

State of Utah

Individuals with Disabilities Education Act 2004

Annual Performance Report

**FFY 2009
(2009-2010)**

**Prepared by the
Utah State Office of Education
~~February 1, 2011~~**

Revised April 15, 2011

**Change in indicator/calculation/target.*

***Not required for February 1, 2010 submission of the APR.*

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PART B ANNUAL PERFORMANCE REPORT

In accordance with 20 U.S.C. 1416b(2)(C)(ii) and 34 CFR 300.602 the State of Utah must report annually to the Secretary on the performance of the State under the State Performance Plan (SPP). This report is called the Part B Annual Performance Report (APR). The following report represents these requirements. Utah's State Performance Plan, indicators, and targets were developed with broad stakeholder input and publicly disseminated. The Part B APR describes Utah's progress on the State Performance Plan.

Overview of the Process

In order to implement the SPP and develop the APR, education specialists at the Utah State Office of Education (USOE) were assigned specific indicators. The specialists' roles were to facilitate the implementation of the improvement activities and to collect and analyze the required data. The education specialists then facilitated any necessary revisions in order to maintain or improve results and meet or exceed the State's targets. The State special education director and coordinators provided oversight to the process. Various USOE data collection systems were developed, redesigned, and enhanced to support required elements of the APR process.

USOE Special Education Services staff members participated in the 2010 Office of Special Education Programs (OSEP) Leadership Conference held in Washington, DC. Upon their return they shared the information obtained with other staff members involved in the SPP and APR processes. Staff members participated in the OSEP teleconferences and the Mountain Plains Regional Resource Center Director teleconferences. Further consultation was provided through telephone calls with Utah's OSEP State contact and through site visits made by Mountain Plains Regional Resource Center staff.

During the FFY 09 implementation of the SPP, and in preparation for the APR, SPP requirements and indicators continued to be shared with Local Education Agency (LEA) Special Education Directors. Changes and updates in OSEP requirements were articulated during these meetings. This information was also presented at quarterly meetings of the Utah Special Education Advisory Panel (USEAP). Data-based as well as required revisions were made to SPP indicators in coordination with the February 1, 2011 submission of the Part B Annual Performance Report. The revisions were made with broad stakeholder knowledge and input, after implementation of improvement activities and careful analysis of progress and/or slippage on each indicator. The specific groups that were involved in the stakeholder input are noted in the "Stakeholder Input" section of the State Performance Plan Executive Summary.

SPP and APR information is widely shared. Each February, the State reports to the public on its progress and/or slippage in meeting the measurable and rigorous targets found in the SPP. The APR is posted on the Utah State Office of Education's website and referenced in the *Utah Special Educator*, a print and web-based publication provided to every special educator and administrator in Utah, as well as the state superintendent's annual report. The APR is shared at the first regularly scheduled meeting of the USEAP and with the LEA Special Education Directors after submission. Results are also shared with the Utah Parent Center. Prior to April 15th of each year, the USOE prepares and publishes a summary of indicators that are required to be publicly reported for each LEA. The report is posted on the USOE website and is made available for posting on LEA websites. A presentation is made on or before April 15 to USEAP, LEA special education directors, charter school directors, and other stakeholders as appropriate.

Activities to Meet Targets

In order to maintain focus on data-based decisions and on improving outcomes for students with disabilities, additional revisions to the SPP and new or revised activities have been determined after careful analysis of results and reported in this APR. Each improvement activity was reviewed using the State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on the indicator. Based on this thorough review, activities were revised as necessary to best meet the intent of the indicators and measure progress. The revisions have been added to the State Performance Plan in coordination with the February 1, 2011 submission. The revisions were made with broad stakeholder

input, after implementation of improvement activities and careful analysis of progress and/or slippage on each indicator, and the improvement activity review. The improvement activity review used for each indicator is included in Appendix C.

Sampling Methodology

Sampling is utilized for Indicators 8 and 14. The sampling methodology that is used is explained in the body of those indicators. The sampling plans for Indicators 8 and 14 have been formally approved by OSEP. The sampling plan for Indicator 14 was approved in July, 2007. The sampling plan for Indicator 8 was approved in December, 2007.

Non-required Indicators for FFY 2009 APR:

Indicators 4B, 6, 13, and 14 are not required to be included with the February 1, 2011 submission of the APR.

Utah's Special Education Monitoring Process

The State's general supervision system includes the Utah Program Improvement Planning System (UPIPS) monitoring process and dispute resolution process. UPIPS Monitoring Process: The Utah Program Improvement Planning System was developed to ensure that each LEA is included in the formal monitoring process. A stratified sample of LEAs is included in each year's cohort. The selection criteria for LEAs in each cohort include the following variables: student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique conformation of Utah's 41 school districts, there are three districts of 50,000 plus students. Three of the five cohorts for monitoring contain one of these very large districts, and the remaining two include two districts with enrollments of at least 25,000 students. Each of the five cohorts also includes districts of medium and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum. The mean percentage of English Language Learner (ELL) students and of non-white students based on total enrollment varies. These data substantiate the representativeness of each cohort. LEAs are selected for State monitoring after being assigned to a cohort based upon location and size. Charter schools were assigned to the monitoring cycle as follows. As new charter schools open, they are assigned to the following year's monitoring cycle. They are not randomly assigned to a monitoring year because it is more important to let Utah charter schools know immediately what the rules and regulations are regarding IDEA. If they were randomly assigned to a monitoring year, it could be five years before a given charter school was monitored.

Each LEA is monitored each year throughout the five years using self-assessment, on-site visits, desk audits, annual performance reports, and/or data reporting. Dispute resolution system data from complaints and hearings is also reviewed and included as part of the monitoring process. The UPIPS monitoring process places increased responsibility on each LEA by involving them in a continuous cycle of identification and improvement. In Year 1, the LEA is charged with involving key stakeholders in the development of a Self-Assessment Report that analyzes the LEA's effectiveness in ensuring compliance and improving results for students. The LEA then develops a Corrective Action Plan (CAP) and Program Improvement Plan (PIP) that targets areas identified as needing improvement and aligns those identified areas with LEA interventions designed to correct them. Each year of the cycle, the USOE performs a Desk Audit of each LEA which includes an off-site review of the LEA data, submitted as part of the Self-Assessment Report and from annual 618 data. Based on the results of the Annual Desk Audit, an on-site visit may be scheduled in which random student files will be reviewed for each visited LEA to collect additional data that validate the accuracy of the LEAs' self-collected data and to determine if improvement efforts, as part of the CAP and PIP, have been successful. During Years 2-5 the UPIPS process also tracks the status of each LEA's CAP and PIP, including the correction of identified compliance errors within one year. The CAP is evaluated each year for evidence of completion of activities and results of

those activities are then verified through additional student file reviews and 618 data. Some LEAs may have multiple on-site visits based upon their annual desk audit.

As noncompliance is identified, it is reported as a finding. A finding is a written notification from the State to an LEA that contains the State's conclusion that the LEA program is in noncompliance and includes the citation of the statute or regulation and a description of the data supporting the conclusion. Written notifications of findings occur as soon as possible and generally within three months of discovery. Except for findings identified through State complaints or due process hearings, individual instances of noncompliance in an LEA involving the same legal requirement under IDEA and Utah Special Education Rules are grouped together as one finding. An LEA will have multiple findings of noncompliance for the same time period if the LEA is noncompliant with more than one legal requirement. Upon written notification of noncompliance from the USOE, the LEA must correct the noncompliance in its policies, procedures and practices as soon as possible, but in no case later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected. In addition, LEAs are required to write a Corrective Action Plan (CAP) to address their process for ensuring that the regulatory requirements are being implemented correctly throughout the LEA. LEAs that have findings of noncompliance are required to document additional professional development on the regulatory requirements and submit additional monitoring data which demonstrates correction of the noncompliance in LEA policies, procedures, and practices, including completion of the overdue evaluation(s). LEAs whose CAP does not result in the correction of the noncompliance within one year will receive enforcement actions from the USOE; actions will be selected to target the reason behind the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds.

Correction occurs when the LEA revises noncompliant policies, procedures, and/or practices and the USOE verifies the correction and notifies the LEA of the correction. In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP's 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of IDEA, including the correction of noncompliance in conformance with the OSEP 09-02 memorandum, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). While a sample of files were reviewed to determine ongoing LEA compliance with all specific regulatory requirements of IDEA, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with IDEA regulatory requirements.

Conclusion

Utah has made a concerted effort to include stakeholder input in all aspects of the SPP and APR processes. Rich discussions among members of the special education community as well as our general education and Title I partners have occurred. The State has developed and enhanced data systems to ensure accuracy of data. Budgetary processes and professional development activities have been aligned with the SPP and each year's APR. Utah has collected and carefully analyzed the data and utilized those data to make systemic changes designed to improve results for students with disabilities in the State. As Indicated in the Display I-1, of the 28 targets contained within the indicators that are required to be reported this year, Utah met **16**. Utah met the (100% compliance) targets on **5** of the 9 compliance indicators that are required to be submitted. The other **4** compliance indicators reflected **95.24%**, 97.41%, 98.45%, and 99.48% levels of compliance within required timelines. Utah remains committed to improving the results for children and youth with disabilities.

Display I-1: Summary of Utah's Annual Performance Report (APR) for FFY 2009 (2009-2010) – February 2011

Indicator #	Indicator	Indicator Description	2009-10 Actual Data	2009-10 Target	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet the Target
1	Graduation Rate	Percent of youth with IEPs graduating from high school with a regular diploma.	81.0%	85.7%	80.1%*	71.1%	72.9%	N
2	Drop Out Rate	Percent of youth with IEPs dropping out of high school.	4.50%	5.6%	5.65%*	4.8%	4.8%	Y
3	Statewide Assessment	<i>Participation and performance of children with IEPs on statewide assessments.</i>						
3A	State AYP Objectives	<i>Percent of the LEAs with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.</i>	93%	72%	94.05%	84.0%	89.0%	Y
3B	Participation Rate	<i>Participation rate for children with IEPs.</i>						
3C	Language Arts Math	Participation rate of grades 3-8 and 10 students.	99.66%	95%	99.58%	99.53%	99.67%	Y
	Proficiency Rate	Participation rate of grades 3-8 and 10-12 students.	99.69%	95%	99.51%	98.06%	98.17%	Y
3C	Language Arts	<i>Proficiency rate for children with IEPs against grade level, modified, and alternate academic achievement standards.</i>						
	Math	Proficiency rate of grades 3-8.	48.96%	83%	48.19%	Combined 3-8 & 10 th grades 41.76%	43.63%	N
	Suspension/Expulsion Rates	Proficiency rate grade 10.	50.63%	82%	45.58%	Combined 3-8 & 10 th grades 46.03%	42.86%	N
4	Significant Discrepancy	Percent of LEAs that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days for children with IEPs.	0.00%	0.00%	0.00%	0.00%	0.00%	Y
4B	Significant Discrepancy by Race or Ethnicity	Percent of LEAs 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.	***	***	**	N/A	N/A	N/A
5	LRE for Students	<i>Percent of children with IEPs aged 6 through 21 served:</i>						
5A	Regular Classroom	Inside the regular class 80% or more of the day,	53.58%	52.88%	52.36%	51.40%	50.64%	Y
5B	Separate Classroom	Inside the regular class less than 40% of the day, and	15.06%	15.18%	15.33%	15.40%	15.82%	Y
5C	Separate Facilities	In separate schools, residential facilities, or homebound/hospital placements.	3.06%	3.23%	3.23%	3.25%	3.23%	Y

