

Bureau of Indian Education (BIE) Part B FFY 2010 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 BIE revised the targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The BIE's FFY 2010 reported data for this indicator are 55.18%. These data represent progress from the FFY 2009 data of 52.44%. The BIE met its FFY 2010 target of 52.94%.</p> <p>The BIE 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>In reporting data for this indicator in the FFY 2011 APR, due February 1, 2013, States must use the same data they used for reporting to the Department under Title I of the ESEA, using the adjusted cohort graduation rate required under the ESEA.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The BIE's FFY 2010 reported data for this indicator are 12.62%. These data represent slippage from the FFY 2009 data of 8.12%. The BIE did not meet its FFY 2010 target of 9%.</p>	<p>OSEP looks forward to the BIE's data demonstrating improvement in performance in the FFY 2011 APR.</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 BIE revised the targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The BIE indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The BIE's FFY 2010 reported data for this indicator are 21.21%. These data represent progress from the FFY 2009 data of 9.09%. The BIE met its FFY 2010 target of 12.09%.</p>	<p>OSEP appreciates the BIE's efforts to improve performance.</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 BIE's FFY 2010 reported data for this indicator are 98.25% for reading and 93.15% for math. These data represent progress from the FFY 2009 data of 97.42% for reading and slippage from the FFY 2009 data of 96.93% for math. The BIE met its FFY 2010 target of 96% for reading and did not meet its FFY 2010 target of 96% for math.</p> <p>OSEP notes that the number of students with IEPs used as the denominator for reading is 3,707 while the number of students with IEPs used as the denominator for math is 3,912. The BIE did not account for the discrepancy.</p>	<p>OSEP appreciates the BIE's efforts to improve performance and looks forward to the BIE's data demonstrating improvement in performance in the FFY 2011 APR.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	The BIE provided a Web link to 2010 publicly-reported assessment results.	
<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 BIE revised the targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The BIE indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The BIE's FFY 2010 reported data for this indicator are 18.99% for reading and 16.58% for math. These data represent progress from the FFY 2009 data of 16.52% for reading and slippage from the FFY 2009 data of 16.84 for math. The State met its targets of 18.99% for reading and 15.48% for math.</p> <p>The BIE provided a Web link to 2010 publicly-reported assessment results.</p> <p>OSEP's FFY 2009 SPP/APR Response Table, dated June 20, 2011 required the BIE to provide valid and reliable data for this indicator for FFY 2009 in the FFY 2010 APR, due February 1, 2012. The BIE submitted the required data.</p> <p>The BIE was identified as being in need of assistance for two consecutive years based on the BIE's FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the BIE received assistance; and (2) the actions the BIE took as a result of that technical assistance. The BIE reported on the technical assistance sources from which the BIE received assistance for this indicator and reported on the actions the BIE took as a result of that technical assistance.</p>	<p>OSEP appreciates the BIE's efforts to improve performance.</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 BIE revised the targets for FFY 2011 and FFY 2012 for this indicator. OSEP cannot accept those revisions because the BIE's end target for FFY 2012 does not reflect improvement over the baseline data. The BIE must revise its FFY 2012 target to reflect improvement.</p> <p>The BIE's reported FFY 2010 data for this indicator are 13 of 60 high schools (21.66%) and six of 113 elementary schools (11.5%) having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs. These data represent slippage for high schools from the FFY 2009 BIE-reported data of 11 of 60 high schools (18.33%) and slippage for elementary schools from the FFY 2009 BIE-reported data of eight of 113 elementary schools (7.1%). The BIE did not meet its FFY 2010 target of no more than two of the BIE high schools or five of the BIE elementary schools will report suspension and expulsion rates greater than two times the BIE average for that group of schools.</p>	<p>OSEP looks forward to the BIE's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The failure to conduct the review required in 34 CFR §300.170(b) is noncompliance. In the FFY 2011 APR, the BIE must report correction of this noncompliance by describing the review, and if appropriate, revision of policies, procedures, and practices relating to the development and implementation of IEPs, the use</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The BIE reported its definition of “significant discrepancy.”</p> <p>The BIE reported that seven of 113 elementary schools did not meet the BIE-established minimum “n” size of two or more incidents of suspension and expulsion.</p> <p>The BIE did not report that it reviewed the schools’ 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 schools identified with significant discrepancies in FFY 2010, using 2009-2010 data. The BIE reported that it has developed a plan to complete the process in subsequent years.</p> <p>The BIE reported that there were no remaining findings of noncompliance in schools identified with significant discrepancies in FFY 2009, using 2008-2009 data.</p>	<p>of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with the IDEA, for schools identified with significant discrepancies in FFY 2010 based on 2009-2010 data as required in 34 CFR §300.170(b).</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</p>	<p>Not applicable.</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>The BIE revised its baseline data for this indicator, but provided no explanation for these revisions. Therefore, OSEP cannot accept these revisions. The BIE revised the targets for FFY 2010, and FFY 2011 for Indicator 5C and OSEP accepts those revisions. The BIE indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established</p>	<p>OSEP appreciates the BIE’s efforts to improve performance and looks forward to the BIE’s data demonstrating improvement in performance in the FFY 2011</p>

