

**California Part B FFY 2010 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's FFY 2010 reported data for this indicator are 74.4%. These data represent progress from the FFY 2008 data of 64.8%. The State met its FFY 2010 fixed growth target of 67.06% and its variable growth target of 66.98%.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR).</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>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 State's FFY 2010 reported data for this indicator are 15.4%. These data represent progress from the FFY 2008 data of 22.1%. The State met its FFY 2010 target of 22.6%.</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's FFY 2010 reported data for this indicator are 14.7%. These data represent slippage from the FFY 2009 data of 18.3%. The State did not meet its FFY 2010 target of 58%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</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's FFY 2010 reported data for this indicator are 97.4% for reading and 94.9% for math. The FFY 2009 data for reading were 98.2%. The FFY 2010 data for math represent slippage from the FFY 2009 data of 98.2% for math. The State met its FFY 2010 target of 95% for reading and did not meet its FFY 2010 target of 95% for math.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p>The State did not report publicly on the participation 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</p>	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR</p> <p>The State did not report publicly on the participation of children</p>

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	<p>CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State and school levels. The State provided updated information to OSEP on May 8, 2012 regarding its public reporting on the participation of children with disabilities on statewide assessments which included a Web link. OSEP reviewed information at that Web link and found that it did not report the number of children with disabilities who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State level, and that the data regarding participation at the school level did not distinguish between children with disabilities under the IDEA and children receiving services under section 504 of the Rehabilitation Act of 1973. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>	<p>with disabilities on statewide assessments at the district and school levels 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 in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State 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 2011 APR, 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’s reported data for this indicator are:</p>	<p>OSEP looks forward to the State’s data demonstrating</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>	<table border="1"> <thead> <tr> <th data-bbox="548 266 856 370"><u>Grade</u></th> <th data-bbox="856 266 963 370"><u>FFY 2009 Data</u></th> <th data-bbox="963 266 1071 370"><u>FFY 2010 Data</u></th> <th data-bbox="1071 266 1178 370"><u>FFY 2010 Target</u></th> <th data-bbox="1178 266 1285 370"><u>FFY 2009 Data</u></th> <th data-bbox="1285 266 1392 370"><u>FFY 2010 Data</u></th> <th data-bbox="1392 266 1499 370"><u>FFY 2010 Target</u></th> </tr> <tr> <td></td> <td align="center" colspan="3"><u>Reading</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td>Elementary Districts</td> <td align="center">35.2%</td> <td align="center">39.8%</td> <td align="center">67.6%</td> <td align="center">38.6%</td> <td align="center">35.7%</td> <td align="center">68.5%</td> </tr> <tr> <td>High School Districts</td> <td align="center">20.5%</td> <td align="center">15.5%</td> <td align="center">66.7%</td> <td align="center">19.2%</td> <td align="center">15.0%</td> <td align="center">66.1%</td> </tr> <tr> <td>Unified &amp; HS Districts, County Offices/ED (w/grades 2-8 and 9-12)</td> <td align="center">32.3%</td> <td align="center">22.9%</td> <td align="center">67.0%</td> <td align="center">35.1%</td> <td align="center">17.3%</td> <td align="center">67.3%</td> </tr> </thead> </table> <p>These data represent progress and slippage from the FFY 2010 data. The State did not meet its FFY 2010 targets. The State provided a Web link to 2010 publicly-reported assessment results.</p>	<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>		<u>Reading</u>			<u>Math</u>			Elementary Districts	35.2%	39.8%	67.6%	38.6%	35.7%	68.5%	High School Districts	20.5%	15.5%	66.7%	19.2%	15.0%	66.1%	Unified & HS Districts, County Offices/ED (w/grades 2-8 and 9-12)	32.3%	22.9%	67.0%	35.1%	17.3%	67.3%	<p>improvement in performance in the FFY 2011 APR.</p>
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<p>4. Rates of suspension and expulsion: 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 [Results Indicator]</p>	<p>The State’s FFY 2010 data for this indicator are 2.5%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State met its FFY 2010 target of 10%. The State reported its definition of “significant discrepancy.” The State reported that 19 districts were identified as having a significant discrepancy, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State reported that 295 of 1,055 districts did not meet the State-established minimum “n” size requirement of 20. The State reported that it reviewed the districts’ 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 districts identified with significant discrepancies in FFY 2010. The State identified noncompliance through this review. The State did not report on the result of the review it conducted pursuant to 34 CFR §300.170(b), i.e., the State did not report whether it revised (or required the affected districts to revise), the district’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</p>	<p>OSEP appreciates the State’s efforts to improve performance. The State did not report the results of the review it conducted pursuant to 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2010. In the FFY 2011 APR, the State must report whether, as a result of the review, the State revised, or required the affected districts to revise, 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 districts identified with noncompliance in FFY 2011.</p>																																			

