UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 6 2008

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OFFICE OF SPECIAL EDUCATION

Honorable Lucille Davy
Commissioner of Education
New Jersey Department of Education
100 Riverside Plaza
Trenton, New Jersey 08625-0500

Dear Commissioner Davy:

Thank you for the timely submission of New Jersey's FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to New Jersey's SPP and APR received on April 14, 2008. We appreciate the State's efforts in preparing these documents.

The Department has determined that, under IDEA section 616(d), New Jersey needs assistance in meeting the requirements of Part B of the IDEA. The Department's determination is based on the totality of the State's data and information including the State's FFY 2006 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2008" for further details.

Specific factors affecting OSEP's determination of needs assistance for New Jersey included that the State reported: (1) 91% compliance for Indicator 11 with progress from 83.9% and did not demonstrate correction; (2) 90% compliance for Indicator 15 with progress from 80.89%; and (3) 83.4% compliance for Indicator 16 with progress from 80%. We also considered that the State reported that it continued to have uncorrected noncompliance regarding discipline procedures (reported in Indicator 4A) in two districts that were identified with significant discrepancies in discipline for children with disabilities in FFY 2004. For these reasons, we were unable to determine that your State met requirements under section 616(d). OSEP notes that there were other areas reflecting a high level of performance or correction, including that the State reported timely correction of noncompliance related to Indicators 12 and 13, and a high level of performance (98.1%) for Indicator 17. We hope that the State will be able to demonstrate that it meets requirements in its next APR.

The enclosed table provides OSEP's analysis of the State's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the State to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. It also identifies, by indicator, the State's status in meeting its targets, whether the State's data reflect progress or slippage, and whether the State corrected noncompliance and provided valid and reliable data.

The State's determination for the FFY 2005 APR also was needs assistance. In accordance with section 616(e) of the IDEA and 34 CFR §300.604, if a State is determined to need assistance for two consecutive years, the Secretary must take one or more of the following actions: 1) Advise the State of available sources of technical assistance that may help the State address the areas in which the State needs assistance; 2) Direct the use of State-level funds on the area or areas in which the State needs assistance; or 3) Identify the State as a high-risk grantee and impose special conditions on the State's Part B grant award. Pursuant to these requirements, the Secretary is advising the State of available sources of technical assistance related to Indicator 11 (timely initial evaluations), Indicator 15 (timely correction of noncompliance), Indicator 16 (complaint timelines), and Indicator 4A (suspension /expulsion). A list of sources of technical assistance related to the SPP/APR indicators is available by clicking on the "Technical Assistance Related to Determinations" box on the opening page of the SPP/APR Planning Calendar website at http://spp-apr-calendar.rrfcnetwork.org/. You will be directed to a list of indicators. Click on specific indicators for a list of centers, documents, web seminars and other sources of relevant technical assistance for that indicator. For the indicators listed above, your State must report with its FFY 2007 APR submission (due February 1, 2009) on: 1) the technical assistance sources from which the State received assistance and 2) what actions the State took as a result of that technical assistance. The extent to which your State takes advantage of available technical assistance for these indicators may affect the actions we take under section 616 should your State not be identified as meets requirements next year. We encourage States to take advantage of available sources of technical assistance in other areas as well, particularly if the State is reporting low compliance data for an indicator.

As required by section 616(e)(7) and 34 CFR §300.606, the State must notify the public that the Secretary of Education has taken the above enforcement action. This notification must be sufficient to notify the public within the State and may include such mechanisms as posting on the agency's website, distribution through the media and distribution through public agencies.

As you know, your State must report annually to the public on the performance of each local educational agency (LEA) located in the State on the targets in the SPP under IDEA section 616(b)(2)(C)(ii)(l). In addition, your State must review LEA performance against targets in the State's SPP, determine if each LEA meets the requirements of the IDEA and inform each LEA of its determination. For further information regarding these requirements, see the SPP/APR Calendar at http://spp-apr-calendar.rrfcnetwork.org/. Finally, if you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

OSEP is committed to supporting New Jersey's efforts to improve results for children with disabilities and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call Susan Falkenhan, your OSEP State Contact, at 202-245-7242.