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<p>B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]</p>	<p>targets. The BIE's reported data for this indicator are:</p> <table border="1" data-bbox="550 363 1581 837"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">71.16</td> <td align="center">74.08</td> <td align="center">71.87</td> <td align="center">2.92%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">7.32</td> <td align="center">6.34</td> <td align="center">7.28</td> <td align="center">0.98%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">.98</td> <td align="center">1.12</td> <td align="center">.45</td> <td align="center">-0.14%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B and slippage for 5C. The BIE met its FFY 2010 target for 5B, but did not meet its FFY 2010 targets for 5A and 5C.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	71.16	74.08	71.87	2.92%	B. % Inside the regular class less than 40% of the day	7.32	6.34	7.28	0.98%	C. % In separate schools, residential facilities, or homebound/hospital placements	.98	1.12	.45	-0.14%	<p>APR.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	71.16	74.08	71.87	2.92%																		
B. % Inside the regular class less than 40% of the day	7.32	6.34	7.28	0.98%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	.98	1.12	.45	-0.14%																		
<p>6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential facility. [Results Indicator]</p>	<p>Not applicable.</p>																					
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p>	<p>Not applicable.</p>																					

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<p>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]</p>		
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. [Results Indicator]</p>	<p>The BIE's FFY 2010 reported data for this indicator are 38.34%. These data represent progress from the FFY 2009 data of 37.77%. The BIE met its FFY 2010 target of 38.15%.</p> <p>In its description of its FFY 2010 data, the BIE addressed whether the response group was representative of the population.</p>	<p>OSEP appreciates the BIE's efforts to improve performance.</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. [Compliance Indicator]</p>	<p>Not applicable.</p>	
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>Not applicable.</p>	
<p>11. Percent of children who were evaluated within 60 days of</p>	<p>The BIE's FFY 2010 reported data for this indicator are 95%. These data represent slippage from the FFY 2009 data of 98.93%. The BIE did not meet its FFY 2010 target</p>	<p>OSEP appreciates the BIE's efforts and looks forward to</p>

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<p>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>of 100%.</p> <p>The BIE reported that all four of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>OSEP’s FFY 2009 SPP/APR Response Table required the BIE to include in the FFY 2010 APR an explanation of the discrepancy in the FFY 2009 APR regarding the number of schools that were issued findings of noncompliance in FFY 2008 based on the 146 children that did not receive timely initial evaluations. The BIE provided all of the required information.</p>	<p>reviewing in the FFY 2011 APR, the BIE’s data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the BIE reported less than 100% compliance for FFY 2010, the BIE’s must report on the status of correction of noncompliance identified in FFY 2010 for this indicator. When reporting on the correction of noncompliance, the BIE must report, in its FFY 2011 APR, that it has verified that each school with noncompliance identified in FFY 2010 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 BIE 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 school, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, the BIE must describe the specific actions that were taken to verify the correction.</p> <p>If the BIE does not report 100%</p>

