. These data represent slippage from the FFY 2008 data of 100%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 1,966 of 1,992 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that 14 findings were subsequently corrected by February 1, 2011. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the remaining 12 findings of noncompliance identified in FFY 2008 that were not reported as corrected in the FFY 2009 APR were corrected.</p> <p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, the State’s data demonstrating that the State timely corrected noncompliance identified in FFY 2009 in accordance with 20</p>

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

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>U.S.C. 1232d(b)(3)(E), 34 CFR §§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.</p> <p>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 4A, 4B, 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>
16. Percent of signed written	The State provided targets for FFY 2011 and FFY 2012, and improvement activities	OSEP appreciates the State's

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

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>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>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>efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party 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’s FFY 2009 reported data for this indicator are 100%. These data are based on three due process hearings. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State reported that neither of the two 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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP looks forward to reviewing</p>

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

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>resulted in mediation agreements. [Results Indicator]</p>	<p>through FFY 2012, and OSEP accepts those revisions. The State's FFY 2009 reported data for this indicator are 89.2%. These data represent progress from the FFY 2008 data of 78.38%. The State met its FFY 2009 target of 87.5%.</p>	<p>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. [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's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely 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>

	<b>OSEP's 2010 Verification Visit Required Actions</b>	<b>OSEP's Comments</b>
<p>GS-1: Identification of Noncompliance</p>	<p><b>Required Actions/Next Steps</b></p> <ol style="list-style-type: none"> <li>1. Within 90 days from the date of this letter, the State must provide a written assurance that it has taken the necessary steps to enable the State to identify noncompliance in a timely manner and provide written findings of noncompliance to LEAs as soon as possible after the State concludes that an LEA has noncompliance, generally in less than three months from discovery.</li> <li>2. With the FFY 2010 APR, due February 1, 2012, the State must submit documentation demonstrating that it provided written findings of noncompliance to LEAs in a timely manner (i.e., "generally in less than three months from discovery"), consistent with question 7 of OSEP's September 3, 2008 FAQs.</li> </ol>	<p>Required Action #1: Oregon has satisfied the required action.</p> <p>Required Action #2: OSEP expects the State to provide the required documentation with its FFY 2010 APR, due February 1, 2012.</p>
<p>GS-3: Dispute Resolution</p>	<p><b>Required Actions/Next Steps</b></p> <p>Within 90 days of the date of this letter, the State must submit a written assurance that it</p>	<p>Required Action: Oregon has satisfied the required</p>

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

	<p>has revised its special education complaint procedures in Oregon Administrative Rule 581-015-2030, to ensure that petitions for reconsideration of orders in special education State complaints under Oregon Model Rule 137-015-0080 are implemented in a manner that is consistent with Part B. In revising its State complaint procedures, Oregon may choose one of the following options:</p> <ol style="list-style-type: none"> <li>1. Consistent with its current practice, Oregon may establish procedures that would refuse to grant petitions for reconsideration of orders in special education State complaints under Model Rule 137-015-0080 because that reconsideration cannot occur within the 60-day complaint resolution timeline in 34 CFR §300.152; or</li> <li>2. Oregon may establish procedures that would permit petitions for reconsideration of orders in special education complaints under Model Rule 137-015-0080 to occur outside of the 60-day complaint resolution timeline, but only if any corrective action(s) required in the State’s written decision is not delayed pending the reconsideration process. See OSEP Memo 00-20 dated July 17, 2000, question 10.</li> </ol>	<p>action. The amended rule was finalized on April 22, 2011.</p>
<p>FS-1: Timely Obligation and Liquidation of Funds</p>	<p><b>Required Actions/Next Steps</b></p> <p>Within 90 days of the date of this letter, ODE must provide documentation that its procedures for obligation of carryover funds under Part B of the IDEA as applied to subgrants of Part B funds at the LEA level are consistent with 20 U.S.C. 1225(b) and 34 CFR §76.709(a), and that ODE’s procedures have been revised to eliminate the requirement that LEAs must return unobligated Part B funds subgranted to LEAs at the conclusion of an 18-month period with no carryover, subject to an LEA’s request for an extension. Instead, ODE must revise its procedures and practices to require that Part B funds subgranted to LEAs must remain available for LEAs to obligate during the entire additional fiscal year following the fiscal year that Congress appropriated those funds, and that for a program such as Part B of IDEA, which is forward-funded, subgrant funds at the LEA level must remain available for obligation for up to 27 months (if they were made available on July 1) or 24 months (if they were made available on October 1) after Congress appropriated those funds.</p>	<p>Required Action:</p> <p>Oregon has satisfied the required action.</p>
<p>FS-2: Appropriate Distribution of IDEA Funds</p>	<p><b>Required Actions/Next Steps</b></p> <ol style="list-style-type: none"> <li>1. Oregon must submit to OSEP, no later than May 2, 2011, the State’s revised policies and procedures that address how the State will: (i) determine the amount of section 619 funds that otherwise would have been available to its LEAs if the SEA was not providing special education and related services directly to the three and four-year-old children with disabilities (and some five-year-old children with disabilities not enrolled in kindergarten) residing in the area served by that LEA; and (ii) allocate section 619 funds to LEAs that provide special education and related services to eligible five-year-</li> </ol>	<p>Required Actions 1, 2, 3, and 4:</p> <p>Oregon has satisfied the required actions.</p>

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

	<p>old children with disabilities residing in the area served by the LEA who are enrolled in kindergarten.</p> <p>2. Beginning with FFY 2009 funds made available for obligation on July 1, 2009, which remain available for obligation through September 30, 2011 and FFY 2010 funds made available on July 1, 2010, which remain available for obligation through September 30, 2012, ODE must determine the amount of the section 619 allocations that each LEA in Oregon that provided special education and related services to eligible five-year-old children with disabilities enrolled in kindergarten was entitled to receive in FFY 2009 and FFY 2010. In order to ensure that each LEA receives the amount the LEA was entitled to receive in FFY 2009 and FFY 2010, ODE may use: (1) FFY 2009 and/or FFY 2010 section 611 and/or section 619 State set-aside funds; (2) any remaining FFY 2009 and/or FFY 2010 section 619 funds retained by the State to provide direct services.</p> <p>3. Not later than May 2, 2011, Oregon must provide an assurance from an ODE official responsible for overseeing the distribution of funds to LEAs pursuant to section 619(g) of the IDEA specifying that: (i) The ODE official has reviewed the methodology used to make such distributions and has revised that methodology to be consistent with all statutory and regulatory requirements; and (ii) That all prior distributions, starting with FFY 2009 (funds that became available for distribution July 1,2009), under section 619(g) of the IDEA were properly recalculated and distributed to LEAs that provided special education and related services to eligible five-year-old children with disabilities who were enrolled in kindergarten in accordance with the funding formula in 34 CFR §300.816.</p> <p>4. Oregon must submit to OSEP, no later than May 2, 2011, a copy of the memorandum that ODE sends to all LEAs regarding the re-allocation of section 619 funds (beginning with FFY 2009) to LEAs that provide special education and related services to eligible five-year-old children with disabilities enrolled in kindergarten, in accordance with the requirements in 34 CFR §§300.815-300.816.</p>	
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