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	<p>districts identified with significant discrepancies in FFY 2010.</p> <p>The State reported that noncompliance identified in FFY 2009 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected.</p>	<p>The State did not, until FFY 2011, review the 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 those districts identified with 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, based on FFY 2009 data, and therefore did not make findings of noncompliance until FFY 2011. Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator for districts with a significant discrepancy based on FFY 2009 discipline data. The State must demonstrate, in the FFY 2011 APR, that such districts identified with noncompliance in FFY 2011 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly</p>

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		<p>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 Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>4. Rates of suspension and expulsion: 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</p>	<p>The State’s FFY 2010 reported data for this indicator are 2.6%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State did not meet its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 75 districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State also reported that 20 districts were identified as having policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and</p>	<p>OSEP appreciates the State’s efforts regarding this indicator and looks forward to data in the FFY 2011 APR demonstrating compliance.</p> <p>The State did not report on whether it revised (or required the affected districts to revise) policies, procedures, and</p>

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<p>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>implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>The State reported that 295 of 1,055 districts did not meet the State-established minimum “n” size requirement of 20.</p> <p>The State reported that it reviewed the districts’ 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 districts identified with significant discrepancies in FFY 2010. The State identified noncompliance through this review.</p> <p>The State did not report on the result of the review it conducted pursuant to 34 CFR §300.170(b), i.e., the State did not report whether it revised (or required the affected districts to revise), the districts’ 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 districts identified with significant discrepancies in FFY 2010.</p> <p>The State reported that noncompliance identified in FFY 2009 through the review of policies, procedures, and practices was corrected in a timely manner.</p>	<p>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 in 34 CFR §300.170(b).</p> <p>In the FFY 2011 APR, the State must report whether, as a result of the review, the State revised, or required the affected districts to revise 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 districts identified with noncompliance in FFY 2011.</p> <p>The State did not, until FFY 2011, determine whether districts with 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, based on FFY 2009 data, had 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</p>

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		<p>behavioral interventions and supports, and procedural safeguards, and therefore did not make findings of noncompliance until FFY 2011. Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator for districts with a significant discrepancy based on FFY 2009 discipline data. The State must demonstrate, in the FFY 2011 APR, that these districts have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify</p>

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		<p>the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2009 reported data and the State's FFY 2010 IDEA section 618 data for this indicator are:</p> <table border="1" data-bbox="552 667 1583 1138"> <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">51.4</td> <td align="center">52.3</td> <td align="center">76</td> <td align="center">0.90%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">22.7</td> <td align="center">22.1</td> <td align="center">9</td> <td align="center">0.60%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">4.6</td> <td align="center">4.2</td> <td align="center">3.8</td> <td align="center">0.40%</td> </tr> </tbody> </table> <p>These data represent progress from FFY 2009 data. The State did not meet its FFY 2010 targets.</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	51.4	52.3	76	0.90%	B. % Inside the regular class less than 40% of the day	22.7	22.1	9	0.60%	C. % In separate schools, residential facilities, or homebound/hospital placements	4.6	4.2	3.8	0.40%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 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	51.4	52.3	76	0.90%																		
B. % Inside the regular class less than 40% of the day	22.7	22.1	9	0.60%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	4.6	4.2	3.8	0.40%																		
<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>The State is not required to report on this indicator in the FFY 2010 APR.</p>	<p>The State must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits with the FFY 2011 APR.</p>																				