Indicator #	Indicator	Indicator Description	2009-10 Actual Data	2009-10 Target	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet the Target
6	LRE for Children 3-5	Percent of children aged 3 through 5 with IEPs attending 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, or residential facility.	***	***	**	N/A	N/A	N/A
7	Outcomes for Children aged 3-5	<i>Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved: 1.) Of those preschool children who entered 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. 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.</i>						
7A	Social-Emotional	Positive social-emotional skills (including social relationships);	1) 94.00% 2) 52.73%	1) 95.09% 2) 52.92%	**	N/A	N/A	N N
7B	Knowledge and Skills	Acquisition and use of knowledge and skills (including early language/communication and early literacy); and	1) 94.10% 2) 51.84%	1) 93.20% 2) 48.70%	**	N/A	N/A	Y Y
7C	Behaviors	Use of appropriate behaviors to meet their needs.	1) 93.68% 2) 67.97%	1) 93.91% 2) 67.20%	**	N/A	N/A	N Y
8	Parent Involvement	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.	87.24%	87.42%	87.3%	85.2%	83.6%	N
9	Disproportionate by Race/Ethnicity, Overall	Percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	0.00%	0.00%	0.00%	0.00%	0.00%	Y
10	Disproportionate by Race/Ethnicity, Disability Category	Percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	0.00%	0.00%	0.00%	0.00%	0.00%	Y
11	Evaluation in 60 days	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. (Utah State timeline is 45 school days.)	97.41%	100.00%	96.9%	96.6%	95.2%	N
12	Transition from Part C to Part B	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.	98.45%	100.00%	98.6%	95.1%	93.1%	N
13	Transition Planning on IEP by Age 16	Percent of youth with IEPs aged 16 and above 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 post-secondary goals, and annual IEP goals related to the student's transition service	***	***	*	78.64%	41.38%	N/A

Indicator #	Indicator	Indicator Description	2009-10 Actual Data	2009-10 Target	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet the Target
		needs. There must also 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.						
14	Postsecondary Outcomes	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.	***	***	* **	79.4%	71.5%	N/A
15	General Supervision: Noncompliance Correction	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.	99.48%	100.00%	99.00%	98.00%	95.00%	N
16	General Supervision: Written 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.	100.00%	100.00%	100.00%	90.00%	100.00%	Y
17	General Supervision: Due Process	Percent of adjudicated due process hearings that were adjudicated within 45 days 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.	100.00%	100.00%	100.00%	100.00%	100.00%	Y
18	General Supervision: Part B	Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.	N/A <10	80.00%	N/A <10	N/A <10	N/A <10	N/A <10
19	General Supervision: Part B	Percent of mediations held that resulted in mediation agreements.	N/A <10	88.00%	N/A <10	N/A <10	N/A <10	N/A <10
20	General Supervision: Timely and Accurate Data	Percent of state reported data (618 and State Performance Plan and Annual Performance Report) that are timely and accurate.	95.24%	100.00%	97.62%	100.00%	100.00%	N

*Change in indicator/calculation/target.

**Not required for February 1, 2010 submission of the APR.

*** Not required for February 1, 2011 submission of the APR.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.
(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Graduation rate was calculated as follows: Number of graduates divided by (graduates + dropped out) X 100 = graduation rate.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	85.7% graduation rate or 2 percentage points improvement from the previous year's rate. (Note: This target represents the graduation rate target under Title I of the ESEA.)

Actual Data for FFY 2009: 81.0%

Display 1-1: Graduation Rate

	FFY 2008	FFY 2009
# of graduates	2,234	2,188
# of students in the cohort	2,789	2,702
Graduation Rate	80.1%	81.0%

The target of 85.7% graduation rate or 2 percentage points improvement from the previous year's rate was not met.

To earn a high school diploma, all students are required to meet State minimum course credit requirements, as specified in Utah State Board of Education Administrative Rule R277-700; LEAs may require additional course credits beyond the State minimum. In addition, all students are required to participate in the Utah Basic Skills Competency Test (UBSCT) or Utah's Alternate Assessment (UAA), if participation in the UAA has been determined appropriate by the student's IEP team (Utah State Office of Education Administrative Rule R277-705). Students who meet the course credit requirements and UBSCT/UAA participation requirements are awarded a regular high school diploma that indicates whether or not the student passed all subtests of the UBSCT. Any student who does not meet all graduation requirements may, at the discretion of the LEA, be awarded a Certificate of Completion.

Valid and Reliable Data:

December 1 Child Count and Exit data are submitted electronically to the USOE Data Clearinghouse by LEAs. The data are then returned to the LEAs for verification. Data go through an error check system at the USOE Data Clearinghouse with each submission to ensure accuracy and consistency of the data. Data analysis is conducted by various USOE staff members to ensure data are reported accurately. The consistency of data from year to year serves as an additional validation.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

As indicated in Display 1-2, the FFY 2008 graduation rate is higher than that of previous years due to differences in how the graduation rate was calculated in 2008-09. The FFY 2008 rate and the FFY 2007 rate are both based on data from the 2007-08 school year. The reason for the difference in numbers is that a different calculation and cohort were used. The calculation in FFY 2008 and FFY 2009 aligns with that used for Title I under the Elementary and Secondary Education Act (ESEA); data indicate that while progress was made in the graduation rate of students with disabilities, neither the ESEA target nor goal were met.

Display 1-2: Graduation Rate of Students with Disabilities, Results over Time

	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008*	FFY 2009**
# of graduates	1,723	2,331	2,226	2,212	2,234	2,188
# of students in cohort	2,401	3,186	3,054	3,111	2,789	2,702
Graduation Rate	71.8%	73.2%	72.9%	71.1%	80.1%	81.0%

Please note that the FFY 2008 graduation rate is based on 2007-08 data due to the OSEP "data lag" instructions.

* A different calculation, one that aligns with ESEA, was used beginning FFY 2008.

**FFY 2009 graduation rate is based on 2008-09 data.

Discussion of Improvement Activities:

Please note that these improvement activities took place between July 1, 2009 and June 30, 2010; this APR is reporting data from 2008-09. Reporting current improvement activities will enable Utah to monitor the results of these activities.

The following activity was completed FFY 2009:

1. Evaluate the results of activities from 2009-10 and determine additional activities based on those data. Completed.
 - Improvement activities were reviewed using the USOE SPP/APR Activity Review Form. As a result of this review, activities were continued and a new activity was developed for 2010-11.

The following activities were completed and ongoing FFY 2009:

1. Work with the USOE leadership and staff to implement directives from the State Board of Education. Completed and ongoing.
 - The USOE Dropout Committee accomplished the following:
 - with the Assessment and Accountability Section, clarified graduation and dropout definitions;
 - provided student-level school completion data to an LEA and met with representatives of that LEA, including special education, student services, and the high school, to discuss possible strategies to improve school completion rates.
 - The same group developed a report that was presented to the State Board of Education in October, 2009, detailing school completion calculations and State and Federal reporting differences. The committee made several recommendations aimed at increasing school completion; the Board accepted the report as information and had no recommendations.

This activity resulted in:

- increased collaboration between Career and Technology Education, Adult Education, Assessment and Accountability, and Special Education at the USOE through joint efforts to clarify definitions and data collection procedures;

- increased school completion rates for that LEA through LEA staff awareness of definitions and reporting procedures, and identification of local procedural errors;
 - clarification of school completion calculations and reporting as approved by the State Board of Education.
2. Analyze existing data to determine patterns of school completion across grade level, LEA/school size or location, race/ethnicity, gender, and ELL/disability status. Completed and ongoing.
- Data from the USOE Data Clearinghouse were disaggregated by student groups and graphed to show comparisons between the groups. These data were presented to the State School Board in October, 2009.

Results of this activity include an increased awareness of the availability of school completion data and data-reporting methods and identification of student sub-groups most likely to complete/not complete school. Identification of students potentially at risk for non-completion will assist in development of strategies designed to improve school completion for these students.

3. Based on data review, develop school completion activities designed to meet student needs and provide support to LEAs to implement appropriate activities. Not yet completed and ongoing.
- The USOE collaborated with USOE Adult Education staff to provide support to LEAs providing special education services to eligible young adults in adult education programs.

Results of this activity were increased collaboration between LEAs and local Adult Education programs to provide special education services to eligible students enrolled in Adult Education programs.

4. Compare current LEA graduation and dropout data with previous year's data; survey those LEAs with improved data to identify any participation in professional development or local initiatives that might have contributed to increased school completion. Completed and ongoing.
- 10 LEAs with improved graduation rates and 18 LEAs with decreased dropout rates were contacted to determine any factors which may have influenced school completion rates. Although responses were limited (four LEAs total responded), all respondents indicated that more attention had been given to recording and coding exits correctly.

Results of this activity will allow Utah to proactively address questions arising from the review of the data.

5. Provide professional development, including assistance in developing and implementing effective transition plans, to educators, administrators, and parents. Completed and ongoing.
- Professional development was provided to 591 special educators, administrators, and parents in 35 LEAs, four agencies, and two institutes of higher education.

Results of this activity include the correction of all findings identified through monitoring, as reported in Indicators 13 and 15 and an increased awareness of the potential impact of effective transition planning on improved school completion. School completion rates have increased consistently with increased compliance as reported in Indicators 13 and 15.

Impact of completed activities listed above:

Although the impact of the completed activities was more difficult to determine, due to changes in the definitions and calculations of graduation rates, progress was made in the areas of intra-agency collaboration and LEA awareness of data collection and reporting requirements.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

The result of each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 1 (See Appendix C).

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 Apply for assistance from the National Dropout Prevention Center – Students with Disabilities (NDPC-SD) to develop programs that will result in increased school completion.	Fall 2010	State Transition Specialist, IDEA discretionary funds, NDPC-SD materials	USOE does not have a state-wide initiative to increase school completion.

The graduation rate targets have been revised to be the same as those under Title I of the ESEA. Clarification about the Utah targets was received after the FFY 2008 APR was submitted. The new targets are as follows:

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	85.7% graduation rate or 2 percentage points improvement from the previous year's rate. (Note: This target represents the graduation rate target under Title I of the ESEA.)
2011 (2011-2012)	85.7% graduation rate or 2 percentage points improvement from the previous year's rate. (Note: This target represents the graduation rate target under Title I of the ESEA.)
2012 (2012-2013)	85.7% graduation rate or 2 percentage points improvement from the previous year's rate. (Note: This target represents the graduation rate target under Title I of the ESEA.)

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.
(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEP's should be the same measurement as for all youth. Event (single year) dropout rate was calculated as follows: Number of dropouts divided by the total number of potential dropouts X 100 = dropout rate.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	The percent of students with disabilities who drop out of high school will be less than 5.6%.

Actual Data for FFY 2009: 4.50%

Display 2-1: Dropout Rate

	FFY 2009
# of dropouts	760
# of total students	16,877
Dropout Rate	4.50%

The target of 5.6% was met.

The event (single year) dropout rate is calculated by dividing the number of dropouts (760) by the total number of potential dropouts (16,877).

The business rules for determining who is a dropout follow the requirements of the U.S. Department of Education as detailed in their Education Data Exchange Network (EDEN) and National Center for Education Statistics (NCES) Common Core of Data (CCD) specifications.

The USOE 2009 Cohort Graduation Rate and Single Year Dropout Rate Report defines a dropout as: ... an individual who (1) was enrolled in school at some time during a school year, and (2) was not enrolled on October 1 of the following school year, and (3) has not graduated from high school or completed a State or district approved educational program, and (4) does not meet any of the following exclusionary conditions: (a) transfer to another public school district, private school or State or district approved educational program (including correctional or health facility programs), (b) temporary absence due to suspension or school-excused illness, or (c) death.

Students who drop out multiple times in a school year are reported only once for a single school year at the State level. However, students who drop out in more than one year are reported as dropouts for every year in which they drop out.

Valid and Reliable Data:

December 1 Child Count and Exit data are submitted electronically to the USOE Data Clearinghouse by LEAs. The data are then returned to the LEAs for verification. Data go through an error check system at the USOE Data Clearinghouse with each submission to ensure accuracy and consistency of the data. Data analysis is conducted by various USOE staff members to ensure data are reported accurately. The consistency of data from year to year serves as an additional validation.

