

## Idaho Part B FFY 2011 SPP/APR Response Table

### Part B SPP/APR Indicators

1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]
2. Percent of youth with IEPs dropping out of high school. [Results Indicator]
3. 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/AMO targets for the disability subgroup. [Results Indicator] B. Participation rate for children with IEPs on statewide assessments. [Results Indicator] C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]
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; [Results Indicator] 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. [Compliance Indicator]
5. Percent of children with IEPs aged 6 through 21 served: A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]
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; New]
7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved: 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]
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]
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]

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]
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]
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. [Compliance Indicator]
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. [Compliance Indicator]
14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: A. Enrolled in higher education within one year of leaving high school; B. Enrolled in higher education or competitively employed within one 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. [Results Indicator]
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. [Compliance Indicator]
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]

**Timeliness of State Complaint and Due Process Hearing Decisions**  
**(Collected as Part of IDEA Section 618 Data rather than through an SPP/APR Indicator)**

**Timely Resolution of State Complaints:** Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

**Timely Adjudication of Due Process Hearing Requests:** Percent of adjudicated due process hearing requests that were adjudicated within the 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.

**Idaho Part B FFY 2011 SPP/APR Results Data Summary**

<b>INDICATOR</b>	<b>FFY 2010 DATA</b>	<b>FFY 2011 DATA</b>	<b>FFY 2011 TARGET</b>
1. Graduation	89.2%	87.3%	≥ 90% <sup>1</sup>
2. Drop Out	1.2%	1.5%	≤ 2.1% <sup>2</sup>
3. A. Percent of Districts Meeting AYP for Disability Subgroup		11.7%	New Baseline
B. Statewide Assessment Participation Rate – Reading	98.4%	98.3%	≥ 95 %
B. Statewide Assessment Participation Rate – Math	98.2%	98.4%	≥ 95 %
C. Proficiency Rate –Reading	50.7%	77.2%	≥ 66.04
C. Proficiency Rate - Math	40.4%	66.6%	≥ 61.28
4. A. Percent of Districts with Significant Discrepancy in Suspension/Expulsion	0%	0%	0%
5. Educational Environment for Children with IEPs 6-21			
A. In Regular Education 80% or More of Day	62.3%	60.7%	≥ 64%
B. In Regular Education Less than 40% of Day	10.8%	11.3%	≤ 7.9%
C. In Separate Schools, Residential Facilities, or Homebound/Hospitals	1.7%	1.3%	≤ 1.5 %
6. Percent of children aged 3 through 5 with IEPs attending:			
A. Regular early childhood program and receiving majority of special education and related services in regular early childhood program;		30.4%	Baseline
B. Separate special education class, separate school or residential facility.		50.3%	Baseline
7. Preschool Outcomes	See Attached Table	See Attached Table	See Attached Table
8. Parents Reporting Schools Facilitated Parent Involvement	34%	36%	≥ 32%
14. Percent of Youth No Longer in School, within One Year of Leaving High School:			
A. Enrolled in Higher Education	22%	18.3%	≥ 19%
B. Enrolled in Higher Education or Competitively Employed	41%	37%	≥ 32%
C. Enrolled in Higher Education or Other Postsecondary Education or Training or Competitively Employed or in Some Other Employment	78%	71.1%	≥ 75%

<sup>1</sup> As used in this table, the symbol “≥” means that, to meet the target, the State’s data must be greater than or equal to the established target.

<sup>2</sup> As used in this table, the symbol “≤” means that, to meet the target, the State’s data must be less than or equal to the established target.

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET
18. Hearing Requests Resolved through Resolution Session Agreements	Two of two resolution sessions resulted in settlement agreements.	Three of eight resolution sessions resulted in settlement agreements.	Not Applicable
19. Mediations Held that Resulted in Mediation Agreements	93%	91.3%	≥ 75-85%

**7. Percent of Preschool Children Age 3 through 5 with IEPs Who Demonstrate Improved Outcomes**

<b>Summary Statement 1<sup>3</sup></b>	<b>FFY 2010 Data</b>	<b>FFY 2011 Data</b>	<b>FFY 2011 Target</b>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships)	93.2%	90.8%	≥ 93.5 %
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication)	93.1%	90.9%	≥ 93.2 %
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs	92.9%	91.1%	≥ 91.2 %
<b>Summary Statement 2<sup>4</sup></b>	<b>FFY 2010 Data</b>	<b>FFY 2011 Data</b>	<b>FFY 2011 Target</b>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships)	60.1%	58.0%	≥ 57 %
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication)	54.7%	53.4%	≥ 52.3%
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs	70.4%	69.4%	≥ 67.8 %

<sup>3</sup> **Summary Statement 1:** Of those preschool children who entered or exited the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

<sup>4</sup> **Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Idaho Part B FFY 2011 Results Data Summary Notes**

INDICATOR 3A: The State is reporting Annual Measurable Objectives (AMOs) data used for accountability reporting under Title I of the Elementary and Secondary Education Act (ESEA) as a result of ESEA flexibility. The State has reported FFY 2011 baseline data for this indicator based on AMOs.