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<p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</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>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 496 1583 1500"> <thead> <tr> <th data-bbox="548 496 957 597"><b><u>Summary Statement 1</u></b></th> <th data-bbox="957 496 1163 597"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1163 496 1373 597"><b><u>FFY 2010 Data</u></b></th> <th data-bbox="1373 496 1583 597"><b><u>FFY 2010 Target</u></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 597 957 732"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 597 1163 732">72.4</td> <td align="center" data-bbox="1163 597 1373 732">67.2</td> <td align="center" data-bbox="1373 597 1583 732">72.7</td> </tr> <tr> <td data-bbox="548 732 957 899"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="957 732 1163 899">70.2</td> <td align="center" data-bbox="1163 732 1373 899">66.4</td> <td align="center" data-bbox="1373 732 1583 899">70.0</td> </tr> <tr> <td data-bbox="548 899 957 1003"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 899 1163 1003">75.2</td> <td align="center" data-bbox="1163 899 1373 1003">69.4</td> <td align="center" data-bbox="1373 899 1583 1003">75.0</td> </tr> <tr> <th data-bbox="548 1003 957 1104"><b><u>Summary Statement 2</u></b></th> <th data-bbox="957 1003 1163 1104"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1163 1003 1373 1104"><b><u>FFY 2010 Data</u></b></th> <th data-bbox="1373 1003 1583 1104"><b><u>FFY 2010 Target</u></b></th> </tr> <tr> <td data-bbox="548 1104 957 1239"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 1104 1163 1239">80.1</td> <td align="center" data-bbox="1163 1104 1373 1239">77.9</td> <td align="center" data-bbox="1373 1104 1583 1239">82.1</td> </tr> <tr> <td data-bbox="548 1239 957 1406"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="957 1239 1163 1406">79.2</td> <td align="center" data-bbox="1163 1239 1373 1406">76.3</td> <td align="center" data-bbox="1373 1239 1583 1406">82.5</td> </tr> <tr> <td data-bbox="548 1406 957 1500"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 1406 1163 1500">78.1</td> <td align="center" data-bbox="1163 1406 1373 1500">78.4</td> <td align="center" data-bbox="1373 1406 1583 1500">79.0</td> </tr> </tbody> </table>	<b><u>Summary Statement 1</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	72.4	67.2	72.7	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	70.2	66.4	70.0	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	75.2	69.4	75.0	<b><u>Summary Statement 2</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	80.1	77.9	82.1	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	79.2	76.3	82.5	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	78.1	78.4	79.0	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The State must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.</p>
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	<p>These data represent progress and slippage from the FFY 2009 data. The State did not meet its FFY 2010 targets.</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 State's FFY 2010 reported data for this indicator are 81.1%. These data represent slippage from the FFY 2009 data of 97.5%. The State did not meet its FFY 2010 target of 90%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</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>The State's FFY 2010 reported data for this indicator are 1.7%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State did not meet its target of 0%.</p> <p>The State reported that 34 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that 13 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 295 of 1,055 districts did not meet the State-established minimum "n" size requirement of 20 in the denominator of any calculation and were excluded from the calculation.</p> <p>The State reported that all 18 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2011 APR demonstrating compliance.</p> <p>The State did not, until FFY 2011, determine whether the districts identified with disproportionate representation of racial and ethnic groups in special education and related services, based on FFY 2009 data, was the result of inappropriate identification. Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. The State must demonstrate, in the FFY 2011 APR, that the districts identified in FFY 2011 with disproportionate representation of</p>

**California Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>racial and ethnic groups in special education and related services 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. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
10. Percent of districts with disproportionate representation of	The State's reported data for this indicator are 4.4%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation	OSEP appreciates the State's efforts and looks forward to

**California Part B FFY 2010 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>racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>methodology. The State did not meet its target of 0%.</p> <p>The State reported that 101 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that 34 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that 295 of 1,055 districts did not meet the State-established minimum “n” size requirement of 20 in the denominator of any calculation and were excluded from the calculation.</p> <p>The State reported that all 18 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>reviewing data in the FFY 2011 APR demonstrating compliance.</p> <p>The State did not, until FFY 2011, determine whether the districts identified with disproportionate representation of racial and ethnic groups in specific disability categories, based on FFY 2009 data, was the result of inappropriate identification. Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. The State must demonstrate, in the FFY 2011 APR, that the districts identified in FFY 2011 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</p>

**California Part B FFY 2010 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 district, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2010 reported data for this indicator are 95.8%. These data represent slippage from the FFY 2009 data of 97%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that 4,264 of 4,265 findings of noncompliance identified in FFY 2009 were corrected in a timely manner and that the remaining finding subsequently was corrected by February 1, 2012.</p> <p>The State reported in its FFY 2009 APR that it had not verified the correction of all findings of noncompliance identified in FFY 2008 in a manner that was consistent with the requirements in OSEP Memo 09-02. OSEP's FFY 2009 SPP/APR Response Table, dated June 20, 2011, required the State to demonstrate in the FFY 2010 APR that the remaining uncorrected noncompliance findings identified in FFY 2008 were corrected. In the FFY 2010 APR, the State reported that, "Corrections of findings identified in FFY 2008 and corrected in 2009-10 were all corrected within the year with 100 percent per Prong II as required by the 2008 OSEP Memo 09-02."</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must</p>

**California Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>report, in its FFY 2011 APR, that it has verified that each LEA 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 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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2010 reported data for this indicator are 98.21%. These data represent progress from the FFY 2009 data of 89.8%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 1,663 findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p> <p>The State reported that the remaining findings identified in FFY 2008 were corrected. The State reported in its FFY 2009 APR that it had not verified the correction of all findings of noncompliance identified in FFY 2008 in a manner that was consistent with</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR 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%</p>