Explanation of Progress or Slippage that occurred for FFY 2009:

As indicated in Display 2-2, the FFY 2009 drop-out rate is lower than the previous year showing progress on this indicator. A review of data indicated that some LEAs used incorrect exit codes when students exited the school system; professional development and technical assistance provided to individual LEAs have resulted in the use of correct exit codes.

Display 2-2: Dropout Rate of Students with Disabilities, Results over Time

	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008*	FFY2009**
# of dropouts	613	830	817	834	928	760
# of total students	17,218	17,029	16,900	17,243	16,404	16,877
Dropout Rate	3.6%	4.9%	4.8%	4.8%	5.7%	4.50%

Please note that the FFY 2008 dropout rate is based on 2007-08 data due to the OSEP "data lag" instructions.

* A different calculation, one that aligns with ESEA, was used beginning FFY 2008.

**FFY 2009 dropout rate is based on 2008-09 data.

Discussion of Improvement Activities:

Please note that these improvement activities took place between July 1, 2009 and June 30, 2010; this APR is reporting data from 2008-09. Reporting current improvement activities will enable Utah to monitor the results of these activities.

The following activity was completed FFY 2009:

1. Evaluate the results of activities from 2009-10 and determine additional activities based on those data. Completed.
 - Improvement activities were reviewed using the USOE SPP/APR Activity Review Form.

As a result of this review, some activities were continued and a new activity was developed for 2010-11.

The following activities were completed and ongoing FFY 2009:

1. Work with the USOE leadership and staff to implement directives from the State Board of Education. Completed and ongoing.
 - The USOE Dropout Committee accomplished the following:
 - with the Assessment and Accountability Section, clarified graduation and dropout definitions; and
 - provided student level school completion data to an LEA and met with representatives of that LEA, including special education, student services, and the high school, to discuss possible strategies to improve school completion rates.
 - The same group developed a report that was presented to the State Board of Education in October, 2009, detailing school completion calculations and State and Federal reporting differences. The committee made several recommendations aimed at increasing school completion; the Board accepted the report as information and had no recommendations.

This activity resulted in:

- increased collaboration between Career and Technology Education, Adult Education, Assessment and Accountability, and Special Education at the USOE through joint efforts to clarify definitions and data collection procedures;
- increased school completion rates for that LEA through LEA staff awareness of definitions and reporting procedures, and identification of local procedural errors; and
- clarification of school completion calculations and reporting as approved by the State Board of Education.

2. Analyze existing data to determine patterns of school completion across grade level, LEA/school size or location, race/ethnicity, gender, and ELL/disability status. Completed and ongoing.
 - Data from the USOE Data Clearinghouse were disaggregated by student groups and graphed to show comparisons between the groups. These data were presented to the State School Board in October, 2009.

Results of this activity include an increased awareness of the availability of school completion data and data-reporting methods and identification of student sub-groups most likely to complete/not complete school. Identification of students potentially at risk for non-completion will assist in development of strategies designed to improve school completion for these students.

3. Based on data review, develop school completion activities designed to meet student needs and provide support to LEAs to implement appropriate activities. Not yet completed and ongoing.
 - The USOE collaborated with USOE Adult Education staff to provide support to LEAs providing special education services to eligible young adults in Adult Education programs.

Results of this activity were increased collaboration between LEAs and local Adult Education programs to provide special education services to eligible students enrolled in Adult Education programs.

4. Compare current LEA graduation and dropout data with previous year's data; survey those LEAs with improved data to identify any participation in professional development or local initiatives that might have contributed to increased school completion. Completed and ongoing.
 - 10 LEAs with improved graduation rates and 18 LEAs with decreased dropout rates were contacted to determine any factors which may have influenced school completion rates. Although responses were limited (four LEAs total responded), all respondents indicated that more attention had been given to recording and coding exits correctly.

Results of this activity will allow Utah to proactively address questions arising from the review of the data.

5. Provide professional development, including assistance in developing and implementing effective transition plans, to educators, administrators, and parents. Completed and ongoing.
 - Professional development was provided to 591 special educators, administrators, and parents in 35 LEAs, four agencies, and two institutes of higher education.

Results of this activity include the correction of all findings identified through monitoring, as reported in Indicators 13 and 15 and an increased awareness of the potential impact of effective transition planning on improved school completion. School completion rates have increased consistently with increased compliance as reported in Indicators 13 and 15.

Impact of completed activities listed above:

Although the impact of the completed activities was more difficult to determine, due to changes in the definitions and calculations of graduation rates, progress was made in the areas of intra-agency collaboration and LEA awareness of data collection and reporting requirements.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 2 (See Appendix C).

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 Apply for assistance from the National Dropout Prevention Center – Students with Disabilities (NDPC-SD) to develop programs that will result in increased school completion.	Fall 2010	State Transition Specialist, IDEA discretionary funds, NDPC-SD materials	USOE does not have a state-wide initiative to increase school completion.

Given the new method for calculating dropout rate, the targets have been revised as follows:

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	The percent of students with disabilities who drop out of high school will be less than 5.54%.
2011 (2011-2012)	The percent of students with disabilities who drop out of high school will be less than 5.43%.
2012 (2012-2013)	The percent of students with disabilities who drop out of high school will be less than 5.32%.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 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.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified, and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	<p>A. The percent of LEAs that made AYP in the students with disabilities subgroup will increase to 72% by 2009-10.</p> <p>B. The percent of students with disabilities participating in state-wide assessments in Language Arts will increase to 95% by 2009-10. The percent of students with disabilities participating in state-wide assessments in math will increase to 95% by 2009-10. (Please note that these targets have been changed to align with the AYP targets in Utah's Accountability Workbook approved by the U.S. Department of Education.)</p> <p>C. The percent of students who are proficient in Language Arts assessments will increase to 83% for grades 3-8 and 82% for grade 10 by 2009-10. The percent of students who are proficient in Math assessments will increase to 45% for grades 3-8 and 40% for grades 10-12 by 2009-10. (Please note that these targets have been changed to align with the AYP targets in Utah's Accountability Workbook approved by the U.S. Department of Education.)</p>

Display 3.1: Actual Data for FFY 2009:

Indicator	Topic	Target	Actual Data	Met or Not Met
3A.	AYP	72%	93%	Met
3B.	Participation: Math	95%	99.69%	Met
3B.	Participation: Language Arts	95%	99.66%	Met
3C.	Proficiency: Math 3-8	45%	45.95%	Met
3C.	Proficiency: Math 10-12	40%	37.53%	Not Met
3C.	Proficiency: Language Arts 3-8	83%	48.96%	Not Met
3C.	Proficiency: Language Arts 10	82%	50.63%	Not Met

Indicator Summary: Four of the seven targets for this indicator were met.

Reporting of Targets and Actual Data:

3A. Actual AYP Data for FFY 2009:

Display 3-2: Number and Percent of LEAs That Met the State’s AYP Target for the Disability Subgroup (Based on Those LEAs that Met the Minimum “n” Size for the Disability Subgroup):

FFY	Total Number of LEAs	Number of LEAs Meeting the “n” Size	Number of LEAs that Meet the Minimum “n” Size and Met AYP for FFY 2009	Percent of LEAs That Met AYP
2009 (2009-2010)	112	100	93	93%

The target of 72% was met.

3B. Actual Participation Data for FFY 2009:

Display 3-3: Participation Rate of Students with Disabilities

	Math	Language Arts
a. Children with IEPs	37,572	38,985
b. IEPs in regular assessment with no accommodations	11,758	13,004
c. IEPs in regular assessment with accommodations	21,565	22,518
d. IEPs in alternate assessment against grade-level standards	0	0
e. IEPs in alternate assessment against modified standards	0	0
f. IEPs in alternate assessment against alternate standards	4,131	3,331
Account for any children with IEPs that were not participants in the narrative.	118	132
Overall = [(b + c + d + e + f) divided by (a)]	99.69%	99.66%

The target of 95% for Math was met.

The target of 95% for Language Arts was met.

3C. Actual Proficiency Rate for FFY 2009:

Display 3-4: Proficiency Rate of Students with Disabilities

	Math 3-8	Math 10-12	Language Arts 3-8	Language Arts 10
a. Children with IEPs	31,387	3,376	32,690	3,324
b. IEPs in regular assessment with no accommodations	6,512	194	7,331	734
c. IEPs in regular assessment with accommodations	5,700	133	6,341	607
d. IEPs in alternate assessment against grade-level standards	0	0	0	0
e. IEPs in alternate assessment against modified standards	0	0	0	0
f. IEPs in alternate assessment against alternate standards	2,211	940	2,333	342
Overall Percent = [(b + c + d + e + f) divided by (a)]	45.95%	37.53%	48.96%	50.63%

The target of 45% for grades 3-8 for Math was met.

The target of 40% for grades 10 – 12 for Math was not met.

The targets of 83% for grades 3-8 and 82% for grade 10 for Language Arts were not met.

Valid and Reliable Data:

The accuracy of the data is ensured as it goes through quality assurance and quality control established by both the assessment results team and the computer services section at the Utah State Office of Education.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

The number of LEAs that are meeting the minimum “n” size for this subgroup has increased over time, from 57 in 2004-05 to 100 in 2009-10. Thus, maintaining or increasing the percent of LEAs that meet AYP for this subgroup is a challenge but one for which the State of Utah has put forth considerable effort. In fact, the percentage of LEAs meeting AYP has increased from 44% in 2004-05 to 93% in 2009-10.

Like the AYP rate, the participation rate of students with disabilities has also increased from 86-92% in 2004-05 to over 99% in 2008-09. The participation rate for the past five years has been stable. The increased participation rate is due to professional development provided on the Utah Performance Assessment System for Students (U-PASS) Assessment Participation and Accommodations Policy and the number of teachers who have been trained over the past years who implement the policy. The policy and professional development include a description of the assessments in Utah, acceptable and appropriate accommodations, who takes which assessment and why students with disabilities must participate. Since this professional development is designed for teachers of students with disabilities, it facilitates a better understanding of assessment requirements and practices. The USOE will continue professional development opportunities for special education directors, assessment directors, and LEA staff members on the U-PASS Assessment Participation and Accommodations Policy.

Since 2007-08, the percentage of students with disabilities scoring proficient or above on the Language Arts test increased from 38% to 49% for students in grades 3-8 and from 38% to 51% for students in grade 10.

Since 2007-08, the percentage of students with disabilities scoring proficient or above on the Math test slightly increased from 44% to 46% for students in grades 3-8 and from 36% to 38% for students in grade 10. In FFY 2008, the Mathematics (Elementary and Secondary) core curriculum was also significantly revised. The new Mathematics assessments were more rigorous than in years past. The performance cut scores on the Mathematics assessments changed which make direct comparisons between FFY 2007 and subsequent years problematic.

The USOE has held numerous professional development opportunities in the areas of literacy and numeracy in collaboration with the Title I and Teaching and Learning Sections. General education and special education teachers have attended. The data are beginning to reflect those efforts with an increase in Language Arts proficiency for FFY 2009.

Data for 3B included both Full Academic Year (FAY) and non-FAY data and data for 3C are based on FAY (i.e., AYP) data. The target for 3A was set on the FFY 2005 SPP; Utah’s AYP process does not have a 3A-related target. The targets for 3B and 3C are aligned with the AYP targets established in Utah’s Consolidated Accountability Workbook, and thus represent a change from the targets established in the FFY 2005 SPP.

