

**Rhode Island 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 58.7%. These data represent progress from the FFY 2008 data of 55.9%. The State met its FFY 2009 target of 57.9%.</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’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided all of the required information.</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 FFY 2012. The State revised the improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 22.8%. These data represent progress from the FFY 2008 data of 25.4%. The State met its FFY 2009 target of 25.7%.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided all of the required information.</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</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 81%. These data represent</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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<p>the State’s AYP targets for the disability subgroup. [Results Indicator]</p>	<p>progress from the FFY 2008 data of 78%. The State met its FFY 2009 target of 68%.</p>																																																									
<p>3. Participation and performance of children with IEPs on statewide assessments: B. Participation rate for children with IEPs. [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 97.9% for reading and 97.7% for math. These data represent progress from the FFY 2008 data of 96.6% for reading and 96.7% for math. The State did not meet its FFY 2009 targets of 100%.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided all of the required information.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>																																																								
<p>3. Participation and performance of children with 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. 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:</p> <table border="1" data-bbox="548 1097 1583 1497"> <thead> <tr> <th><u>Grade</u></th> <th><u>FFY 2008 Data</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="3"><u>Reading</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td align="center">3</td> <td align="center">37.7</td> <td align="center">36.3%</td> <td align="center">37%</td> <td align="center">33.7</td> <td align="center">31.1%</td> <td align="center">34%</td> </tr> <tr> <td align="center">4</td> <td align="center">33.5</td> <td align="center">26.7%</td> <td align="center">31%</td> <td align="center">32.0</td> <td align="center">25.4%</td> <td align="center">30%</td> </tr> <tr> <td align="center">5</td> <td align="center">24.4</td> <td align="center">30.2%</td> <td align="center">30%</td> <td align="center">28.5</td> <td align="center">23.86%</td> <td align="center">28%</td> </tr> <tr> <td align="center">6</td> <td align="center">29.5</td> <td align="center">26.6%</td> <td align="center">25%</td> <td align="center">20.3</td> <td align="center">21.25%</td> <td align="center">21%</td> </tr> <tr> <td align="center">7</td> <td align="center">31.5</td> <td align="center">31.1%</td> <td align="center">24%</td> <td align="center">15.8</td> <td align="center">18.45%</td> <td align="center">19%</td> </tr> <tr> <td align="center">8</td> <td align="center">18.4</td> <td align="center">30.8%</td> <td align="center">27%</td> <td align="center">15.7</td> <td align="center">17.14%</td> <td align="center">20%</td> </tr> </tbody> </table>	<u>Grade</u>	<u>FFY 2008 Data</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>			3	37.7	36.3%	37%	33.7	31.1%	34%	4	33.5	26.7%	31%	32.0	25.4%	30%	5	24.4	30.2%	30%	28.5	23.86%	28%	6	29.5	26.6%	25%	20.3	21.25%	21%	7	31.5	31.1%	24%	15.8	18.45%	19%	8	18.4	30.8%	27%	15.7	17.14%	20%	<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 2008 Data</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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	HS	20.1	31.6%	26%	5.9	5.42%	6%	<p>These data represent progress and slippage from the FFY 2008 data. The State met part of its FFY 2009 targets.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided all of the required information.</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 2%. These data remain unchanged from the FFY 2008 data of 2%. The State met its FFY 2009 target of 3%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 44 of 50 districts did not meet the State-established minimum “n” size requirement of ten students, and were excluded from the calculation.</p> <p>The State reported that it reviewed the LEA’s 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 LEA identified with a significant discrepancy based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it required the affected LEA to revise the LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the LEA identified with a significant discrepancy based on FFY 2008 data.</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 the LEA with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		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>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>[Compliance Indicator]</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator. The State provided targets for FFY 2010, FFY 2011, and FFY 2012.</p> <p>The State’s FFY 2009 baseline data for this indicator are 2%.</p> <p>The State reported that one district was 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 one district was 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 44 of 50 districts did not meet the State-established minimum “n” size requirement of ten students and were excluded from the calculation.</p> <p>The State reported that it reviewed the LEA’s 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 LEA identified with a significant discrepancy based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it required the affected LEA to revise the LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the LEA identified with a significant discrepancy based on FFY 2008 data.</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 district identified with noncompliance based on FFY 2008 data has corrected the noncompliance, including that the State verified that the district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps															
		<p>individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate compliance with those requirements in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State’s methodology for identifying “significant discrepancy” and will contact the State if there are questions or concerns.</p>															
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012. The State revised the improvement activities for FFY 2009 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 1252 1583 1503"> <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">70.58</td> <td align="center">73.06</td> <td align="center">77</td> <td align="center">2.48%</td> </tr> <tr> <td>B. % Inside the regular class less</td> <td align="center">7.44</td> <td align="center">12.77</td> <td align="center">11</td> <td align="center">-5.33%</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	70.58	73.06	77	2.48%	B. % Inside the regular class less	7.44	12.77	11	-5.33%	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
	<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>													
A. % Inside the regular class 80% or more of the day	70.58	73.06	77	2.48%													
B. % Inside the regular class less	7.44	12.77	11	-5.33%													

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	than 40% of the day					
	C. % In separate schools, residential facilities, or homebound/hospital placements	5.07	4.99	3.5	0.08%	
	<p>The FFY 2009 data represent progress for 5A and 5C and slippage for 5B from the FFY 2008 618 data. The State did not meet its FFY 2009 targets for this indicator.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided the required information.</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>
<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>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012. The State revised the targets for FFY 2010, and baseline for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established targets.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p>					<p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps	
<p>C. Use of appropriate behaviors to meet their needs. [Results Indicator]</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) (%)	76	72	81		
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	68	63	69		
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	67	67	68		
	<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) (%)	81	68	82		
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	80	53	81		
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	86	72	87		
	<p>The State provided revised baseline data, using FFY 2009 data. Therefore, OSEP is not comparing the FFY 2009 data to FFY 2008 data.</p>					
	<p>8. Percent of parents with a child receiving special education services who report that schools facilitated</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 looks forward to the State's data demonstrating improvement in performance in</p>

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<p>parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>2012. The State revised the targets for 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 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 33%. These data remain unchanged from the FFY 2008 data of 33%. The State did not meet its FFY 2009 target of 38.88%.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.</p>	<p>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 improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised the improvement activities for FFY 2009 for this indicator, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 2.0%. These data represent slippage from the FFY 2008 data of 0%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported that 12 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that one district was identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>Although the State reported the number of districts that were excluded from the calculation for each racial and ethnic group because they did not meet the State-established minimum “n” size requirement of ten students, the State did not report the total unduplicated number of districts that were excluded from the calculation for this indicator.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, all findings of noncompliance, including child-specific noncompliance, identified in FFY 2009. The State reported that file reviews for the district found to be disproportionate due to inappropriate identification were begun under previous district leadership and are still in process under new district leadership. The State reported that as of February 1, 2011, no child-specific findings of noncompliance have been identified. Therefore the State was not</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing 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 FFY 2009 data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR, that the district identified in FFY 2009 with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification is in compliance with the requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, including that the State verified that the district</p>

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	<p>able to report on all findings of noncompliance, including child-specific findings of noncompliance identified in FFY 2009, as required by the FFY 2008 APR response table.</p>	<p>with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific 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>In its FFY 2010 APR, the State must report the total unduplicated number of districts that did not meet the State-established minimum “n” size requirement and were excluded from the calculation in FFY 2009 and FFY 2010.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result</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 improvement activities for FFY 2009 for this indicator, and OSEP accepts those</p>	<p>Because the State reported less than 100% compliance for FFY 2009 (greater than 0% actual target data for this indicator), the</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>of inappropriate identification. [Compliance Indicator]</p>	<p>revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 8%. These data represent slippage from the FFY 2008 data of 6%. The State did not meet its FFY 2009 target of 0%.</p> <p>The State reported that 23 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that four districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>Although the State reported the number of districts that were excluded from the calculation for each racial and ethnic group and specific disability category because they did not meet the State-established minimum “n” size requirement of ten students, the State did not report the total unduplicated number of districts that were excluded from the calculation for this indicator.</p> <p>The State reported that two of five findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining findings subsequently were corrected by February 1, 2011. However, OSEP’s June 3, 2010 response table required the State to demonstrate, in the FFY 2009 APR, that the State verified that each district with noncompliance reflected in the FFY 2008 data the State reported for this indicator has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). The State did not report that it met this requirement. Therefore, the State has not demonstrated that it corrected the noncompliance.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011 all findings of noncompliance, including child-specific noncompliance, identified in FFY 2009. The State reported that file reviews for one district found to be disproportionate due to inappropriate identification in the disability categories of LD were begun under previous district leadership and are still in process under new district leadership. The State provided no information regarding the remaining three districts that were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification. The State reported that as of February 1, 2011 no child-specific findings of noncompliance have been identified. Therefore the State was not able to report on all findings of noncompliance, including child-specific findings of noncompliance identified in FFY 2009, as required by OSEP’s</p>	<p>State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the districts identified in FFY 2009 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory 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>The State must demonstrate in the FFY 2010 APR that the districts identified in FFY 2008 with disproportionate representation of racial and ethnic groups in specific disability categories that</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	June 3, 2010, FFY 2008 APR response table.	<p>was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance identified in FFY 2008 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>In its FFY 2010 APR, the State must report the total unduplicated number of districts that did not meet the State-established minimum “n” size requirement and were excluded from the calculation in FFY 2009 and FFY 2010.</p>
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes	<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 88.16%. These data represent progress from the FFY 2008 data of 67.86%. The State did not meet its FFY 2009</p>	The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the timely initial