Sincerely,

William W. Knudsen
Acting Director
Office of Special Education Programs

Enclosures

cc: State Director of Special Education

New Jersey Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma. [Results Indicator]	The State's FFY 2006 reported data for this indicator are 78%. These data represent progress from the FFY 2005 data of 75.8%. The State met its FFY 2006 target of 77%.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the baseline from FFY 2004 and progress data from FFY 2005. The State provided the required information. OSEP appreciates the State's efforts to improve performance.
2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school. [Results Indicator]	The State's FFY 2006 reported data for this indicator are 4.8%. These data represent progress from the FFY 2005 data of 5.0%. The State met its FFY 2006 target of 4.9%.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the baseline data from FFY 2004 and progress data from FFY 2005. The State provided the required information. OSEP appreciates the State's efforts to improve performance.
3. Participation and performance of children with disabilities on statewide assessments: A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup. [Results Indicator]	The State's FFY 2006 reported data for this indicator are 94.9%. These data represent progress from the FFY 2005 data of 83%. The State met did not meet its FFY 2006 target of 100%.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.
3. Participation and performance of children with disabilities on statewide assessments: B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations;	The State's FFY 2006 reported data for this indicator are 97.8% for reading and math. The State met its FFY 2006 targets of 96.5% for grades 3-8 and 96% for grade 11.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the calculation of the number of children in grades 5, 6, and 7 who participated in the APA for FFY 2006. The State provided the required information.

<table>
<tr><th>Monitoring Priorities and Indicators</th><th>Status of APR Data/SPP Revision Issues</th><th>OSEP Analysis/Next Steps</th></tr>
<tr><td>alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

[Results Indicator]</td><td></td><td>OSEP appreciates the State's efforts to improve performance.</td></tr>
<tr><td>3. Participation and performance of children with disabilities on statewide assessments:

C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

[Results Indicator]</td><td>The State's FFY 2006 reported data for this indicator are:
<table>
<tr><th>Grade</th><th>FFY 2005 Data</th><th>FFY 2006 Data</th><th>FFY 2006 Target</th><th>FFY 2005 Data</th><th>FFY 2006 Data</th><th>FFY 2006 Target</th></tr>
<tr><td></td><td colspan="3">Reading</td><td colspan="3">Math</td></tr>
<tr><td>3</td><td>54.19%</td><td>59.03%</td><td>75%</td><td>72.00%</td><td>72.82%</td><td>62%</td></tr>
<tr><td>4</td><td>50.21%</td><td>51.85%</td><td>75%</td><td>61.03%</td><td>64.97%</td><td>62%</td></tr>
<tr><td>5</td><td>57.83%</td><td>65.56%</td><td>75%</td><td>53.90%</td><td>62.00%</td><td>62%</td></tr>
<tr><td>6</td><td>37.30%</td><td>41.29%</td><td>66%</td><td>33.47%</td><td>49.31%</td><td>49%</td></tr>
<tr><td>7</td><td>44.69%</td><td>47.37%</td><td>66%</td><td>26.93%</td><td>31.85%</td><td>49%</td></tr>
<tr><td>8</td><td>34.81%</td><td>35.89%</td><td>66%</td><td>27.95%</td><td>31.90%</td><td>49%</td></tr>
<tr><td>11</td><td>46.05%</td><td>50.70%</td><td>79%</td><td>33.80%</td><td>32.00%</td><td>64%</td></tr>
</table>
These data represent progress in part and slippage in part from the FFY 2005 data.

The State met part of its FFY 2006 targets.</td><td>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the calculation of the number of children in grades 5, 6, and 7 who participated in the APA for FFY 2006. The State provided the required information.

OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</td></tr>
<tr><td>4. Rates of suspension and expulsion:

A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and

[Results Indicator]</td><td>The State revised the baseline and targets for this indicator in its SPP and OSEP accepts those revisions.

The State's FFY 2006 reported data for this indicator are 3.8%. These data represent progress from the revised FFY 2005 data of 4.3%.

The State did not meet its FFY 2006 target of 3.2%.</td><td>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, the description of the review 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 compliance with IDEA for the LEAs identified as having significant discrepancies in the FFY 2005 and 2006 APRs. The State provided the required</td></tr>
</table>

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		information for the LEAs identified with significant discrepancies in the FFY 2005 APR. The State reported that two LEAs identified with significant discrepancies in FFY 2004 continue to have uncorrected noncompliance related to discipline procedures. The State reported that it identified one of these LEAS as in need of assistance and slated the other for further monitoring in FFY 2007. The State reported that the 11 LEAs identified with significant discrepancies based on data from FFY 2005 that were found to have noncompliant policies, procedures or practices are within one year of identification of those problems. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the uncorrected noncompliance identified as a result of the review required by 34 CFR §300.170(b) from FFY 2004 and FFY 2005 was corrected. In reporting on this indicator in the FFY 2007 APR, due February 1, 2009, the State must describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must describe 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 compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2006, as required by 34 CFR §300.170(b).