3B. Actual Participation Data for FFY 2009:

Display 3-5: Disaggregated Data for Math Participation

Statewide Assessment FFY 2009 (2009-2010)		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10-12	Total	
									#	%
a	Children with IEPs	6,866	6,820	6,427	5,908	4,668	3,264	3,619	37,572	
b	IEPs in regular assessment with no accommodations	2,764	2,316	1,874	1,350	1,289	955	1,210	11,758	31.29%
c	IEPs in regular assessment with accommodations	3,620	3,962	4,053	4,053	2,878	1,831	1,168	21,565	57.40%
d	IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0%
f	IEPs in alternate assessment against alternate standards	477	532	487	498	471	459	1,207	4,131	11.00%
g	Overall (b+c+d+e+f) Baseline	6,861	6,810	6,414	5,901	4,638	3,245	3,585	37,454	99.69%
Children included in a but not included in the other counts above*										
	Account for any children with IEPs that were not participants in the narrative	5	10	13	7	30	19	34	118	0.31%
	Participation Rate by Grade Level	99.93%	99.85%	99.80%	99.88%	99.36%	99.42%	99.06%	99.69%	

Display 3-6: Disaggregated Data for Reading Participation

Statewide Assessment FFY 2009 (2009-2010)		Language Arts Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Total	
									#	%
a	Children with IEPs	6,874	6,824	6,436	5,914	4,862	4,477	3,598	38,985	
b	IEPs in regular assessment with no accommodations	2,792	2,398	1,975	1,492	1,416	1,439	1,492	13,004	33.36%
c	IEPs in regular assessment with accommodations	3,595	3,892	3,963	3,916	2,949	2,560	1,643	22,518	57.76%
d	IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0%
f	IEPs in alternate assessment against alternate standards	479	528	486	499	474	457	408	3,331	8.54%
g	Overall (b+c+d+e+f) Baseline	6,866	6,818	6,424	5,907	4,839	4,456	3,543	38,853	99.66%
Children included in a but not included in the other counts above										
	Account for any children with IEPs that were not participants in the narrative	8	6	12	7	23	21	55	132	0.34%
	Participation Rate by Grade Level	99.88%	99.91%	99.81%	99.88%	99.53%	99.53%	98.47%	99.66%	

3.C. Actual Performance Data for FFY 2009:

Display 3-7: Disaggregated Data for Math Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2009 (2009-2010)		Math Assessment Performance						Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	#	%
a	Children with IEPs	6,384	6,287	5,907	5,453	4,326	3,030	31,387	
b	IEPs in regular assessment with no accommodations	1,871	1,629	1,280	752	662	318	6,512	20.75%
c	IEPs in regular assessment with accommodations	1,006	1,209	1,288	862	945	390	5,700	18.16%
d	IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0%
f	IEPs in alternate assessment against alternate standards	346	395	377	394	360	339	2,211	7.04%
g	Overall (b+c+d+e+f) Baseline	3,223	3,233	2,945	2,008	1,967	1,047	14,423	45.95%
	Proficiency Rate by Grade Level	50.49%	51.42%	49.86%	36.82%	45.47%	34.55%	45.95%	

Display 3-8: Disaggregated Target Data for Math Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2009 (2009-2010)		Math Assessment Performance	Total	
		Grade 10-12	#	%
a	Children with IEPs	3,376	3,376	
b	IEPs in regular assessment with no accommodations	194	194	5.75%
c	IEPs in regular assessment with accommodations	133	133	3.94%
d	IEPs in alternate assessment against grade-level standards	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0%
f	IEPs in alternate assessment against alternate standards	940	940	27.84%
g	Overall (b+c+d+e+f) Baseline	1,267	1,267	37.53%

Display 3-9: Disaggregated Data for Language Arts Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2009 (2009-2010)		Language Arts Assessment Performance						Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	#	%
a	Children with IEPs	6,392	6,289	5,910	5,456	4,500	4,143	32,690	
b	IEPs in regular assessment with no accommodations	1,950	1,659	1,302	878	753	789	7,331	22.43%
c	IEPs in regular assessment with accommodations	1,055	1,194	1,121	1,111	850	1,010	6,341	19.40%
d	IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0%
f	IEPs in alternate assessment against alternate standards	381	410	391	414	375	362	2,333	7.14%
g	Overall (b+c+d+e+f) Baseline	3,386	3,263	2,814	2,403	1,978	2,161	16,005	48.96%
	Proficiency Rate by Grade Level	52.97%	51.88%	47.61%	44.04%	43.96%	52.16%	48.96%	

Display 3-10: Disaggregated Data for Language Arts Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

State-wide Assessment FFY 2009 (2009-2010)		Language Arts Assessment Performance	Total	
		Grade 10	#	%
a	Children with IEPs	3,324	3,324	
b	IEPs in regular assessment with no accommodations	734	734	22.08%
c	IEPs in regular assessment with accommodations	607	607	18.26%
d	IEPs in alternate assessment against grade-level standards	0	0	0%
e	IEPs in alternate assessment against modified standards	0	0	0%
f	IEPs in alternate assessment against alternate standards	342	342	10.29%
g	Overall (b+c+d+e+f) Baseline	1,683	1,683	50.63%

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 3 (See Appendix C).

The following activities were completed FFY 2009:

1. Revise, publish, and collaboratively provide professional development on the U-PASS Assessment Participation and Accommodations Policy to reflect new accommodations research. Post on USOE website. Completed and revised.
 - The U-PASS Assessment Participation and Accommodation Policy was revised, published, and professional development was provided collaboratively to reflect new accommodations research.
 - The revised policy was posted on the USOE website in July, 2009.

Results of this activity include the revision of U-PASS policy to reflect new accommodation research.

2. All CRTs will be evaluated by grade for student participation and proficiency yearly. Completed.
 - Evaluate CRTs by grade for student participation and proficiency in FFY 2009.

Results of this activity include the evaluation of all CRTs by grade for student participation and proficiency. Recommendations for professional development were based on these data.

3. Evaluate the results of activities from 2009-10 and determine additional activities based on those data. Completed.
 - The results of the activities from 2009-2010 were evaluated and additional activities were determined based on those activities in FFY 2009.

New activities to be added to Indicator 3 as a result of this review.

4. Develop tasks for Utah's Alternate Assessment II (UAA-II) for Students with Significant Cognitive Disabilities. Discontinued.
 - Utah is a member of the Dynamic Learning Map Alternate Assessment System IDEA General Supervision Enhancement Grant which will be developing an assessment for students with significant cognitive disabilities.

Results of this activity were to not develop a UAA-II.

The following activities were completed and are ongoing FFY 2009:

1. Collaboratively provide statewide professional development on literacy instruction and interventions for general and special educators. Completed and ongoing.
 - Short term results: Provided professional development to 408 general educators, 1,313 special educators, and 62 administrators to increase knowledge and awareness in literacy.
 - Medium term results: In 2010-11 provide support and encourage LEAs to create a plan, use curriculum-based measurement, review data or incorporate principal/peer observation to determine if professional development is improving practice or policies.
 - Long term results: Changes in practice and policies will ultimately improve student outcomes and assessment data on Criterion-Referenced Tests at both the State and LEA level.
2. Collaboratively provide statewide professional development on numeracy instruction and interventions for general and special educators. Completed and ongoing.
 - Short term results: Provided professional development to 13 general educators, 399 special educators, and 23 administrators to increase knowledge and awareness in numeracy.
 - Medium term results: In 2010-11 provide support and encourage LEAs to create a plan, use curriculum-based measurement, review data or incorporate principal/peer observation to determine if professional development is improving practice or policies.
 - Medium term results: In 2010-11 collaborate with USOE Teaching and Learning to align professional development that will lead to improved high school math proficiency.
 - Long term results: Changes in practice and policies will ultimately improve student outcomes and assessment data on Criterion-Referenced Tests at both the State and LEA level.
3. Provide professional development statewide on the Extended Core Standards. Completed and ongoing.

- Short term results: Provided professional development to 322 special educators who instruct students with significant cognitive disabilities to achieve awareness and knowledge of the Extended Core Standards.
- Medium term results: In 2010-11 provide support and encourage LEAs to create a plan, use curriculum-based measurement, review data or incorporate principal/peer observation to determine if professional development is improving practice or policies in instructing students with significant cognitive disabilities in the Extended Core Standards.
- Long term results: Changes in practice and policies will ultimately improve student outcomes and assessment data on Utah's Alternate Assessment at both the State and LEA levels.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 3. Improvement activities resulted in the development of resources and implementation of targeted professional development activities, which in turn increased LEA knowledge and available resource materials, thus ensuring appropriate accommodations of students with disabilities as indicated by UPIPS monitoring data. Policies, procedures, and practices have been appropriately aligned to ESEA requirements. This alignment is expected to continue to facilitate the increase in participation and proficiency of students with disabilities on statewide assessments.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 3 (See Appendix C).

Activities	Timelines	Resources	Justifications
REVISED ACTIVITY #1 Revise, publish and collaboratively provide professional development on the U-PASS Assessment Participation and Accommodations Policy to reflect new accommodations research. Post on USOE website.	2009-2010	USOE staff	No longer needed.
REVISED TIMELINE #2 All CRTs will be evaluated by grade for student participation and proficiency yearly.	2010-2011	USOE staff	The timeline was changed due to the revised understanding of activities.
REVISED TIMELINE #3 Evaluate the results of activities from 2009-10 and determine additional activities based on those data.	2010-2011	USOE staff	The timeline was changed due to the revised understanding of activities.
REVISED TIMELINE	2009-2010	USOE staff	Utah was one of a

Activities	Timelines	Resources	Justifications
#4 Develop tasks for Utah's Alternate Assessment II (UAA-II) for Students with Significant Cognitive Disabilities.			consortium of states that was awarded a grant which will develop an Alternate Assessment based on Alternate Achievement Standards.

The USOE proposes the following targets for FFY 2010, FFY 2011, and FFY 2012. These targets align with the AYP targets of Utah's Consolidated Accountability Workbook.

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	A. The percent of LEAs that made AYP in the students with disabilities subgroup will increase to 78%. B. The percent of students with disabilities participating in statewide assessments in language arts will increase to 95%. The percent of students with disabilities participating in statewide assessments in math will increase to 95%. C. The percent of grade 3-8 students and for grade 10 students who are proficient in language arts assessments will be 89% and 88%, respectively. The percent of grade 3-8 students and for grade 10 students who are proficient in mathematics assessments will be 63% and 60%, respectively.
2011 (2011-2012)	A. The percent of LEAs that made AYP in the students with disabilities subgroup will be 84%. B. The percent of students with disabilities participating in statewide assessments in language arts and in mathematics will be 95%. C. The percent of grade 3-8 students and for grade 10 students who are proficient in language arts assessments will be 89% and 88%, respectively. The percent of grade 3-8 students and for grade 10 students who are proficient in mathematics assessments will be 63% and 60%, respectively.
2012 (2012-2013)	A. The percent of LEAs that made AYP in the students with disabilities subgroup will be 90%. B. The percent of students with disabilities participating in statewide assessments in language arts and in mathematics will be 95%. C. The percent of grade 3-8 students and for grade 10 students who are proficient in language arts assessments will be 95% and 94%, respectively. The percent of grade 3-8 students and for grade 10 students who are proficient in mathematics assessments will be 81% and 80%, respectively.

Public Reporting Information:

- The Utah State AYP Reports are published at <http://www.schools.utah.gov/main/DATA-STATISTICS/Educational-Data/Accountability-School-Performance/Accountability-Reports.aspx>.
- Grades 3 – 8 Language Arts and Grades 3 – 8 State reporting for participation and performance: [http://u-pass.schools.utah.gov/u-passweb/pdfs/ayp/2010/99/State%20of%20Utah%20AYP%20Report%20\(%20ID%2099%20-%20No.%20099%20Grades%203-8\).pdf?ts=1292357451485](http://u-pass.schools.utah.gov/u-passweb/pdfs/ayp/2010/99/State%20of%20Utah%20AYP%20Report%20(%20ID%2099%20-%20No.%20099%20Grades%203-8).pdf?ts=1292357451485).
- Grade 10 Language Arts and Grades 10 - 12 Math State reporting for participation and performance: [http://u-pass.schools.utah.gov/u-passweb/pdfs/ayp/2010/99/State%20of%20Utah%20AYP%20Report%20\(%20ID%2099%20-%20No.%20099%20Grades%2010-12\).pdf?ts=1292357451485](http://u-pass.schools.utah.gov/u-passweb/pdfs/ayp/2010/99/State%20of%20Utah%20AYP%20Report%20(%20ID%2099%20-%20No.%20099%20Grades%2010-12).pdf?ts=1292357451485).
- **CRT and UAA results (participation results will be added by July 15, 2011):**
http://www.schools.utah.gov/sars/DOCS/data/09-10crt_uaa_results.aspx

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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; and
- 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.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of 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) divided by the (106 of LEAs in the State)] times 100.