**California Part B FFY 2010 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>the requirements in OSEP Memo 09-02. OSEP’s FFY 2009 SPP/APR Response Table required the State to demonstrate in the FFY 2010 APR that the remaining uncorrected noncompliance findings identified in FFY 2008 were corrected. In the FFY 2010 APR, the State reported that, “Corrections of findings identified in FFY 2008 and not reported corrected in FFY2009 were corrected in FFY10 and have demonstrated 100% compliance as required by the 2008 OSEP Memo 09-02.”</p>	<p>compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>

**California Part B FFY 2010 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>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’s FFY 2010 reported data for this indicator are 45.9%. These data represent slippage from the FFY 2009 data of 72%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 5,004 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>The State must demonstrate, in the FFY 2011 APR, 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 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 2011 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>

**California Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
		compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.																				
<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 revised the targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 597 1583 1138"> <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">56</td> <td align="center">49.5</td> <td align="center">50</td> <td align="center">-6.50%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively employed</td> <td align="center">76.8</td> <td align="center">66.5</td> <td align="center">65</td> <td align="center">-10.30%</td> </tr> <tr> <td>C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed</td> <td align="center">86.6</td> <td align="center">74.4</td> <td align="center">69</td> <td align="center">-12.20%</td> </tr> </tbody> </table> <p>These data represent slippage from the FFY 2009 data. The State met its FFY 2010 targets for 14B and 14C, but did not meet its FFY 2010 target for 14A.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher education	56	49.5	50	-6.50%	B. % Enrolled in higher education or competitively employed	76.8	66.5	65	-10.30%	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	86.6	74.4	69	-12.20%	<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 2011 APR.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Enrolled in higher education	56	49.5	50	-6.50%																		
B. % Enrolled in higher education or competitively employed	76.8	66.5	65	-10.30%																		
C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	86.6	74.4	69	-12.20%																		
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than</p>	<p>The State's FFY 2010 reported data for this indicator are 99.9%. These data represent progress from the FFY 2009 data of 99.3%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that 47,857 of 47,885 findings of noncompliance identified in FFY 2009 were corrected in a timely manner. The State reported on the actions it took to</p>	<p>OSEP appreciates the State's efforts to ensure the timely correction of findings of noncompliance identified in FFY 2009 and looks forward to</p>																				

**California Part B FFY 2010 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>one year from identification. [Compliance Indicator]</p>	<p>address the uncorrected noncompliance.</p> <p>The State reported that the remaining findings of noncompliance identified in FFY 2008 were corrected.</p> <p>The State reported that the two remaining findings of noncompliance identified in FFY 2006 (on which it reported in the FFY 2007 APR) were not corrected.</p>	<p>reviewing in the FFY 2011 APR, the State’s data demonstrating that the State timely corrected noncompliance identified 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.</p> <p>OSEP is concerned about the State’s failure to correct longstanding noncompliance from FFY 2006. The State must take the steps necessary to ensure that it can report, in the FFY 2011 APR, that it has corrected the remaining two findings identified in FFY 2006. If the State cannot report in the FFY 2011 APR that this noncompliance has been corrected, the State must report in the FFY 2011 APR: (1) the specific nature of the noncompliance; (2) the State’s explanation as to why the noncompliance has persisted; (3) the steps that the State has taken to ensure the correction of each finding of the remaining findings of noncompliance, and any new or different actions the State has taken, since the submission of its FFY 2010 APR, to ensure such correction; and (4) any new or different actions the State will take to ensure such correction.</p> <p>When reporting on correction of</p>

**California Part B FFY 2010 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>findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2010 and each LEA with the remaining eight uncorrected findings identified in FFY 2009: (1) are 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) have 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 2011 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 2011 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 4A, 4B, 9, 10, 11, 12, and 13 in the FFY 2011 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</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY</p>	<p>OSEP appreciates the State's efforts in achieving compliance</p>

**California Part B FFY 2010 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>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>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>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's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data represent progress from the FFY 2009 data of 99%. The State 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 appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 27.3%. These data represent slippage from the FFY 2009 data of 50%. The State did not meet its FFY 2010 target of 67%.</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 State'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 State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 67.2%. These data represent progress from the FFY 2009 data of 60%. The State did not meet its FFY 2010 target of 80%.</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 State's data in the FFY 2011 APR.</p>

**California Part B FFY 2010 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>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's FFY 2010 reported data for this indicator are 97.83%. However, OSEP's calculation of the data for this indicator is 95.12%. The FFY 2009 data were 95.24%. The State did not meet its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR, 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). If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance. In reporting on Indicator 20 in the FFY 2011 APR, the State must use the Indicator 20 Data Rubric.</p>