<table>
<tr><th>Monitoring Priorities and Indicators</th><th>Status of APR Data/SPP Revision Issues</th><th>OSEP Analysis/Next Steps</th></tr>
<tr><td></td><td></td><td>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</td></tr>
<tr><td>4. Rates of suspension and expulsion:

B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

[Results Indicator]</td><td>Reporting on Indicator 4B was not required for the FFY 2006 APR.</td><td></td></tr>
<tr><td>5. Percent of children with IEPs aged 6 through 21:

A. Removed from regular class less than 21% of the day;

B. Removed from regular class greater than 60% of the day; or

C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

[Results Indicator]</td><td>The State's reported data for this indicator are:
<table>
<tr><th></th><th>FFY 2005 Data</th><th>FFY 2006 Data</th><th>FFY 2006 Target</th></tr>
<tr><td>A. Removed from regular class less than 21% of the day.</td><td>42%</td><td>43.3%</td><td>42.1%</td></tr>
<tr><td>B. Removed from regular class greater than 60% of the day.</td><td>17.8%</td><td>17.7%</td><td>18.0%</td></tr>
<tr><td>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</td><td>10.0%</td><td>10.2%</td><td>10.0%</td></tr>
</table>
These data represent progress for 5A and 5B and slippage for 5C from the FFY 2005 data.

The State met its FFY 2006 targets for 5A and 5B did not meet its FFY 2006 target for 5C.</td><td>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</td></tr>
<tr><td>6. Percent of preschool children with IEPs who received special</td><td>Reporting on Indicator 6 was not required for the FFY 2006 APR.</td><td></td></tr>
</table>

<table>
<tr><th>Monitoring Priorities and Indicators</th><th>Status of APR Data/SPP Revision Issues</th><th>OSEP Analysis/Next Steps</th></tr>
<tr><td>education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

[Results Indicator]</td><td></td><td></td></tr>
<tr><td>7. Percent of preschool children 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; New]</td><td>The State's FFY 2006 reported progress data for this indicator are:
<table>
<tr><th>06-07 Preschool Outcome Progress Data</th><th>Social Emotional</th><th>Knowledge & Skills</th><th>Appropriate Behavior</th></tr>
<tr><td>a. % of preschoolers who did not improve functioning.</td><td>9%</td><td>10%</td><td>9%</td></tr>
<tr><td>b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td><td>0%</td><td>20%</td><td>9%</td></tr>
<tr><td>c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td><td>0%</td><td>20%</td><td>9%</td></tr>
<tr><td>d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td><td>45%</td><td>50%</td><td>45%</td></tr>
<tr><td>e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</td><td>45%</td><td>0%</td><td>27%</td></tr>
</table>
The State provided improvement activities for this indicator covering the remaining years of the SPP.</td><td>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, progress data and improvement activities. The State was also required to revise their sampling plan.

The State reported the required progress data and improvement activities. The State revised its sampling plan, and OSEP approved that plan in October 2007.

The State must provide progress data with the FFY 2007 APR, due February 1, 2009, and baseline data and targets with the FFY 2008 APR, due February 1, 2010.</td></tr>
<tr><td>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of</td><td>The State provided baseline data, targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator.

The State's FFY 2006 reported data for this indicator are 80.6%.</td><td>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, baseline data, a copy of the survey,</td></tr>
</table>

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
improving services and results for children with disabilities. [Results Indicator]		and an approved sampling plan. The State provided a revised sampling plan that OSEP approved in October 2007. The State set its baseline, targets and improvement activities with the submission of the FFY 2006 APR. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 4%. These data remain unchanged from the revised FFY 2005 data of 4%. The State revised its FFY 2005 baseline data to meet the measurement for this indicator. The State did not meet its FFY 2006 target of 0%. The State reported the actual number of districts in FFY 2005 and FFY 2006 determined to have disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, baseline data from FFY 2005 on the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification, and describe how the State made that determination. The State provided the required information. The State was also required to provide data on the percent of districts identified in FFY 2006 with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification and describe how the State made that determination, even if the determination occurred in the fall of 2007. The State provided the required information. OSEP could not determine whether the State corrected the noncompliance identified in FFY 2005 and FFY 2006 with the requirements on 34 CFR §§300.111, 300.201, and 300.301 through 300.311, or

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		whether if the noncompliance was corrected, it was corrected in a timely manner. OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2007 APR, due February 1, 2009, that demonstrate that the State has in effect policies and procedures as required by 34 CFR §300.173 and that the LEAs identified based on data from FFY 2005 and FFY 2006 as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 1.9%. These data represent progress from the revised FFY 2005 data of 2%. The State revised its FFY 2005 baseline data to meet the measurement for this indicator. The State did not meet its FFY 2006 target of 0%. The State reported the actual number of districts in FFY 2005 and FFY 2006 determined to have disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, baseline data from FFY 2005 on the percentage of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification, and describe how the State made that determination. The State provided the required information. The State was also required to provide data on the percent of districts identified in FFY 2006 with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification and describe how the State made that determination, even if the determination occurred in the fall of