INDICATOR 3B: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to provide, within 90 days of the receipt of the Response Table, a Web link that demonstrates it has reported to the public on the participation of children with disabilities on statewide assessments in accordance with 34 CFR §300.160(f) for FFY 2010. The State provided all of the required information.  
The State provided a Web link to 2010 and 2011 publicly-reported assessment results.

INDICATOR 3C: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to provide, within 90 days of the receipt of the Response Table, a Web link that demonstrates it has reported to the public on the performance of children with disabilities on statewide assessments in accordance with 34 CFR §300.160(f) for FFY 2010.  
The State provided a Web link to 2010 and 2011 publicly-reported assessment results. However, the State did not report, compared to the achievement of all children, including children with disabilities, the performance results of children with disabilities on alternate assessments based on alternate academic achievement standards at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.

**REQUIRED ACTIONS**

Within 90 days of the receipt of this Response Table, the State must provide a Web link that demonstrates it has reported, for FFY 2010 and FFY 2011, 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 2012 APR, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f) for FFY 2012.

INDICATOR 4A: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to include in the FFY 2011 APR, due February 15, 2013, whether it uses a minimum "n" size requirement for this indicator, and if so, a description of the "n" size, and the number of districts, if any, that did not meet the State established minimum "n" size requirement. The State provided all of the required information.

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 16 of 150 districts did not meet the State-established minimum "n" size requirement of 10 students with disabilities.

INDICATOR 6: The State provided FFY 2011 baseline data, targets for FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the revised targets.

INDICATOR 7: The State recalculated its FFY 2008 baseline data and its actual target data from FFY 2009 and FFY 2010 due to a calculation error. OSEP accepts the revised FFY 2008 baseline data.

**REQUIRED ACTIONS**

The State must report progress data and actual target data for FFY 2012 in the FFY 2012 APR.

INDICATOR 18: The State reported fewer than ten resolution sessions held in FFY 2011. The State is not required to meet its targets or provide improvement activities in any fiscal year in which fewer than ten resolution sessions were held.

**Idaho Part B FFY 2011 SPP/APR Compliance Summary**

<b>INDICATOR</b>	<b>FFY 2010 DATA</b>	<b>FFY 2011 DATA</b>	<b>FFY 2011 TARGET</b>	<b>CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2010</b>
4B. Significant discrepancy in suspension/expulsion by race/ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	0%	0%	0%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
9. Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	0%	0%	0%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
10. Disproportionate representation by disability of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	0%	0%	0%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
11. Timely Initial Evaluation	95%	95%	100%	The State reported that all 40 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
12. Early Childhood Transition	98%	99.2%	100%	The State reported that all nine of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
13. Secondary Transition	36%	32%	100%	The State reported that all 109 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2010
15. Timely Correction	1.26%	100%	100%	The State reported that all 1,471 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
20. Timely and Accurate Data	90.96%	97.82%	100%	

**Idaho Part B FFY 2011 State Complaint and Hearing Data from IDEA Section 618 Data Reports**

<b>REQUIREMENT</b>	<b>FFY 2010 DATA</b>	<b>FFY 2011 DATA</b>
Timely resolution of complaints	93%	100%
Timely adjudication of due process hearing requests	100% (based on eight due process hearings)	100% (based on two due process hearings)

## Idaho Part B FFY 2011 Compliance Data Summary Notes

**INDICATOR 4B:** The State reported its definition of “significant discrepancy.”

The State reported that six districts were identified in FFY 2011 (using 2010-2011 data) 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 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 2011. The State did not identify any noncompliance through this review.

The State reported that 16 of 150 districts did not meet the State-established minimum “n” size requirement of at least 10 children of every race/ethnicity category.

OSEP’s June 2012 FFY 2010 Response Table required the State to report in the FFY 2011 APR, due February 15, 2013, the correction of noncompliance that was a result of its failure to conduct the review required by 34 CFR §300.170(b) for the nine districts identified with significant discrepancies in FFY 2010 (using 2009-2010 data). Specifically, in the FFY 2011 APR, the State was required to report on 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 of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with the IDEA, for districts identified with significant discrepancies in FFY 2010, as required by 34 CFR §300.170(b). Further, in the FFY 2011 APR, the State was required to provide data for FFY 2010 (using 2009-2010 data) and FFY 2011 (using 2010-2011 data) for this indicator. The State provided all of the required information.

The State reported that it corrected the noncompliance with 34 CFR §300.170(b), i.e., that the State 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 nine districts identified as having a significant discrepancy in FFY 2010 (using 2009-2010 data) 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 did not identify any noncompliance through this review.

**INDICATOR 9:** The State provided its definition of “disproportionate representation.” The State reported that it does not use a minimum “n” size requirement. The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.

**INDICATOR 10:** The State provided its definition of “disproportionate representation.” The State reported that it does not use a minimum “n” size requirement. The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories.

INDICATOR 11: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to report in the FFY 2011 APR, due February 15, 2013, the status of correction of noncompliance identified in FFY 2009 and FFY 2010 for this indicator, and the specific actions that were taken to verify the correction. The State provided all of the required information.

The State reported that 39 findings of noncompliance identified in FFY 2009 were corrected.

**REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (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.<sup>5</sup> In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 12: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to report in the FFY 2011 APR, due February 15, 2013, the status of correction of noncompliance identified in FFY 2009 and FFY 2010 for this indicator, and the specific actions that were taken to verify the correction. The State provided all of the required information.

The State reported that 15 findings of noncompliance identified in FFY 2009 were corrected.

**REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (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 2012 APR, the State must describe the specific actions that were taken to verify the correction.

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<sup>5</sup> OSEP Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008, requires that the State report that it verified that each LEA with noncompliance: (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.

INDICATOR 13: OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to report in the FFY 2011 APR, due February 15 2013, that it has verified that each LEA with noncompliance identified in FFY 2009 and FFY 2010 for each indicator: (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. Also, the State was required to demonstrate, in the FFY 2011 APR, that the remaining 54 uncorrected noncompliance findings identified in FFY 2009 were corrected. The State provided all of the required information.

The State reported that all 54 of its findings of noncompliance identified in FFY 2009 were corrected.

#### **REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (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 2012 APR, the State must describe the specific actions that were taken to verify the correction.

#### INDICATOR 15:

OSEP's June 2012 FFY 2010 SPP/APR Response Table required the State to report in the FFY 2011 APR, due February 15, 2013, that the 1,416 findings of noncompliance identified in FFY 2009 were corrected. The State reported that 1,434 findings of noncompliance identified in FFY 2009 were corrected.

#### **REQUIRED ACTIONS**

When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with findings of noncompliance identified in FFY 2011: (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 2012 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 2012 APR, the State must use and submit the Indicator 15 Worksheet.

Further, in responding to Indicators 3C, 11, 12, and 13 in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.

**OTHER COMPLIANCE ISSUES:**

1. OSEP's June 28, 2012 FFY 2010 SPP/APR Response Table required that, within 20 days, the State provide a copy of ISDE's revised general supervision procedures regarding the timely identification of noncompliance when the data demonstrate noncompliance with a Part B requirement. Specifically, the State was required to provide a copy of the revisions made to its CIMS procedures, as well as a copy of its revised procedures related to the collection of discipline data which will enable the State to identify noncompliance and issue written findings in a timely manner.

On January 23, 2013, the State submitted a revised CIMS manual, which includes the State's general supervision procedures regarding the timely identification of noncompliance when the data demonstrate noncompliance with a Part B requirement. Additionally, the State provided a copy of its revised discipline data collection process and the required timeline for identification of noncompliance and issuance of written findings. The State provided all of the required information.

2. OSEP's March 9, 2012 Continuous Improvement Visit (CIV) letter, required that, with its FFY 2011 APR, due February 15, 2013, the State provide OSEP with: (1) a description of the procedures that the State used to select files and review updated data to verify that the LEA correctly implemented 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) documentation of the review of updated data that was entered into the State's Compliance Tracking Tool to demonstrate that all findings that were verified as corrected from July 1, 2011 through June 30, 2012 were verified as corrected, consistent with both prongs of correction as set out in OSEP Memo 09-02. The State provided all of the required information.