

**Pennsylvania 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 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 84.3%. These data represent progress from the FFY 2008 reported data of 82.5%. The State met its FFY 2009 target of 80% or any improvement from previous year.</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 appreciates the State's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 11.1%. These data represent progress from the FFY 2008 reported data of 12.2%. The State met its FFY 2009 target of 11.33%.</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 for grade span 3-5 are 75.48%. These data represent slippage from the FFY 2008 data of 79.95%. The State met its FFY 2009 target of 75.48%.</p> <p>The State's FFY 2009 reported data for this indicator for grade span 6-8 are 85.54%. These data represent progress from the FFY 2008 data of 75.95%. The State met its FFY 2009 target of 69.25%.</p> <p>The State's FFY 2009 reported data for this indicator for grade span 9-12 are for 90 districts, or 57.00%. These data represent progress from the FFY 2008 data of 43 districts, or 30.71%. The State met its FFY 2009 target to increase the proportion of districts that achieve AYP in grade span 9-12 by an additional 10% of the baseline</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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	number for 2004-05, to 42.	
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 98.55% for reading and 98.51% for math. The FFY 2008 data were 98.6% for reading and 98.9% for math. The State met its FFY 2009 targets of 95.85%.</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 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 35.3% for reading and 45.7% for math. These data represent progress from the FFY 2008 data of 32.7% for reading and the FFY 2008 data of 38.9% for math. The State did not meet its FFY 2009 targets of 63% for reading and 56% 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 reported FFY 2009 data for this indicator are 2.99% of districts that suspend students with disabilities for more than ten days at a rate greater than three times the statewide baseline of 0.78%. The State did not meet its FFY 2009 target of no more than 2.0% of the school districts in the Commonwealth that suspend students with disabilities for more than ten days at a rate greater than three times the statewide baseline rate of 0.78%.</p> <p>The State reported its definition of “significant discrepancy.” The reported definition of “significant discrepancy” is suspending students with disabilities for more than ten days at a rate greater than two times the statewide baseline rate of 0.78%. The State also</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>

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	<p>reported that for FFY 2009, 4.99% of LEAs met the definition of significant discrepancy. The FFY 2008 data were 4.6% of LEAs meeting the definition of significant discrepancy.</p> <p>The State reported that 26 of 501 districts did not meet the State-established minimum “n” size of ten students suspended or expelled for greater than ten days.</p> <p>The State reported that it reviewed the LEAs’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it 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 based on FFY 2008 data through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected in a timely manner.</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</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 that 22 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 none of the 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 55 (<i>charter schools</i>) of 629 LEAs did not meet the State-</p>	<p>OSEP appreciates the State’s efforts regarding this indicator.</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>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
procedural safeguards. [Compliance Indicator]	established minimum “n” size requirement of at least 40 children with disabilities enrolled and were excluded from the calculation.  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 did not identify any noncompliance through this review.																					
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 2012.  The State’s FFY 2009 reported data for this indicator are: <table border="1" data-bbox="550 781 1583 1256"> <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">55.30</td> <td align="center">57.80</td> <td align="center">61.00</td> <td align="center">2.50%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">10.80</td> <td align="center">10.50</td> <td align="center">9.10</td> <td align="center">0.30%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">4.37</td> <td align="center">4.30</td> <td align="center">3.50</td> <td align="center">0.07%</td> </tr> </tbody> </table> These data represent progress from the FFY 2008 data. The State did not meet any of its FFY 2009 targets.		<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	55.30	57.80	61.00	2.50%	B. % Inside the regular class less than 40% of the day	10.80	10.50	9.10	0.30%	C. % In separate schools, residential facilities, or homebound/hospital placements	4.37	4.30	3.50	0.07%	OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.
	<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	55.30	57.80	61.00	2.50%																		
B. % Inside the regular class less than 40% of the day	10.80	10.50	9.10	0.30%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	4.37	4.30	3.50	0.07%																		
6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special	The State is not required to report on this indicator in the FFY 2009 APR.	The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.																				

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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>																				
education and related services in the regular early childhood program; and  B. Separate special education class, separate school or residential facility.  [Results Indicator; New]																						
7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:  A. Positive social-emotional skills (including social relationships);  B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and  C. Use of appropriate behaviors to meet their needs.  [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: <table border="1" data-bbox="548 764 1583 1513"> <thead> <tr> <th data-bbox="548 764 957 862"><u>Summary Statement 1</u></th> <th data-bbox="957 764 1163 862"><u>FFY 2008 Data</u></th> <th data-bbox="1163 764 1373 862"><u>FFY 2009 Data</u></th> <th data-bbox="1373 764 1583 862"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 862 957 1049"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 862 1163 1049">70.80</td> <td align="center" data-bbox="1163 862 1373 1049">70.09</td> <td align="center" data-bbox="1373 862 1583 1049">70.80</td> </tr> <tr> <td data-bbox="548 1049 957 1265"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="957 1049 1163 1265">72.90</td> <td align="center" data-bbox="1163 1049 1373 1265">69.08</td> <td align="center" data-bbox="1373 1049 1583 1265">72.90</td> </tr> <tr> <td data-bbox="548 1265 957 1414"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 1265 1163 1414">70.90</td> <td align="center" data-bbox="1163 1265 1373 1414">69.06</td> <td align="center" data-bbox="1373 1265 1583 1414">70.80</td> </tr> <tr> <th data-bbox="548 1414 957 1513"><u>Summary Statement 2</u></th> <th data-bbox="957 1414 1163 1513"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1414 1373 1513"><u>FFY 2009 Data</u></th> <th data-bbox="1373 1414 1583 1513"><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>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	70.80	70.09	70.80	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	72.90	69.08	72.90	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	70.90	69.06	70.80	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	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.  The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																			
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	70.80	70.09	70.80																			
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	72.90	69.08	72.90																			
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	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	55.00	54.93	55.00	
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	47.20	46.55	47.02	
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	56.80	57.56	56.80	
	These data represent progress and slippage from the FFY 2008 data. The State met part of its 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]	<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 preschool age children under this indicator are 85.9%. These data represent progress from the FFY 2008 data of 84.1%. The State met its FFY 2009 target of 85.2% for preschool children.</p> <p>The State's FFY 2009 reported data for school age children under this indicator are 34.3%. The State's FFY 2008 data for school age children under this indicator were 34.5%. The State did not meet its FFY 2009 target of 34.89% school age children.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.</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.
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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<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 99 districts did not meet the State-established minimum “n” size requirement of at least 40 children with disabilities in a racial or ethnic category 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.</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 specific disability categories in special education and related services.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that 99 districts did not meet the State-established minimum “n” size requirement of at least 40 children with disabilities in a racial or ethnic 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.</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 96.5%. These data represent slippage from the FFY 2008 data of 98.3%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 12 preschool findings of noncompliance and all 142 school age findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner. The State also reported that the one remaining finding identified in FFY 2007 had been corrected.</p> <p>However, OSEP’s June 3, 2010 response table required that, when reporting on the correction of noncompliance in the FFY 2009 APR, the State must report that it has</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</p>

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	<p>verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator and the LEA with the one remaining noncompliance finding identified in FFY 2007: (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 revised APR, submitted on April 18, 2011, the State reported that it met these requirements.</p>	<p>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 §300.301(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>As noted in OSEP’s March 14, 2011 verification letter, within 90 days of the date of that letter, the State must provide a written assurance that, for school-aged programs, it requires correction of</p>

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		<p>all noncompliance, regardless of the level of noncompliance, and for preschool programs, that it has revised its procedures to ensure that all noncompliance, including individual instances of child-specific noncompliance, is timely corrected. In addition, with the next APR, the State must submit documentation that, for school-aged and preschool programs, the State is correcting all instances of individual noncompliance.</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 95%. These data represent slippage from the FFY 2008 data of 97%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all four of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p> <p>However, OSEP's June 3, 2010 response table required that, when reporting on the correction of noncompliance in the FFY 2009 APR, the State must report that it has verified that each LEA with noncompliance reflected in the FFY 2008 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 revised APR, submitted on April 18, 2011, the State reported that it met these requirements.</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 early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.</p> <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 for FFY 2009: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100%</p>

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		<p>compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>As noted in OSEP’s March 14, 2011 verification letter, within 90 days of the date of that letter, the State must provide a written assurance that, for school-aged programs, it requires correction of all noncompliance, regardless of the level of noncompliance, and for preschool programs, that it has revised its procedures to ensure that all noncompliance, including individual instances of child-specific noncompliance, is timely corrected. In addition, with the next APR, the State must submit documentation that, for school-</p>

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		aged and preschool programs, the State is correcting all instances of individual noncompliance.
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 reported baseline data for this indicator are 76.1%.</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>

**Pennsylvania 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>APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011 and FFY 2012.</p> <p>The State’s reported FFY 2009 baseline data for this indicator are:</p> <p>A. 27.99% enrolled in higher education within one year of leaving high school;</p> <p>B. 48.90% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 65.84% 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 100%. These data represent progress from the FFY 2008 data of 99.9%.</p> <p>The State reported that all 1,412 of its findings of noncompliance identified in FFY 2008 were corrected in a timely manner. The State also reported that its one remaining</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 findings of noncompliance identified in FFY 2009: (1) is correctly implementing the</p>