Definition of Significant Discrepancy and Methodology

Utah 618 Table 5 data on short and long-term suspensions and expulsions are collected annually from LEAs as required by OSEP. LEAs have a variety of internal systems for collecting and tracking data on suspensions and expulsions. Each LEA aggregates data and submits the data in written form to the USOE. Data correspond with USOE Federal 618 Discipline Data tables. There is continued collaboration with USOE Data Clearinghouse to ensure fidelity of data collection.

The method for identifying significant discrepancy that the State uses is one based on comparisons among LEAs within the State. Specifically, the definition of "Significant Discrepancy" is based on a significant difference from the statewide mean rate of suspension/expulsion of students with disabilities across all LEAs. The mean rate and the standard deviation were computed. Significant discrepancy was defined as two or more standard deviations above the mean. The mean suspension/expulsion rate was 0.4053%. The standard deviation was 0.01425%; two standard deviations are 0.0285%. **In order to be identified as having a significant discrepancy, an LEA has to have suspended at least 10 students.**

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	A. Reduce number of LEAs with significant discrepancies by 1%. Given that last year's rate was 0% this means that this year's target is 0% of LEAs will be identified with a significant discrepancy.

Actual Data for FFY 2009: 0%

Display 4-1: Percent of LEAs Identified with Significant Discrepancy for FFY 2009

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies	Percent
FFY 2009	106	0	0%

The target of 0% was met.

Please note that in 2008-09 (the year in which these data are based) there were 106 LEAs in the state. None of the LEAs were identified as having significant discrepancy. None of these LEAs were excluded from the analyses. None of these districts had a suspension rate that was two standard deviations above the state rate AND had suspended at least 10 students for more than ten days. The majority of districts suspended zero students. This does not mean that they were excluded from the analyses. This means that they are doing what they have been trained to do, and that is to find more student-centered ways of dealing with behavioral issues than suspensions and expulsions. (Note: the number of districts for Indicators 4A and 4B is 106; the number of districts for Indicators 9 and 10 is 112. This is because Indicators 4A and 4B are using 2008-09 data due to the data lag option.)

Review of Policies, Procedures, and Practices:

No districts or charter schools were identified with significant discrepancies in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; therefore, the State did not conduct a review of LEA policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. However, the State did develop a self assessment tool for LEAs to assess the continuum of behavioral supports for students struggling with emotional/behavioral difficulties, which some LEAs have elected to use proactively. This self assessment can be found in the Least Restrictive Behavioral Interventions Guideline.

Valid and Reliable Data:

Data are submitted in written form to the USOE by LEAs. Data correspond with USOE Federal 618 Discipline Data tables. Beginning in 2010-11 all required federal discipline data will be submitted through USOE Data Clearinghouse.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

FFY 2009 data indicate 0% of LEAs have a significant discrepancy with the suspension and expulsion of students with disabilities for greater than 10 days. For the past two years 0% of LEAs have been identified as having a significant discrepancy.

Correction of FFY 2008 Findings of Noncompliance:

With 0% of LEAs having a significant discrepancy with the suspension and expulsion of students with disabilities for greater than 10 days during FFY 2008, no correction was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.170(b) as per OSEP's 09-02 Memorandum, including examining data disaggregated by race and ethnicity and reviewing policies, procedures, and practices. Data were collected from State and Federal reports, on-site monitoring, or additional LEA data submissions (desk audits).

Discussion of Completed Improvement Activities:

Each activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activities Review form in order to determine its impact on indicator 4 (See Appendix C).

The following activities were completed FFY 2009:

1. Collaborate with USOE Data Warehouse to improve data collection. Assist with Education Data Exchange Network (EDEN) system coming online at USOE. Completed.

Result of this activity was that this activity has been discontinued. The USOE has gone in a new direction with regards to the USOE Data Clearinghouse.

2. Evaluate the results of activities from 2005-12 and determine additional activities based on those data. After review, this activity was deemed redundant. Completed.

The result of this activity was that this activity was deemed redundant. All activities are reviewed on a continuous basis during the FFY to inform professional development and budget decisions.

The following activities were completed and are ongoing FFY 2009:

1. Review and revise Statewide Assistance Team (SWAT) process for students with the most severe behavior difficulties to ensure enhanced local capacity of LEAs to effectively enable these students to succeed in school. Completed and ongoing.
 - Provided technical assistance and comprehensive professional development for staff working with individual students who exhibited patterns of problem behaviors. Involved was a process for functional behavioral assessment (FBA) and a support plan comprised of individualized, assessment-based intervention strategies including a continuum of practices such as: (1) guidance or instruction for the student to use new skills as a replacement for problem behaviors (2) some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged and (3) procedures for monitoring, evaluation and reassessing of the plan as necessary.

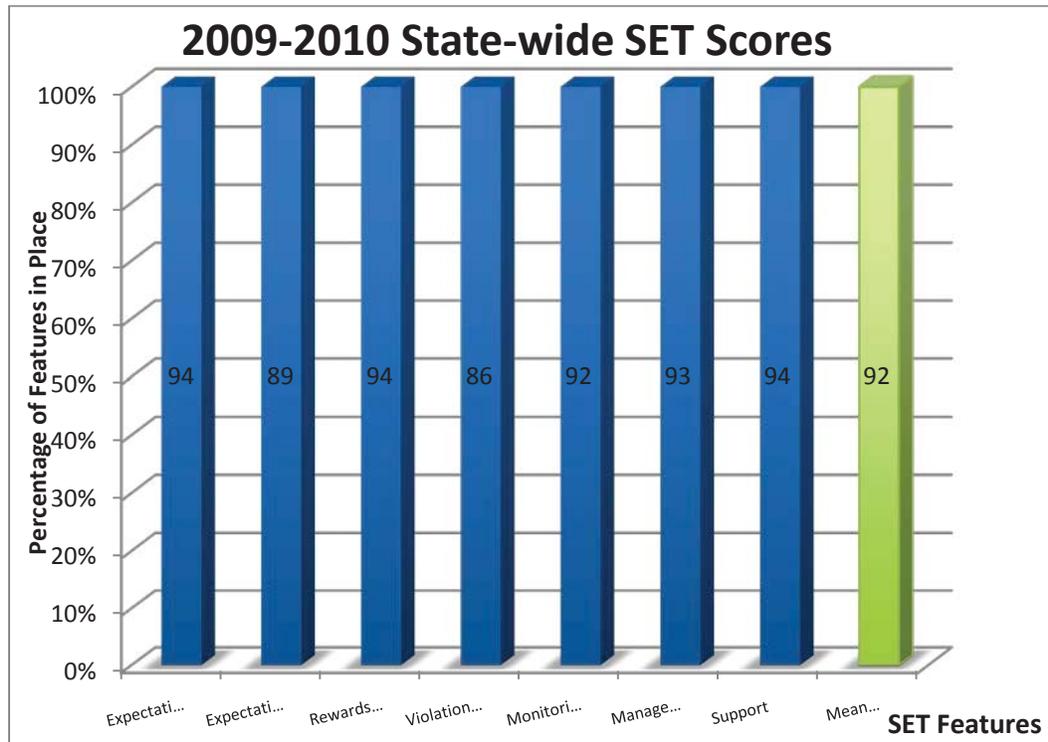
Results of this activity include technical assistance on behavioral interventions, comprehensive professional development for LEAs making a request, processes for functional behavioral assessments, and a support plan comprised of individualized intervention strategies.

2. Collaborate with USOE Comprehensive Guidance programs for at risk students. Completed and ongoing.
 - Through the continuous state level planning with regards to School Based Mental Health Services, Utah was chosen to host the 2012 National Conference on Advancing School Mental Health Services. The conference is sponsored by the University of Maryland School of Medicine in collaboration with the IDEA Partnership funded by the Office of Special Education Programs and the National Association of State Directors of Special Education.
 - The USOE Special Education Behavior/Mental Health Specialist was invited to participate as a member of the Mental Health-Education Integration Consortium (MHEDIC) to promote interdisciplinary collaboration and professional workforce preparation for the many disciplines involved in supporting student learning and mental health, including educators, mental health and health staff, families and youth, and advocates.
 - The USOE Special Education Behavior/Mental Health Specialist attended six statewide Student Service Directors meetings to collaborate on LEA discipline policies and procedures.

Results of this activity include greater intra-agency collaboration between departments housed within the USOE. In addition further steps towards a state level infrastructure to better address school based mental health services were completed.

3. The Academic Behavior and Coaching/Utah Behavior Initiative (ABC/UBI) in collaboration with identified LEAs to increase the promotion and implementation of Positive Behavioral Interventions and Supports (PBIS), Instructional School-Based Teams, and Response to Intervention (RtI) models. The ABC/UBI Initiative will result in increased behavioral and academic outcomes for IDEA eligible students. Completed and revised.
 - In 2009 the ABC/UBI Initiative assisted 17 LEAs in efforts towards the integration and implementation of Response to Intervention (RtI) and Positive Behavioral Interventions and Supports (PBIS).
 - School teams were trained in evidence-based principles of reading and behavioral support.
 - School teams completed a needs assessment and created goals based on needs results in the areas of reading, math, and social behavior support.
 - School teams held monthly meetings to review data and follow a problem solving process.
 - Schools involved with the ABC/UBI Initiative were required to conduct the School-wide Evaluation Tool (SET) once a year (Spring). The SET is designed to assess and evaluate the critical features of school-wide effective behavior support across each academic school year. The UBI project has maintained the percentage of target schools who are “high implementers” as demonstrated by SET results, consistent with elements required for systems change. (See Display 4.2)

Display 4-2: Level of Implementation with Fidelity

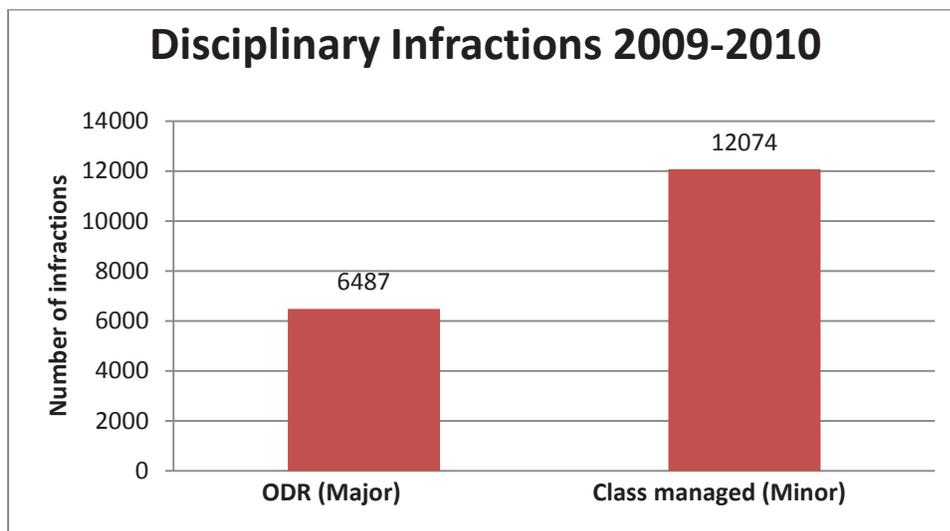


- The ABC/UBI Policy & Research Council gave technical assistance to allow large-scale implementation of both Statewide, and district-wide PBIS. Two Advisory Council meetings were held between September, 2008 and May, 2009 during which four major universities, the USOE, the Utah Personnel Development Center (UPDC) and LEA

leadership attended. Four project outcome goals were established during the meetings: (1) connect academic and behavioral instruction and intervention (e.g., RTI) (2) coach both classroom and systems level supports to increase fidelity of implementation for intervention and instruction (3) develop and expand fidelity checks for at-risk and high-risk behavioral needs (4) plan for sustainability for schools and continue implementation of school-wide PBIS.

