

North Dakota 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 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 FFY 2010 reported data for this indicator are 71.32%. These data represent slippage from the FFY 2009 data of 73.03%. The State did not meet its FFY 2010 target of 89%.</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 2011 APR, due February 1, 2013.</p> <p>In reporting data for this indicator in the FFY 2011 APR, 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 17.41%. These data represent progress from the FFY 2009 data of 19.63%. The State met its FFY 2010 target of 19.80%.</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: 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 58.1%. These data represent slippage from the FFY 2009 data of 75.32%. The State did not meet its FFY 2010 target of 75.5%.</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</p>	<p>The State's FFY 2010 reported data for this indicator are 97.82% for reading and 98.03% for math. These data represent progress from the FFY 2009 data of 97.62% for reading. The FFY 2009 data for math were 98.19%. The State met its FFY 2010 targets of 95%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
with IEPs. [Results Indicator]	The State provided a Web link to 2010 publicly-reported assessment results.	
3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]	The State's FFY 2010 reported data for this indicator are 58.21% for reading and 58.67% for math. These data represent slippage from the FFY 2009 data of 62.76% for reading and 63.25% for math. The State did not meet its FFY 2010 targets of 89.13% for reading and 83.57% for math. The State provided a Web link to 2010 publicly-reported assessment results.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.
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]	The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0.97%. The State reported its definition of "significant discrepancy." The State reported that no 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 99 of 182 districts did not meet the State-established minimum "n" size requirement of 30 enrolled students with disabilities.	OSEP appreciates the State's efforts to improve performance.
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 contribute to the significant discrepancy and do not comply with requirements relating to the	The State's FFY 2010 reported data for this indicator are 0%. OSEP cannot determine whether there was progress or slippage because the State revised its calculation methodology. The State met its FFY 2010 target of 0%. The State reported its definition of "significant discrepancy." 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. The State reported that 104 of 182 districts did not meet the State-established minimum "n" size requirement of 30 enrolled students with disabilities for any given race/ethnicity category.	OSEP appreciates the State's efforts regarding this indicator.

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<p>development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</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 reported data for this indicator are:</p> <table border="1" data-bbox="550 529 1583 1003"> <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">77.88</td> <td align="center">78.24</td> <td align="center">78.00</td> <td align="center">0.36%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">4.11</td> <td align="center">3.96</td> <td align="center">4.05</td> <td align="center">0.15%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.33</td> <td align="center">1.40</td> <td align="center">2.00</td> <td align="center">-0.07%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B. The State met all of its FFY 2010 targets for this indicator.</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	77.88	78.24	78.00	0.36%	B. % Inside the regular class less than 40% of the day	4.11	3.96	4.05	0.15%	C. % In separate schools, residential facilities, or homebound/hospital placements	1.33	1.40	2.00	-0.07%	<p>OSEP appreciates the State's efforts to improve performance.</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	77.88	78.24	78.00	0.36%																		
B. % Inside the regular class less than 40% of the day	4.11	3.96	4.05	0.15%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	1.33	1.40	2.00	-0.07%																		
<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 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>																				

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																																
[Results Indicator; New]																																		
<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 revised the improvement activities 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="548 480 1583 1490"> <thead> <tr> <th><u>Summary Statement 1</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td>Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center">82.44</td> <td align="center">86.2</td> <td align="center">83.5</td> </tr> <tr> <td>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center">81.82</td> <td align="center">86.2</td> <td align="center">84.0</td> </tr> <tr> <td>Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center">88.32</td> <td align="center">82.7</td> <td align="center">80.5</td> </tr> <tr> <th><u>Summary Statement 2</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> </tr> <tr> <td>Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center">68</td> <td align="center">68.5</td> <td align="center">69.7</td> </tr> <tr> <td>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center">63</td> <td align="center">60.2</td> <td align="center">59.4</td> </tr> <tr> <td>Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center">83</td> <td align="center">76.3</td> <td align="center">76.1</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	82.44	86.2	83.5	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	81.82	86.2	84.0	Outcome C: Use of appropriate behaviors to meet their needs (%)	88.32	82.7	80.5	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	68	68.5	69.7	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	63	60.2	59.4	Outcome C: Use of appropriate behaviors to meet their needs (%)	83	76.3	76.1	<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 must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.</p>
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
Outcome A: Positive social-emotional skills (including social relationships) (%)	82.44	86.2	83.5																															
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	81.82	86.2	84.0																															
Outcome C: Use of appropriate behaviors to meet their needs (%)	88.32	82.7	80.5																															
<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
Outcome A: Positive social-emotional skills (including social relationships) (%)	68	68.5	69.7																															
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	63	60.2	59.4																															
Outcome C: Use of appropriate behaviors to meet their needs (%)	83	76.3	76.1																															