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		compliance in the FFY 2011 APR, the BIE must review its improvement activities and revise them, if necessary to ensure compliance.
<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>	Not applicable.	
<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>The BIE's FFY 2010 reported data for this indicator are 29.25%. These data represent slippage from the FFY 2009 data of 59.14%. The BIE did not meet its FFY 2010 target of 100%.</p> <p>The BIE reported that 21 of 24 findings of noncompliance identified in FFY 2009 were corrected in a timely manner and that one finding was subsequently corrected by February 1, 2012. The BIE reported on the actions it took to address the uncorrected noncompliance.</p>	<p>The BIE must demonstrate, in the FFY 2011 APR, that the BIE is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the BIE reported less than 100% compliance for FFY 2010, the BIE must report on the status of correction of noncompliance identified in FFY 2010 for this indicator. The BIE must also demonstrate, in the FFY 2011 APR, that the remaining two uncorrected noncompliance findings identified in FFY 2009 were corrected.</p> <p>When reporting on the correction of noncompliance, the BIE must report, in its FFY 2011 APR, that it has verified that each school with noncompliance identified in FFY 2010 for this indicator, and</p>

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[Compliance Indicator]		<p>that each school with the remaining two noncompliance findings identified in FFY 2009 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 BIE data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the school, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the BIE must describe the specific actions that were taken to verify the correction.</p> <p>If the BIE does not report 100% compliance in the FFY 2011 APR, the BIE must review its improvement activities and revise them, if necessary to ensure compliance.</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</p>	<p>The BIE's reported data for this indicator are:</p> <table border="1" data-bbox="548 1235 1583 1503"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Enrolled in higher education</td> <td align="center">25.2</td> <td align="center">27.4</td> <td align="center">25.2</td> <td align="center">2.20%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively</td> <td align="center">46.8</td> <td align="center">59</td> <td align="center">46.8</td> <td align="center">12.20%</td> </tr> </tbody> </table>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher education	25.2	27.4	25.2	2.20%	B. % Enrolled in higher education or competitively	46.8	59	46.8	12.20%	<p>OSEP appreciates the BIE's efforts to improve performance and looks forward to the BIE's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>In its description of its FFY 2010 data, the BIE did not address whether the response group</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>													
A. % Enrolled in higher education	25.2	27.4	25.2	2.20%													
B. % Enrolled in higher education or competitively	46.8	59	46.8	12.20%													

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<p>year of leaving high school. 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>	<table border="1"> <tr> <td data-bbox="533 261 936 302">employed</td> <td data-bbox="936 261 1098 302"></td> <td data-bbox="1098 261 1260 302"></td> <td data-bbox="1260 261 1421 302"></td> <td data-bbox="1421 261 1583 302"></td> </tr> <tr> <td data-bbox="533 302 936 537">C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed</td> <td data-bbox="936 302 1098 537">72.6</td> <td data-bbox="1098 302 1260 537">68.2</td> <td data-bbox="1260 302 1421 537">72.6</td> <td data-bbox="1421 302 1583 537">-4.40%</td> </tr> </table>	employed					C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	72.6	68.2	72.6	-4.40%					<p>representative of the population. In the FFY 2011 APR, BIE must report whether its FFY 2011 data are from a group representative of the population, and if not, the actions the BIE is taking to address this issue.</p>
employed																
C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	72.6	68.2	72.6	-4.40%												
<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>These data represent progress for 14A and 14B and slippage for 14C from the FFY 2009 data. The BIE met its FFY 2010 targets for 14A and 14B, but did not meet its FFY 2010 target for 14C.</p> <p>In its description of its FFY 2010 data, the BIE did not address whether the response group was representative of the population.</p> <p>The BIE did not provide all of the actual numbers for FFY 2009 in the SPP submitted with its FFY 2009 APR. OSEP’s FFY 2009 SPP/APR Response Table required the BIE to include in the FFY 2010 APR, due February 1, 2012, data including the actual numbers for FFY 2009 in the FFY 2010 APR. The BIE provided the required information.</p>					<p>The BIE must demonstrate, in the FFY 2011 APR, that the remaining 17 findings of noncompliance identified in FFY 2009 and the remaining six findings of noncompliance identified in FFY 2008 that were not reported as corrected in the FFY 2010 APR were corrected.</p> <p>The BIE must review its improvement activities and revise them, if appropriate, to ensure they will enable the BIE to provide data in the FFY 2011 APR, demonstrating that the BIE timely corrected noncompliance</p>										
<p>The BIE’s FFY 2010 reported data for this indicator are 76%. These data represent progress from the FFY 2009 data of 58.01%. The BIE did not meet its FFY 2010 target of 100%.</p> <p>The BIE reported that 285 of 375 findings identified in FFY 2009 were corrected in a timely manner and 73 were subsequently corrected by February 1, 2012. The BIE reported on the actions it took to address the uncorrected noncompliance.</p> <p>The BIE reported that 24 of 30 findings of noncompliance identified in FFY 2008 were corrected. For the uncorrected noncompliance, the BIE reported on the actions it took to address the uncorrected noncompliance.</p> <p>The BIE was identified as being in need of assistance for two consecutive years based on the BIE’s FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the BIE received assistance; and (2) the actions the BIE took as a result of that technical assistance. The BIE reported on the technical assistance sources from which the BIE received assistance for this indicator and</p>																