- Nineteen UBI District Coaches provided additional LEA technical support for schools implementing PBIS and maintained fidelity of implementation commensurate with State guidelines. UBI district coaches participated in a coaching network, which included monthly meetings, electronic correspondence, list serve participation and conference attendance. Nine coaching network meetings were held between July, 2009 and June, 2010.
- Fifteen ABC/UBI LEA Leadership Teams coordinated implementation and sustainability efforts within their LEAs. The objective of the teams was to increase capacity in four primary areas: capacity, coaching capacity, evaluation, and coordination.
- The ABC/UBI LEA Leadership Teams met quarterly to establish a system of effective and efficient utilization of materials, personnel, and resources in the implementation of a three to five year action plan.

Display 4-3: Tracking of Office Discipline Referrals



Data indicates a decrease in the number of office discipline referrals (ODR) that could result in suspension or expulsion from school, as shown in Display 4-3.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators as related to behavioral supports and classroom instruction. Results include increased LEA participation and an increase in the number of school personnel trained and implementing PBIS which resulted in fewer office disciplinary referrals, better school climates as documented by ABC/UBI data, and greater knowledge of the RtI process.

4. Establish university partnerships for the purpose of program evaluation and curriculum development. Completed and ongoing.
 - As a result of the partnership with the University of Utah the development of the following curriculum was completed (Lessons 1-18). Superhero Social Skills is an eighteen-lesson social skills program that is implemented over eighteen or thirty-six weeks. It is designed to be taught in a small group format for children with high-functioning autism spectrum

disorders (ASDs). The program is designed to appeal to students without disabilities as well. The ideal group composition would include some students with ASD and some students without disabilities who already have adequate social skills.

- Through state-wide trainings conducted by USOE staff, a total of 750 Superhero Social Skills curriculums have been made available and are reported in use throughout the state.

Results of this activity include increased resources and materials at no cost for each LEA within the state, which resulted in more interventions for LEA staffs to use with students struggling with behavioral concerns.

Impact of completed and ongoing activities listed above:

Improvement activities resulted in an increase in LEA knowledge and capacity to address behavioral issues and application of policies, procedures, and practices. These activities have collectively resulted in the maintenance of a 0% rate of LEAs having a significant discrepancy in the rates of suspension/expulsion greater than 10 days in a school year.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 4 (See Appendix C).

Activities	Timelines	Resources	Justifications
<p>REVISED ACTIVITY #1 The ABC/UBI Initiative collaboration with identified LEAs to increase the promotion and implementation of Positive Behavioral Supports, Instructional School-Based Teams, and Responsiveness to Instruction Models. The ABC/UBI Initiative will result in increased behavioral and academic outcomes for IDEA qualified students.</p>	2009-2013	IDEA funds, USOE Educational Specialists, UPDC Staff	Activity revised to include student outcome statement.
<p>NEW ACTIVITY #2 Organize the state level Community of Practice Group focusing on school based mental health services.</p>	2010 through 2012	IDEA Discretionary Funds, USOE Comprehensive Guidance, USOE Special Education Behavior /Mental Health Specialist	New activity addresses needed school-based mental health services.

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	A. Reduce number of LEAs with significant discrepancies by 1%, for an overall reduction of 6% compared to baseline year.
2011 (2011-2012)	A. Maintain 0% of LEAs with significant discrepancy in rate of suspensions and expulsions of student with disability.
2012 (2012-2013)	A. Maintain 0% of LEAs with significant discrepancy in rate of suspensions and expulsions of student with disability.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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, and;
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	<p>A. The percentage of students with disabilities aged six through 21 inside the regular class 80% or more of the day will increase by 1% over previous school year, (FFY 2008 actual = 52.36%; FFY 2009 target = 52.36% +(52.36%*1%) = 52.88%</p> <p>B. The percentage of students with disabilities aged six through 21 inside the regular class less than 40% of the day will decrease by 1% over previous school year,(FFY 2008 actual = 15.33%; FFY 2009 target = 15.33% -(15.33%*1%) =15.18%</p> <p>C. The percentage of students with disabilities aged six through 21 in separate schools, residential placements or homebound or hospital placements will decrease by 0.1% over previous school year, (FFY 2008 actual = 3.23%; FFY 2009 target = 3.23% - (3.23%*0.1%) = 3.23%</p>

Actual Data for FFY 2009

- A. 53.58%**
- B. 15.06%**
- C. 3.06%**

Display 5-1: Percent of Students with Disabilities in Various Settings

	5A	5B	5C
Target	52.88%	15.18%	3.23%
Total number of students	59,102	59,102	59,102
Number of students in this setting	31,666	8,902	1,807
Percentage of students in this setting	53.58%	15.06%	3.06%
Met Target	Yes	Yes	Yes

The target of 52.88% for 5A was met.

The target of 15.18% for 5B was met.

The target of 3.23% for 5C was met.

Indicator 5 data are based on the 618 data as required by IDEA.

Valid and Reliable Data:

December 1 Child Count and Environment data are submitted electronically to the USOE Data Clearinghouse by LEAs. The data are then returned to the LEAs for verification. Data go through an error check system at the USOE Data Clearinghouse to ensure annual accuracy and consistency of the data. Data analysis is conducted by various USOE staff members to ensure data are reported accurately. The consistency of data from year to year serves as an additional validation.

Explanation of Progress or Slippage that Occurred for FFY 2009 (2009-10):

As noted in Display 5-2, from FFY 2004 to FFY 2009 significant progress has been made on the percentage of students with disabilities served inside the regular classroom 80% or more of the day. The significant progress that has been made over time in 5A is attributed to the strong collaboration at the SEA and LEA levels between general education, Title 1, comprehensive guidance, and special education in the areas of shared targeted professional development, discretionary grant opportunities, and development of tiered instruction framework documents.

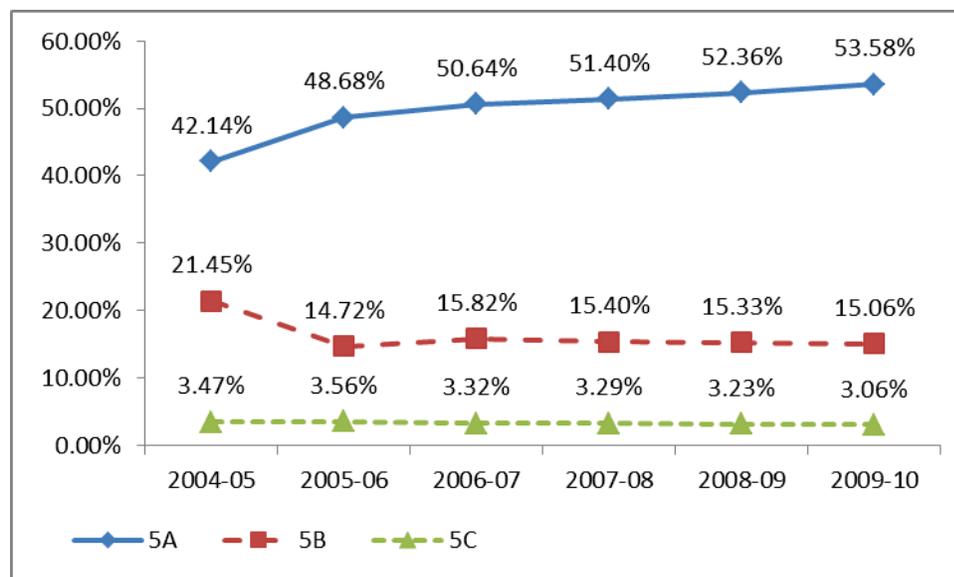
Progress has also been made on the percentage of students with disabilities served inside the regular classroom less than 40% of the day. The progress made in 5B is mainly due to providing various professional development avenues for administrators, general educators, special educators, and school counselors on strategies to support students with autism in the LRE.

The continued decrease of the percentage of students with disabilities in 5C over four years is attributed to the continuing effort of the USOE, Utah Schools for the Deaf and the Blind (USDB), and LEA partners in the clarification of roles, responsibilities, child find activities, and professional development in targeted instruction and interventions.

Display 5-2: Percent of Students with Disabilities in Various Settings

Setting	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
Number of students with disabilities	52,619	53,064	53,569	55,043	56,718	59,102
5A. Inside the regular class 80% or more of the day	42.14% (N=22,174)	48.68% (N=25,830)	50.64% (N=27,129)	51.40% (N=28,291)	52.36% (N=29,698)	53.58% (N=31,666)
5B. Inside the regular class less than 40% of the day	21.45% (N=11,289)	14.72% (N=7,809)	15.82% (N=8,472)	15.40% (N=8,478)	15.33% (N=8,695)	15.06% (N=8,902)
5C. Served in public or private separate schools, residential placements or homebound or hospital places	3.47% (N=1,826)	3.56% (N=1,893)	3.32% (N=1,780)	3.25% (N=1,787)	3.23% (N=1,836)	3.06% (N=1,807)

Display 5-3: Percent of Students with Disabilities in Various Settings



The progress that has occurred over time in 5A, 5B, and 5C is highly attributed to the collaboration at the USOE and LEA levels between general and special education educators. The continuous informal and formal interaction and collaborative professional development activities have enhanced the working relationships of general and special educators and have aligned goals for the success of all students.

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 5 (See Appendix C).

The following activities were completed FFY 2009:

1. Collaborate with Comprehensive Guidance to provide professional development to educators on behavior management strategies and targeted interventions to ensure LRE for students with disabilities. Completed, combined, and revised.
 - Behavior coaches provided professional development to general and special educators on Utah's Academic, Behavior, Coaching/Behavior Initiative (UBI), incorporating positive school-wide behavior strategies.
 - 87 schools
 - 14 school districts
 - 1 charter school

Results of these activities include the provision of a framework consistent with research based interventions and valid, reliable behavior tools for behavior management strategies to ensure LRE for students with disabilities, thus contributing to an improvement in Indicator 5 data.

2. Evaluate the results of activities and determine additional LRE needs based on those data. Completed.

Results of this activity provided the opportunity to assess the timeliness and relevance of all activities in the improvement of Indicator 5 data. The review resulted in the addition of one new activity.

3. Coordinate and collaborate with partner districts and target schools to implement Response to Intervention through Positive Behavioral Support, tiered literacy, and Math Academic, Behavior, and Coaching/Behavior and Utah Behavior Initiatives (ABC-UBI). Completed, combined and revised.
 - Fifteen school teams were identified as target schools to implement ABC-UBI initiatives.
 - School teams were trained in evidence-based principles of reading and behavior support.
 - School teams completed a needs assessment and created goals based on the needs assessment in the areas of Reading, Math, and social behavior support.
 - School teams participated in monthly meetings to review data to help inform instruction/interventions.
 - School teams entered online school-wide data to provide support for instruction and intervention professional development in the areas of Math and Language Arts.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research based instruction/intervention and assessments in the area of math and language arts to support LRE.

The following activities were completed and ongoing FFY 2009:

1. Provide technical assistance to LEAs on data collection. Completed and ongoing.
 - Technical assistance was provided to LEA special education directors in state-wide meetings.
 - Professional development was provided to new charter school data managers and new LEA special education directors.

Results of this activity enabled new and existing LEAs to collect consistent, valid, and reliable data as documented through the USOE verification process.