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		2007. The State provided the required information. OSEP could not determine whether the State corrected the noncompliance identified in FFY 2005 and FFY 2006 with the requirements on 34 CFR §§300.111, 300.201, and 300.301 through 300.311, or whether if the noncompliance was corrected, it was corrected in a timely manner. OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2007 APR, due February 1, 2009 that demonstrate that the State has in effect policies and procedures as required by 34 CFR §300.173 and that the LEAs identified based on data from FFY 2005 and FFY 2006 as having disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 91%. These data represent progress from the FFY 2005 data of 83.9%. The State did not meet its FFY 2006 target of 100%. The State reported that 405 of 447 findings of noncompliance identified in FFY 2005 were corrected in a timely manner and that 436 of the 447 were corrected by February 1, 2008. For the uncorrected noncompliance, the State reported that it provided technical assistance to the three charter schools and one school district with uncorrected noncompliance. This technical assistance included, but was not limited to, review of records and interviews to identify compliance barriers, assistance with the development of a tracking system to monitor evaluation timelines, staff training focused	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data demonstrating correction of noncompliance identified in FFY 2005. The State reported that noncompliance identified in FFY 2005 with the timely evaluation requirements in 34 CFR §300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2007 APR due in February 2009 that the remaining uncorrected noncompliance was

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	on district related compliance barriers, facilitation of collaborative planning among district general and special education staff members on meeting evaluation timelines and, development of administrative oversight mechanisms to ensure correction.	corrected. The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.301(c)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.
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]	The State's FFY 2006 reported data for this indicator are 89%. These data represent progress from the FFY 2005 data of 73%. The State did not meet its FFY 2006 target of 100%. The State reported that 22 out of 22 findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data on the range of days and reasons for delays. The State provided the required information. The State was also required to include data in the FFY 2006 APR that demonstrate the correction of remaining noncompliance identified in FFY 2004. The State reported that the noncompliance identified in FFY 2004 with the early transition requirement in 34 CFR §300.124(b) has been corrected. The State also reported that noncompliance identified in FFY 2005 with the early transition requirement in 34 CFR §300.124(b) was corrected in a timely manner. The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.124(b), including reporting

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		correction of the noncompliance identified in the FFY 2006 APR.
13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. [Compliance Indicator]	The State revised the baseline for this indicator in its SPP and OSEP accepts that revision. The State reported data for this indicator are 75%. OSEP could not determine progress or slippage because the State's FFY 2005 data were based on a different measure. The State did not meet its FFY 2006 target of 100%. The State reported that four of four findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.	OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data using the correct measurement. The State provided the required information. The State reported that noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was corrected in a timely manner. The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school. [Results Indicator; New]	The State provided baseline data, targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator. The State's FFY 2006 reported baseline data for this indicator are 79%.	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
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]	The State's FFY 2006 reported data for this indicator are 90%. These data represent progress from the FFY 2005 data of 80.89%. The State did not meet its FFY 2006 target of 100%. For the uncorrected noncompliance reported in FFY 2005, the State reported that it ordered specific corrective actions and provided technical assistance and continued oversight. In addition, the State reported 97% correction of noncompliance from 1999-2003. For the uncorrected noncompliance, the State reported that each district is implementing a corrective action plan, and that the State intensively monitors progress under these plans and provides ongoing oversight and technical assistance related to the compliance issues. The State reported that it had corrected the findings of noncompliance from FFY 2004.	The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 1999-2003. The State also must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2006. The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State timely corrected noncompliance identified in FFY 2006 (2006-2007) under this indicator in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600. In addition, in responding to Indicators 4A, 9, 10, 11, 12, and 13, the State must specifically identify and address the noncompliance identified in this table under those indicators.
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. [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 83.4%. These data represent progress from the FFY 2005 data of 80%. The State did not meet its FFY 2006 target of 100%.	The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.
17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is	The State's FFY 2006 reported data for this indicator are 98.1%. These data represent progress from the FFY 2005 data of 93%. The State did not meet its FFY 2006 target of 100%.	The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1,

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
properly extended by the hearing officer at the request of either party. [Compliance Indicator]		2009, demonstrating that the State is in compliance with the timely due process hearing resolution requirements in 34 CFR §300.515.
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]	The State revised the targets for this indicator to represent a range in its SPP and OSEP accepts those revisions. The State reported that its stakeholders concurred with the revision to the targets for this indicator. The State's FFY 2006 reported data for this indicator are 51.2%. The State met its revised FFY 2006 target of 45-55%.	OSEP appreciates the State's efforts to improve performance.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State's FFY 2006 reported data for this indicator are 38.3%. The State met its FFY 2006 target of 34%.	OSEP appreciates the State's efforts to improve performance.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 96.4%. The State did not meet its FFY 2006 target of 100%.	OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the timely and accurate data requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).