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	<p>finding identified in FFY 2007 for this indicator had been corrected.</p> <p>However, OSEP’s March 14, 2011 verification letter found that, for school age programs, the State did not identify systemic noncompliance unless the level of violations was below a 90% threshold and did not identify or require correction of child-specific noncompliance, as required by the guidance in OSEP Memo 09-02, unless the noncompliance involved a “FAPE item.” For preschool programs, OSEP found that the State does not have a mechanism to verify that preschool providers have corrected each individual instance of noncompliance. In the revised APR, submitted on April 18, 2011, the State reported that it had timely corrected noncompliance in the preschool programs consistent with OSEP Memo 09-02.</p>	<p>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 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>As noted in OSEP’s March 14, 2011 verification letter, within 90 days of the date of that letter, the State must provide a written assurance that, for school-aged programs, it requires correction of all noncompliance, regardless of the level of noncompliance, and for preschool programs, that it has revised its procedures to ensure that all noncompliance, including individual instances of child-</p>

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		<p>specific noncompliance, is timely corrected. In addition, with the next APR, the State must submit documentation that, for school-aged and preschool programs, the State is correcting all instances of individual noncompliance.</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 95%. However, in its March 14, 2011 verification letter, OSEP found that the State: did not consistently record (such as through a date stamp) and track the date it received a complaint. In the revised FFY 2009 APR, submitted on April 18, 2011, the State reported that it verified the accuracy of the FFY 2009 data through a review of each complaint received from July 1, 2009 - June 30, 2010, by tracking the 60-day timeline from the date the complaint was stamped received in the BSE to the date of its resolution.</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 complaint resolution requirements in 34 CFR §300.152. 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>As noted in its March 14, 2011 verification letter, within 90 days of the date of that letter, the State must provide a written assurance that it has revised its complaint procedures and practices to ensure that:</p> <ul style="list-style-type: none"> <li>a. Written State complaint procedures do not require the use of the SEA's model form for the filing of a State complaint consistent with the requirements at 34 CFR §300.509.</li> <li>b. The State issues a written decision that addresses each</li> </ul>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>alleged violation of IDEA in State complaints filed with the SEA consistent with the requirements at 34 CFR §300.152(a)(5); if the State determines the concerns addressed in the written complaint are not within the SEA’s jurisdiction, the State must document and provide the complainant with notice of the reason the State did not resolve the allegation.</p> <p>c. The State consistently documents the date the complaint is received and issues a written decision within 60 days of the date the complaint is received (unless an extension of time is determined appropriate consistent with the requirements at 34 CFR §300.152(b)).</p> <p>d. If the reconsideration process is completed later than 60 days after the original filing of the complaint, implementation of any corrective actions required in the SEA’s final decision is not delayed pending the reconsideration process.</p> <p>In addition, with the FFY 2010 APR, the State must submit documentation to demonstrate that the State is correctly implementing the State complaint requirements of the IDEA.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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%. However, in its March 14, 2011 verification letter, OSEP found that the State's procedures and mechanisms for tracking due process complaints do not ensure that a final decision is reached in due process hearings within required timelines consistent with 34 CFR §300.515(a)-(b) because the State did not have a mechanism to track in individual cases when the resolution period ends and the 45-day due process hearing timeline begins, and did not ensure that hearing officers were granting extensions for specific periods of time. In the revised FFY 2009 APR, submitted April 18, 2011, the State reported that staff from its Office of Dispute Resolution "reviewed individual case files and verified statistical information by hand as a check on the integrity of the newly designed system" [an electronic data tracking system].</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>As noted in its March 14, 2011 verification letter, within 90 days of the date of that letter, the State must provide a written assurance that it has revised its due process hearing procedures and practices to ensure that:</p> <ul style="list-style-type: none"> <li>a. The State has a mechanism for tracking the resolution process required under 34 CFR §300.510 to determine when the resolution period has concluded and the 45-day hearing timeline required under 34 CFR §300.515 commences.</li> <li>b. Due process hearing decisions are issued within the timelines required under 34 CFR §§300.515(a) and (c) and 300.532(c).</li> <li>c. <i>Based on subsequent conversations with the State, OSEP has withdrawn the following finding of noncompliance, "Findings and decisions are transmitted to the State Advisory Panel in a manner consistent with the requirements at 34 CFR §300.514(c)."</i></li> </ul>

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		<p>d. In a case in which the hearing officer agrees with the child's parents that a change of placement is appropriate, the child is afforded that placement during the pendency of any administrative or judicial proceeding consistent with the requirements at 34 CFR §300.518(d).</p> <p>In addition, with the APR due February 1, 2012, the State must submit documentation to demonstrate that the State is correctly implementing the due process hearing requirements of the IDEA.</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 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 70%. These data represent progress from the FFY 2008 data of 41%. The State met its FFY 2009 target of 50-60%.</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 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 68%. These data represent slippage from the FFY 2008 data of 77%. The State did not meet its FFY 2009 target of 75-85%.</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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP appreciates the State's efforts and looks forward to</p>

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<p>Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>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%.</p>	<p>reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).  In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric. If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>