2. Collaborate to provide state-wide conferences for all educators regarding classroom management, instruction, school-wide, and targeted interventions to support students in LRE. Completed and ongoing.

- State-wide professional development, in collaboration with general education and Title I, was provided in the following areas:
 - Response to Intervention (RTI)
 - DIBELS, progress monitoring, screening
 - Assessments, informal and formal
 - Interventions for struggling readers
 - Behavior strategies
 - Tiered instruction
 - English Language Learners (ELL) instruction
 - Math and Science instructional strategies
- Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators; totaling 10,912 participants.

Results of these activities include increased interaction and collaboration between general and special educators during overlapping training for educators participating in professional development as documented by attendance records. The state-wide professional development enabled educators to be provided with and to have access to research based instruction and intervention materials for implementation to support students in LRE, as documented by an improvement in Indicator 5 and Indicator 4 data.

3. Collaborate on program development of tiered instruction for all educators to support students in LRE. Completed and ongoing.
 - A tiered instruction framework was developed to support students in LRE.
 - Special educators and general educators annually review and recommend instruction/intervention materials for classroom teachers.
 - USOE staff participated with CORE Academy leaders to develop instructional goals for Math and Science.
 - Instruction/intervention materials were listed on the USOE website and in the 3-Tier reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research based instruction/intervention and assessments in the area of Math and Science to support LRE.

4. Provided IDEA discretionary funds to LEAs to enhance services for students in LRE. Completed and ongoing.
 - LEAs were awarded an average of \$5000 each to create and maintain collaboration with general education in literacy instruction for all students.

Results of this activity include enabling LEAs to tailor professional development needs based on local student data, increased collaboration between general education, special education, and Title I at the LEA level as documented through evaluation data reported by LEAs and LEA attendance records.

5. Provided to LEAs, a summary of LRE data to be used in self-assessment and verification portions of the UPIPS monitoring process. Completed and ongoing.
 - LEAs were provided a summary of LRE data for self-assessment and verification portions of the UPIPS monitoring system.
 - LEA data were compared to the State data.
 - USOE reviews LRE data annually through the monitoring Desk Audit.

Results of these activities include an increased knowledge base and incentives for LEAs to utilize their individual LRE data to develop professional development activities in instruction/intervention, disproportionality, and data collection, entry and use. These activities

increased the collaboration between LEAs and the USOE to improve LRE as documented in this APR.

6. Provide universal access to web-based autism training modules, and design and implement professional development for administrators, general educators, special educators, and counselors on strategies for supporting students with autism in general education environments. Completed and ongoing.
 - Provided strategies for delivering instruction using student’s unique learning strengths and cognitive styles to LEAs.
 - Provided strategies for creating low-stress and low-anxiety producing physical environments, including positive behavior supports and anti-bullying techniques to LEAs.
 - Provided professional development activities to LEAs which include access to the following web-based training located at <http://www.updc.org/autism/> :
 - Autism Internet Training Modules
 - Autism Monograph Edition of the Utah Special Educator Journal
 - Foundations of Autism Conference podcasts and handouts
 - Joint Attention Assessment
 - Autism Eligibility podcast and handouts
 - Instructional Programming Standards for students with autism including: (1) National Professional Development Center on Autism Spectrum Disorders (2) Autism National Standards Project (3) Educating Children with Autism

Results of these activities increased the knowledge base of education personnel in providing support for students with autism in the LRE as documented by the improvement of the data in Indicator 5B.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 5. Improvement activities resulted in consistent LEA data, improved professional development, and an increase of students with disabilities being educated with their non-disabled peers, and increased collaboration between general and special educators in providing services to students with disabilities.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 5 (See Appendix C).

Activities	Timelines	Resources	Justifications
REVISED ACTIVITY #1 (Combined #1 & #3) The ABC/UBI Initiative is a collaboration with identified LEAs to increase the promotion and implementation of Positive Behavioral Interventions and supports (PBIS), Instructional School-Based teams and Response to Instruction (RTI) models. The ABC/UBI Initiative will result in improved behavioral and	FFY 2010-2013	USOE Staff, UPDC Staff, IDEA Discretionary Funds	After review, activities one and two were revised to reflect more accurately the activities that will impact both behavioral and academic outcomes for students with disabilities.

academic outcomes for IDEA qualified students.			
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Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	<p>A. The percent of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day will increase 1% over previous school year.</p> <p>B. The percent of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day will decrease by 1% over previous school year.</p> <p>C. The percent of children with IEPs aged 6 through 21 in separate schools, residential facilities, or homebound/hospital placements will decrease by 0.1% over previous school year.</p>
2011 (2011-2012)	<p>A. The percent of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day will increase 1% over previous school year.</p> <p>B. The percent of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day will decrease by 1% over previous school year.</p> <p>C. The percent of children with IEPs aged 6 through 21 in separate schools, residential facilities, or homebound/hospital placements will decrease by 0.1% over previous school year.</p>
2012 (2012-2013)	<p>A. The percent of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day will increase 1% over previous school year.</p> <p>B. The percent of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day will decrease by 1% over previous school year.</p> <p>C. The percent of children with IEPs aged 6 through 21 in separate schools, residential facilities, or homebound/hospital placements will decrease by 0.1% over previous school year.</p>

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 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.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. Positive social-emotional skills (including social relationships):

- a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

If a + b + c + d + e does not sum to 100%, explain the difference.

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):

- a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

Summary Statement 1: Of those preschool children who entered 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.

- a. Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

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

- a. Percent = # of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e) divided by [the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Measurable and Rigorous Targets			
FFY 2009 (2009-2010)	Positive Social-Emotional Skills	Acquiring and Using Knowledge and Skills	Taking Appropriate Action to Meet Needs
1. Of those preschool children who entered 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.	95.09%	93.20%	93.91%
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.	52.92%	48.70%	67.20%

Target Data and Actual Data for FFY 2009:

Display 7-1: Targets and Actual Data for Preschool Children Exiting in FFY 2009 (2009-10)

FFY 2009 (2009-2010)	Positive Social-Emotional Skills		Acquiring and Using Knowledge and Skills		Taking Appropriate Action to Meet Needs	
	Target	Actual	Target	Actual	Target	Actual
1. Of those preschool children who entered 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.	95.09%	94.00%	93.20%	94.10%	93.91%	93.68%
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.	52.92%	52.73%	48.70%	51.84%	67.20%	67.97%

Three of the six targets were met as indicated in bold.

Display 7-2 shows the total number and percentage of children in each progress category as well as the results of the summary statement calculations. These data represent a census count rather than a sample.

Display 7-2: Number and Percentage of Children in Each Progress Category and Summary Statement Calculations for Preschool Children Exiting in FFY 2009 (2009-10)

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	15	1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	134	5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1,129	42%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,205	45%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	221	8%
Total	N= 2,704	101% *
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	22	1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	128	5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1,152	43%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,244	46%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	158	6%
Total	N= 2,704	101% *
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	23	1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	121	4%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	722	27%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,415	52%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	423	16%
Total	N= 2,704	101% *

*In each section the total of 101% is due to rounding (especially in the categories with less than 1%).

Valid and Reliable Data:

In this fourth year of the USOE's data collection process, the USOE has succeeded in obtaining complete data on all preschool students. Over the past four years, the USOE has provided detailed professional development to the LEAs on how to combine data from multiple sources in order to make accurate ratings on the Utah Preschool Outcomes Data (UPOD) summary form.

- Policies and procedures to guide measurement practices:
 - The UPOD Student Summary form is a state-wide form that is used by each district to determine student ratings and document data sources and team members. The UPOD form is to be kept in a student's file until exiting the preschool program. (The form has been renamed but the process and definitions are the same as developed by the ECO Center.)
 - LEAs submitted a list of data sources that may be used to collect and report data to the Utah State Office of Education. This documentation is kept with the Utah Program Improvement Planning System (UPIPS) monitoring off-site data information.
 - A team of personnel working with the student determines student ratings on each UPOD outcome using the rubric developed and defined by the ECO Center.
 - Scores of six and seven on the UPOD (ECO-COSF) scale define typical or same age peers.
 - There are two points of data collection. Data collection periods occur within six weeks of eligibility and when the student exits the preschool special education program.
 - The USOE began collection of Exit Data in FFY 2006. Data are collected from all students who exit the preschool special education program if the student is in the program at least six months.
 - Since there are seven points on the UPOD rating scale, data are translated using the ECO Decision Tree and ECO calculator, to reflect the five OSEP categories.
 - LEAs report entry and exit data annually by June 30th to the Utah State Office of Education.

Explanation of Progress or Slippage that Occurred for FFY 2009 (2009-10):

As noted in Display 7-3, from FFY 2007 to FFY 2009, results tend to show the highest scores were obtained in 2007-08. However, 2007-08 represented a year in which not all LEAs were submitting data; thus, it is not a good baseline. When comparing 2009-10 to 2008-09 (the true baseline) results, the data indicate that scores slightly decreased for Positive Social-Emotional Skills; scores increased for Acquiring and Using Knowledge and Skills; and scores maintained or slightly increased for Taking Appropriate Action to Meet Needs.

However, even in the areas where there was a slight decrease in scores, more than 93% of students substantially increased their rate of growth by the time they exited. Furthermore, over half of students were functioning at a level comparable to same-aged peers by the time they exited the program.

Results will be posted in the SPP and APR on the USOE website so that data can be examined by school districts to look for any areas of strengths or concerns. School districts are also provided an individual summary of their results on each indicator.

Display 7-3: Summary Statement Results Over Time

	Positive Social-Emotional Skills			Acquiring and Using Knowledge and Skills			Taking Appropriate Action to Meet Needs		
	FFY 2007-08	FFY 2008-09	FFY 2009-10	FFY 2007-08	FFY 2008-09	FFY 2009-10	FFY 2007-08	FFY 2008-09	FFY 2009-10
Number of Children:	1,444	2,543	2,704	1,444	2,543	2,704	1,444	2,543	2,704
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	96.0%	95.0%	94.0%	95.4%	93.2%	94.1%	95.1%	93.9%	93.6%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	54.2%	52.9%	52.7%	52.2%	48.7%	51.8%	69.5%	67.2%	67.9%

Discussion of Completed Improvement Activities FFY 2009:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 7 (See Appendix C).

The following activities were completed FFY 2009:

1. State data indicates the possibility that several LEAs may need additional training or information on Categories A and B. Completed.
 - The USOE reviewed Indicator 7 related data and determined LEAs in need of additional professional development, which was then provided.

Improvement activities resulted in the analysis of State data and resulting provision of professional development.

The following activities were completed and ongoing FFY 2009:

Utah continues to provide training on the Preschool Outcomes process to ensure the reliability of data. It is a priority to continually explore ways to make the reporting of data more user friendly as well as ensuring data reliability.

1. Provide professional development on the UPOD process. Completed and ongoing.
 - Professional development was provided to 10 school districts.

Improvement activities resulted in increased statewide professional development activities and USOE/LEA file monitoring for Indicator 7, which in turn increased school district staff knowledge and compliance with the requirement to test for three preschool outcomes on all preschool students with disabilities. It also identified that professional development must be ongoing. The activity improved the overall understanding of how and why preschool outcomes data must be collected to ensure better outcomes for students.

2. Continue to update the UPOD process. Completed and ongoing.
 - Updated USOE website with newest UPOD information.
 - Developed new materials to support the UPOD process.

- During the FFY 2008 APR period, a revised UPOD form was developed and reviewed by stakeholders. During the FFY 2009, the form was piloted by some school districts and will be fully implemented in FFY 2010.

Improvement activities resulted in ongoing professional development, improved data validity, and LEA access to current information and resources that are provided through ECO Center or developed through the State.

3. Monitor selected school districts on the UPOD process yearly. Completed and ongoing.
 - Used monitoring data and yearly reporting to identify specific training needs.