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State's FFY 2010 data for this indicator represent progress and slippage from the FFY 2009 data. The State met part of its FFY 2010 targets for this 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 State revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 71.3%. These data represent progress from the FFY 2009 data of 68.59%. The State met its FFY 2010 target of 68.5%.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>	<p>OSEP appreciates the State'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>The State revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 163 of 182 districts did not meet the State-established minimum "n" size requirement of ten or more students in the target group or comparison group for at least one racial/ethnic group.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</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>The State revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported that three 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 in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State reported that 172 of 182 districts did not meet the State-established minimum “n” size requirement of ten or more students in the target group or comparison group for at least one racial/ethnic group in one of the six disability categories.</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. [Compliance Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 99.69%. The State’s FFY 2009 data for this indicator were 99.73%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all six of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The State reported that all 17 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 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 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</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 does not report 100% compliance in the FFY 2011 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 revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 98.26%. These data represent slippage from the FFY 2009 data of 100%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that five findings of noncompliance identified in FFY 2008 for this indicator were corrected.</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% 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</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was</p>	<p>The State's FFY 2010 reported data for this indicator are 82.31%. These data represent progress from the FFY 2009 data of 74.56%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all five 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 reflected in the FFY 2010 data the State reported 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</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<p>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>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% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary.</p>																				
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or</p>	<p>The State revised the improvement activities for FFY 2010 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 1182 1583 1521"> <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">21.4</td> <td align="center">50.2</td> <td align="center">21.4</td> <td align="center">28.80%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively employed</td> <td align="center">57.3</td> <td align="center">67.5</td> <td align="center">57.3</td> <td align="center">10.20%</td> </tr> <tr> <td>C. % Enrolled in higher</td> <td align="center">68</td> <td align="center">83.4</td> <td align="center">68</td> <td align="center">15.40%</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	21.4	50.2	21.4	28.80%	B. % Enrolled in higher education or competitively employed	57.3	67.5	57.3	10.20%	C. % Enrolled in higher	68	83.4	68	15.40%	<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	21.4	50.2	21.4	28.80%																		
B. % Enrolled in higher education or competitively employed	57.3	67.5	57.3	10.20%																		
C. % Enrolled in higher	68	83.4	68	15.40%																		

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues						OSEP Analysis/Next Steps
<p>competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>education or in some other postsecondary education or training program; or</p>	<p>competitively employed</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's FFY 2010 reported data for this indicator are 96.34%. These data represent slippage from the FFY 2009 data of 100%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that 605 of 628 findings of noncompliance identified in FFY 2009 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p>						<p>The State must demonstrate, in the FFY 2011 APR, that the remaining 23 findings of noncompliance identified in FFY 2009 that were not reported as corrected in the FFY 2010 APR were corrected.</p> <p>OSEP appreciates the State's efforts and looks forward to 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>When reporting on correction of 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 remaining</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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 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 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</p>	<p>The State revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on four complaints. 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 timely complaint resolution requirements in 34 CFR §300.152.</p>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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 revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator, as of January, 31, 2012, are 100%. These data are based on one due process hearing. 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 looks forward to reviewing the State'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 State revised the targets and improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State reported, as of January 31, 2012, that no resolution sessions were held during the reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2010. 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>Note that States are allowed to amend their FFY 2012 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 reported, as of January 31, 2012, that one of two mediations resulted in a mediation agreement.</p> <p>The State reported fewer than ten mediations held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.</p> <p>Note that States are allowed to amend their FFY 2012 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>

North Dakota Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2011 APR, the State must use the Indicator 20 Data Rubric.</p>