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>target of 100%.</p> <p>The State reported that all 24 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011 that all children who are not included in the measurement for (a) meet the allowable exceptions in 34 CFR §300.301(d). The State provided all the required information.</p>	<p>evaluation requirement 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. 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</p>

**Rhode Island 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>
		them, if necessary.
<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 97%. These data represent progress from the FFY 2008 data of 87%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 18 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided the required information. The State was also required to include in the FFY 2009 APR an explanation for not making findings based on the FFY 2007 data that the State reported under this indicator, given that the FFY 2007 data reflected noncompliance. The State reported that each of the LEAs reporting noncompliance in FFY 2007 was required to develop a target improvement plan based on their data to correct noncompliance. The State indicated that it verified through the review of updated data that each of the LEAs developed and implemented the IEP, although late, for each of the children for whom implementation of the IEP was not timely. The State also reported that it determined that each LEA was correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance). Therefore, the State provided the required information.</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: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<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>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 98.21%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, that the remaining 28 uncorrected noncompliance findings identified in FFY 2007 were corrected. The State reported that all 28 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the 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</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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. 33% enrolled in higher education within one year of leaving high school;</p> <p>B. 67% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 78% 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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP appreciates the State’s</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

<p align="center"><b>Monitoring Priorities and Indicators</b></p>	<p align="center"><b>Status of APR Data/SPP Revision Issues</b></p>	<p align="center"><b>OSEP Analysis/Next Steps</b></p>
<p>(including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. [Compliance Indicator]</p>	<p>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%. These data represent progress from the FFY 2008 data of 92%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 177 of 180 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the three remaining findings subsequently were corrected by February 1, 2011.</p> <p>The State reported that the 18 findings of noncompliance identified in FFY 2007 were corrected.</p>	<p>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 §§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</p>

**Rhode Island Part B FFY 2009 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		Indicators 4A, 4B, 9, 10, 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised improvement activities for FFY 2009 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 53.3%. These data represent slippage from the FFY 2008 data of 100%. The State did not meet its FFY 2009 target of 100%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator language. The State provided all of the required information.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<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 data reported in this indicator are not the same as the State's 618 data reported in Table 7. The State provided an explanation.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data are based on two due process hearings. The State met its FFY 2009 target of 100%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, a revised SPP that reflects the revisions to the indicator language. The State provided all of the required information.</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>The State must correct the 618 data reported on Table 7 and resubmit an electronic version to OSEP's data contractor at <a href="mailto:IDEAData_PartB@westat.com">IDEAData_PartB@westat.com</a> by June 30, 2011. The State must notify the OSEP State Contact when this action has been completed.</p>
<p>18. Percent of hearing requests that</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP looks forward to reviewing</p>

**Rhode Island 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>went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012. The State revised improvement activities for FFY 2009 for this indicator, and OSEP accepts those revisions.</p> <p>The State reported that the one resolution session resulted in a settlement agreement. The State met its FFY 2009 target of 47%.</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>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 69.8%. These data represent slippage from the FFY 2008 data of 80%. The State met its FFY 2009 target of 61%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 97.78%. However, OSEP's calculation of the data for this indicator is 100%. These data represent progress from the FFY 2008 data of 96.3%. 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>