Improvement activities resulted in increased state-wide professional development activities and USOE/LEA file monitoring for Indicator 7, which in turn increased LEA staff knowledge and compliance with the requirement to test for three preschool outcomes on all preschool students with disabilities. It also identified that professional development must be ongoing. The activity improved the overall understanding of how and why preschool outcome data must be collected to ensure better outcomes for students.

4. Link with the ECO Center for additional resources and technical assistance. Completed and ongoing.
 - Participated in conference calls with ECO.

Improvement activities resulted in the USOE and Utah school districts receiving current information and resources provided through the ECO Center or developed through the State.

5. Develop a new system to collect student outcome data.
 - Used ECO calculator to collect data.
 - Started to develop a web-based system to collect data.

Results of this activity are that a web-based data collection system was developed and will be used in FFY 2010 for school districts to submit UPOD data electronically.

Measurable and Rigorous Targets:

Display 7-4: Targets

	Positive Social-Emotional Skills			
	FFY 2009	FFY 2010	FFY 2011	FFY 2012
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	95.09%	94.00%*	94.05%	94.10%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	52.92%	52.74%*	53.24%	53.74%
	Acquiring and Using Knowledge and Skills			
	FFY 2009	FFY 2010	FFY 2011	FFY 2012
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they	93.20%	93.25%*	93.30%	93.35%

exited.				
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	48.70%	49.20%*	49.70%	50.20%
	Taking Appropriate Action to Meet Needs			
	FFY 2009	FFY 2010	FF Y2011	FFY 2012
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	93.91%	93.69%*	93.74%	93.79%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	67.20%	67.70%*	68.20%	68.70%

* These targets have been revised FFY 2009.

The original targets were based on one year's worth of data and based on state rates that were missing data from two school districts. In setting targets based on only one year's worth of data, the process is more of an art than a science. However, as more data points are collected, the process of setting targets becomes more of a science than an art. Thus, given that in 2009-10, the USOE now had two years' worth of data and given that the second year was based on all LEAs' data, the USOE is proposing a slight change in the 2010-11 targets and is also setting targets for FFY 2011 and FFY 2012. All targets in 2012-13 are higher than those in 2010-11.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Justifications
1. State Data indicates the possibility that several LEAs may need additional training or information on Categories A and B. <ul style="list-style-type: none"> Use data to determine LEAs in need of additional training or information. 	2006-2010 Completed FFY 2009	619 Coordinator	This was specific data from 2008 which professional development was completed. Professional development on the UPOD process is an ongoing activity.

Measurable and Rigorous Targets:

Positive Social-Emotional Skills	FFY 2009 (2009-2010)	FFY 2010 (2010-2011)	FFY 2011 (2011-2012)	FFY 2012 (2012-2013)
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	95.09%	94.00%*	94.05%	94.10%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	52.92%	52.74%*	53.24%	53.74%

Acquiring and Using Knowledge and Skills	FFY 2009 (2009-2010)	FFY 2010 (2010-2011)	FFY 2011 (2011-2012)	FFY 2012 (2012-2013)
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	93.20%	93.25%*	93.30%	93.35%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	48.70%	49.20%*	49.70%	50.20%
Taking Appropriate Action to Meet Needs				
Taking Appropriate Action to Meet Needs	FFY 2009 (2009-2010)	FFY 2010 (2010-2011)	FFY 2011 (2011-2012)	FFY 2012 (2012-2013)
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	93.91%	93.69%*	93.74%	93.79%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	67.20%	67.70%*	68.20%	68.70%

* These targets were revised FFY 2009

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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.
(20 U.S.C. 1416(a)(3)(A))

Measurement:

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	Increase from previous year by 0.1% regarding the 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. Thus, the target is 87.42%. (Last year's rate was 87.33%. $87.33\% + (87.33\% \cdot 0.1\%) = 87.42\%$)

Actual Data for FFY 2009: 87.24%

Display 8-1: Percent of Parents who Report that the School Facilitated Their Involvement

	FFY 2009
# of parents who returned a survey	666
# of parents who report that the school facilitated their involvement	581
% of parents who report that the school facilitated their involvement	87.24%

The target of 87.42% was not met.

The USOE employed a sampling methodology as approved by OSEP in December, 2007 to gather data for this indicator. The sampling methodology is based on the monitoring cycle. Data on this indicator were collected from those LEAs in year two of the monitoring cycle during 2009-2010 plus three LEAs that have an enrollment of more than 50,000 students. A stratified random sample of LEAs is included in each year of the monitoring cycle. In assigning LEAs to the monitoring cycle, LEAs were stratified by student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique conformation of Utah's 41 school districts, there are three school districts of 50,000+ students (prior to this year there had been four, but one of the school districts split). The three large LEAs will be sampled each year for this indicator. Each of the five cohorts includes school districts of large, medium, and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum.

Parents of students within each of these selected LEAs were then sampled. The sampling was completed at the LEA level. A sample of students with disabilities was randomly selected from each of the selected LEAs. The number of students chosen was dependent on the number of total students with disabilities in an LEA. The sample sizes selected ensured roughly similar margins of error across the different LEA sizes. For those LEAs for which a sample was chosen, the population was stratified by gender, race/ethnicity, primary disability, and grade level to ensure representativeness of the resulting sample. When calculating the state-level results, responses were weighted by the students with disability population size (e.g., an LEA that has four times the number of students with disabilities as another LEA will receive four times the weight in computing overall state results).

A sample of 2,810 students was selected. A questionnaire was mailed to the parents of these 2,810 selected students; 666 parents responded for a response rate of 23.7%. A copy of the Parent Survey used is included in Appendix B.

The “Parent Involvement Percentage” (i.e., the percent of parents who report that the school facilitated their involvement), is based on 11 of the 37 survey items. Parents who answer positively to 70% or more of these 11 items are said to have met the indicator. Display 8-2 shows the subset of questions used to collect these data. The parents who responded included parents of preschool-aged children, as well as parents of K-12 students. Thus, the parent involvement percentage score includes parents of children ages 3-21. The additional information received from the remaining survey items is used to guide local and State program improvement efforts.

Display 8-2: Questions Used to Collect Indicator 8 Data

Question Number	Question
1	Did you receive a copy of your procedural safeguards (parent's rights)?
3	If you speak a language other than English, does the school communicate with you in that language?
6	Did the evaluation team listen to and consider your input?
7	Were you invited to a meeting to discuss the results of your child's evaluation?
8	Was the IEP meeting scheduled at a mutually agreeable time?
14	Did the team ask for and consider your input on goals for your child's IEP?
26	Do you receive periodic reports on your child's progress toward IEP goals?
34	Does the school provide the information you need to have a positive effect on the quality of your child's program (i.e., frequent communication)?
35	Does the school facilitate opportunities for you to provide input about your child's education other than at IEP meetings (i.e., receptive to input)?
36	Is there a school-home communication system in place that provides you the opportunity to exchange important information about your student as often as necessary?
37	Does your school encourage your involvement as a means of improving services and results for your child with disabilities?

Valid and Reliable Data:

The results are reliable and valid because, first of all, a representative sample of LEAs and parents were chosen to complete the survey. Secondly, the representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of the entire sample. This comparison indicates the results are generally representative by gender, race/ethnicity, age of student, and disability. Parents of Caucasian students (24%) were slightly more likely to respond than parents of Hispanic students (13%). Further, parents of students with an emotional disturbance and parents of students with a speech language impairment were slightly less likely to respond (19% and 18%, respectively) than parents of students with other disabilities (27%). However, even given these differential response rates, a large enough number of parents from each demographic group responded to the survey in order to arrive at an overall State score that is

representative of all students in the sample and in the population. Response rates varied somewhat by LEA, but the results were weighted to take into account both the differential response rate and the differential sampling weights.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

As indicated in Display 8-3, the percentage of parents who said that the school facilitated their involvement was about the same as the percentage in FFY 2008, but higher than the percentage in FFY 2006 and FFY 2007. The FFY 2009 results are lower than the FFY 2005 baseline results. FFY 2006 results were disaggregated to attempt to determine the reason for the decrease between FFY 2005 and FFY 2006. Data were disaggregated by gender, primary disability category, age, LEA, and race/ethnicity. In most all categories, the results decreased from FFY 2005 to FFY 2006, so the decrease could not be isolated to one or two groups of parents. Follow-up activities with the LEAs have been taking place each year since FFY 2006 to ensure that they are making a concerted effort to involve parents in planning their student’s special education services. The steady increase in the parent involvement percentage from FFY 2006-2008 is promising. However, the slight decrease in 2009 will be examined to determine and address the slippage. Follow-up activities with the LEAs will continue.

Display 8-3: Percent of Parents who Report that the School Facilitated their Involvement as a Means of Improving Services and Results for Children with Disabilities over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
# of parents who returned a survey	593	736	797	774	666
# of parents who report that the school facilitated their involvement	540	615	679	676	581
% of parents who report that the school facilitated their involvement	91.14%	83.59%	85.2%	87.3%	87.2%

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 8 (See Appendix C).

The following activities were completed FFY 2009:

1. Establish and publish performance objectives for the items which fall below the State average or target. Completed.

Results of this activity were time-consuming but were not found to have been particularly useful. Therefore, the activity has been folded into Activity #4.

The following activities were completed and ongoing FFY 2009:

1. Administer parent survey, collect, record, and aggregate data from parent survey, and compare data collected to sampling plan to ensure adequate sample size and address issue of non-responders, if applicable, through follow-up phone surveys with some non-responders. Completed and ongoing.
 - The parent survey was disseminated to selected parents during the spring of 2010.
 - Responses were collected by mail until September, 2010.
 - Survey responses, when received by mail through September, 2010, were scanned into an Excel database, which was designed to record all responses by responders, as well as data regarding the responder’s LEA and student demographics.
 - USOE support staff was trained in the data input process as well as in confidentiality procedures.

- Data were randomly verified by a second USOE support staff member.
- Characteristics of respondents were compared to characteristics of non-respondents to ensure representativeness of respondents. Response rates were examined by LEA to make sure an adequate number of respondents from each LEA responded.

Results of this activity suggest that the survey results were accurately recorded and are representative of all parents of students with disabilities in the State. The data are being used by USOE and LEA staffs to determine and apply strategies for improvement, as documented by parent survey results and meeting agendas.

2. Analyze data to determine areas that need improvement and areas of commendation. Report data results to LEAs annually. Completed and ongoing.
 - Data are disaggregated annually by LEA, gender, primary disability, ethnicity, and age.
 - Strategies were disseminated to LEAs needing improvement. Strategies were also posted on the USOE website for LEA use to determine what types of improvement activities can take place at the local level.
 - Results were included in each LEA APR data report, which was included with the LEA determination letter on April 20, 2010.
 - Results were also discussed with LEAs during the March, 2010 statewide special education directors' meeting giving LEAs an opportunity to ask questions and verify the results.

Results of this activity include USOE and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning to address the needs indicated by the data, as documented by agendas, discussions with special education directors, and survey results.

3. Facilitate a focus group of LEAs and Utah Parent Center personnel to determine effective maintenance strategies, effective practices, and areas for improvement. Completed and ongoing.
 - A focus group was held on November 3, 2010 which included representatives from seven LEAs (including representatives from three large districts of +50,000 students), three parents from the Utah Parent Center, representatives from the USOE (special education and charter schools), and personnel from the Utah Personnel Development Center.
 - The focus group reviewed results by State and LEA and discussed strategies for improvement for each identified area.

Results of this activity include USOE, Utah Parent Center, and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning strategies to address the needs indicated by the data, as documented by agendas, discussions with special education directors, strategies manual, and survey results.

4. Disseminate effective maintenance strategies and effective practices to LEAs. Completed and ongoing.
 - Information was disseminated from the focus group to LEAs during State meetings.

Results of this activity include USOE, Utah Parent Center, and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning strategies to address the needs indicated by the data, as documented by agendas, discussions with special education directors, strategies manual, and survey results.

5. