

Utah Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised the FFY 2010 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 81%. These data represent progress from the FFY 2008 data of 80.1%. The State did not meet its FFY 2009 target of 85.7% or two percentage point improvement from the previous year’s rate.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR).</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State revised its FFY 2010 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 4.5%. These data represent progress from the FFY 2008 data of 5.65%. The State met its FFY 2009 target of 5.6%.</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. The State revised its FFY 2009 and FFY 2010 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 93%. The State reported data for FFY 2008 are 94.05%. The State met its FFY 2009 target of 72%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: B. Participation rate for children</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State revised its FFY 2009 and FFY 2010 improvement activities for</p>	<p>OSEP appreciates the State’s efforts to improve performance. The State did not report publicly on the participation of children</p>

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<p>with IEPs. [Results Indicator]</p>	<p>this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 99.66% for language arts and 99.69% for math. These data represent progress from the FFY 2008 data of 99.62% for language arts and represent progress from the FFY 2008 data of 99.22% for math. The State met its FFY 2009 targets of 95%.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results. However, the data posted at the Web link provided by the State do not show that the State met the reporting requirements in 34 CFR §300.160(f), for the following reason: the data do not provide the number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards and alternate academic achievement standards, at the State, district and the school levels.</p>	<p>with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards at the State, district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2010 APR, due February 1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).</p>
<p>3. Participation and performance of children with disabilities on</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</p>	<p>OSEP appreciates the State’s efforts to improve performance</p>

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<p>statewide assessments: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]</p>	<p>stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State revised its FFY 2009 and FFY 2010 improvement activities 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="550 431 1583 669"> <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>Language Arts</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td align="center">3-8</td> <td align="center">48.19%</td> <td align="center">48.96%</td> <td align="center">83%</td> <td align="center">42.05%</td> <td align="center">45.95%</td> <td align="center">45%</td> </tr> <tr> <td align="center">10-12</td> <td align="center">45.58%</td> <td align="center">50.63%</td> <td align="center">82%</td> <td align="center">40%</td> <td align="center">37.53%</td> <td align="center">40%</td> </tr> </tbody> </table> <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. However, the data posted at the Web link provided by the State do not show that the State met the reporting requirements in 34 CFR §300.160(f), because the data do not provide, compared with the achievement of all children, the performance results of children with disabilities, on alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards, at the State, district and school levels.</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>		<u>Language Arts</u>			<u>Math</u>			3-8	48.19%	48.96%	83%	42.05%	45.95%	45%	10-12	45.58%	50.63%	82%	40%	37.53%	40%	<p>and looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p> <p>The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards, at the State, district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition,</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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		OSEP reminds the State that in the FFY 2010 APR, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).
<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. The State revised its FFY 2009 and FFY 2010 improvement activities for this indicator 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 a one percent reduction in the number of LEAs with significant discrepancies.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State did not report the number of districts that did not meet the State-established minimum “n” size requirement of at least ten students suspended or expelled.</p>	OSEP appreciates the State’s efforts to improve performance.
<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; New for</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 baseline data for this indicator are 0%.</p> <p>The State reported its definition of “significant discrepancy” as comparing LEAs and using “a Weighted Risk Ratio of 3.00 and above.”</p> <p>The State reported that no districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.</p> <p>The State reported that two of 106 districts met the State-established minimum “n” size requirement of ten or more students suspended/expelled for more than ten days in the target group and in the comparison group.</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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<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 FFY 2012. The State revised its FFY 2010 target and improvement activities 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="550 565 1583 1040"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">52.36</td> <td align="center">53.58</td> <td align="center">52.88</td> <td align="center">1.37%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">15.33</td> <td align="center">15.06</td> <td align="center">15.18</td> <td align="center">-0.42%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">3.23</td> <td align="center">3.06</td> <td align="center">3.23</td> <td align="center">-0.17%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2008 data. The State met all of its FFY 2009 targets for this indicator.</p>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	52.36	53.58	52.88	1.37%	B. % Inside the regular class less than 40% of the day	15.33	15.06	15.18	-0.42%	C. % In separate schools, residential facilities, or homebound/hospital placements	3.23	3.06	3.23	-0.17%	<p>OSEP appreciates the State's efforts to improve performance.</p>
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C. % In separate schools, residential facilities, or homebound/hospital placements	3.23	3.06	3.23	-0.17%																		
<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>The State is not required to report on this indicator in the FFY 2009 APR.</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>																				

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[Results Indicator; New]																														
<p>7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State revised its FFY 2010 targets and improvement activities 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="548 581 1583 1490"> <thead> <tr> <th data-bbox="548 581 957 678"><u>Summary Statement 1</u></th> <th data-bbox="957 581 1163 678"><u>FFY 2008 Data</u></th> <th data-bbox="1163 581 1373 678"><u>FFY 2009 Data</u></th> <th data-bbox="1373 581 1583 678"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 678 957 816">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 678 1163 816">95.09</td> <td data-bbox="1163 678 1373 816">94</td> <td data-bbox="1373 678 1583 816">95.09</td> </tr> <tr> <td data-bbox="548 816 957 984">Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td data-bbox="957 816 1163 984">93.2</td> <td data-bbox="1163 816 1373 984">94.1</td> <td data-bbox="1373 816 1583 984">93.2</td> </tr> <tr> <td data-bbox="548 984 957 1089">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="957 984 1163 1089">93.91</td> <td data-bbox="1163 984 1373 1089">93.68</td> <td data-bbox="1373 984 1583 1089">93.91</td> </tr> <tr> <th data-bbox="548 1089 957 1187"><u>Summary Statement 2</u></th> <th data-bbox="957 1089 1163 1187"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1089 1373 1187"><u>FFY 2009 Data</u></th> <th data-bbox="1373 1089 1583 1187"><u>FFY 2009 Target</u></th> </tr> <tr> <td data-bbox="548 1187 957 1325">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 1187 1163 1325">52.92</td> <td data-bbox="1163 1187 1373 1325">52.73</td> <td data-bbox="1373 1187 1583 1325">52.92</td> </tr> <tr> <td data-bbox="548 1325 957 1490">Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td data-bbox="957 1325 1163 1490">48.7</td> <td data-bbox="1163 1325 1373 1490">51.84</td> <td data-bbox="1373 1325 1583 1490">48.7</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	95.09	94	95.09	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	93.2	94.1	93.2	Outcome C: Use of appropriate behaviors to meet their needs (%)	93.91	93.68	93.91	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	52.92	52.73	52.92	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	48.7	51.84	48.7	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																											
Outcome A: Positive social-emotional skills (including social relationships) (%)	95.09	94	95.09																											
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	Outcome C: Use of appropriate behaviors to meet their needs (%)	67.2	67.97	67.2	
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]	These data represent progress and slippage from the FFY 2008 data. The State met part of its FFY 2009 targets for this indicator. The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State's FFY 2009 reported data for this indicator are 87.24%. The State reported data for FFY 2008 are 87.3%. The State did not meet its FFY 2009 target of 87.42%. In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.				OSEP 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 education and related services that is the result of inappropriate identification. [Compliance Indicator]	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%. The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State provided its definition of "disproportionate representation." The State reported that 63 of 112 districts did not meet the State-established minimum "n" size requirement and were excluded from the calculation.				OSEP appreciates the State's efforts regarding this indicator.
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%. The State reported that 6 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups				OSEP appreciates the State's efforts regarding this indicator.

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	<p>in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that 72 of 112 districts did not meet the State-established minimum “n” size requirement and were excluded from the calculation.</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 97.41%. These data represent progress from the FFY 2008 data of 96.9%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all twelve of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the 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,</p>

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		<p>unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third 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 98.45%. The State reported data for FFY 2008 are 98.6%. The State did not meet its FFY 2009 target of 100%.</p> <p>On page 88 of the APR, the State reported that all three LEAs with findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner. However, on page 89 of the APR the State reported that one LEA was out of compliance. Therefore, OSEP cannot determine how many LEAs had findings of noncompliance and whether the State corrected the noncompliance identified in FFY 2008.</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>The State must clarify, in its FFY 2010 APR, the number of LEAs with findings of noncompliance in FFY 2008. When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that</p>

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		<p>each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>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</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 54.67%.</p>	<p>Although OSEP did not consider data for Indicator 13 in its determinations of FFY 2009, OSEP is concerned about the State's very low FFY 2009 data (below 75%) for this indicator. OSEP will consider the State's FFY 2010 data for Indicator 13 in its determination.</p> <p>The State must demonstrate, in</p>

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<p>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 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 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100%</p>

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		compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school.</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets 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. 27.56% enrolled in higher education within one year of leaving high school;</p> <p>B. 54.25% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 71.84% 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 99.48%. These data represent progress from the FFY 2008 data of 99%. The State did not meet its FFY 2009 target of 100%.</p> <p>Under this indicator, the State reported that it identified one LEA and one finding in FFY 2008 for Indicator 12, but under that indicator, on page 88 of the APR, the State reported that 3 LEAs had findings of noncompliance in FFY 2008. Because of this inconsistency, OSEP cannot determine whether the data reported for this indicator are valid and reliable.</p> <p>The State reported that 382 of 384 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the two remaining findings subsequently</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating that the State timely corrected noncompliance identified in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting on correction of findings of noncompliance in the</p>

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	<p>were corrected by July 2010.</p>	<p>FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In 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>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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data are based on six complaints. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>

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<p>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>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State reported that no due process hearings were held during the reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State reported that all seven resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2009. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State reported that the one mediation resulted in a mediation agreement.</p> <p>The State reported fewer than ten mediations held in FFY 2009. The State is not required to provide targets or improvement activities except in any fiscal year in which</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

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	ten or more mediations were held.	
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 95.24%. These data represent slippage from the FFY 2008 data of 97.62%. The State did not meet its FFY 2009 target of 100%.</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 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.</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>