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	<p>reported on the actions the BIE took as a result of that technical assistance.</p>	<p>identified by the BIE in FFY 2010 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02. OSEP is concerned about the BIE's failure to correct longstanding noncompliance from FFY 2008. The BIE must take the steps necessary to ensure that it can report, in the FFY 2011 APR that it has corrected the remaining six findings identified in FFY 2008. If the BIE cannot report in the FFY 2011 APR that this noncompliance has been corrected, the BIE must report in the FFY 2011 APR: (1) the specific nature of the noncompliance; (2) the BIE's explanation as to why the noncompliance has persisted; (3) the steps that the BIE has taken to ensure the correction of each finding of the remaining findings of noncompliance, and any new or different actions the BIE has taken, since the submission of its FFY 2010 APR, to ensure such correction; and (4) any new or different actions the BIE will take to ensure such correction.</p> <p>When reporting on correction of findings of noncompliance in the FFY 2011 APR, the BIE must report that it verified that each school with noncompliance</p>

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		<p>identified in FFY 2010 and each school with the remaining findings 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 BIE data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the school, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the BIE must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2011 APR, the BIE must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 11 and 13 in the FFY 2011 APR, the BIE 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 organization) and the public agency</p>	<p>The BIE’s FFY 2010 reported data for this indicator, as of January 31, 2012, are 0%. These data are based on three complaints. The BIE did not meet its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the BIE’s FFY 2011 IDEA section 618 data, demonstrating that it is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>

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<p>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 BIE reported, as of January 31, 2012, that it did not have any fully adjudicated due process hearings during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the BIE's FFY 2011 IDEA section 618 data.</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 BIE reported, as of January 31, 2012, that one of four resolution sessions resulted in settlement agreements. The BIE reported fewer than ten resolution sessions held in FFY 2010. The BIE is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the BIE's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The BIE reported, as of January 31, 2012, that all four mediations held resulted in mediation agreements. The BIE met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the BIE's data in the FFY 2011 APR.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p>	<p>The BIE's FFY 2010 reported data for this indicator are 100%. However, OSEP's calculation of the data for this indicator is 93.18%. These data represent progress from the FFY 2009 data of 89.65%. The BIE did not meet its FFY 2010 target of 100%.</p> <p>The BIE was identified as being in need of assistance for two consecutive years based</p>	<p>The BIE must review its improvement activities and revise them, if necessary, to ensure they will enable the BIE to provide data in the FFY 2011 APR,</p>

Bureau of Indian Education (BIE) Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	on the BIE's FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the BIE received assistance; and (2) the actions the BIE took as a result of that technical assistance. The BIE reported on the technical assistance sources from which the BIE received assistance for this indicator and reported on the actions the BIE took as a result of that technical assistance.	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 2011 APR, the BIE must use the Indicator 20 Data Rubric.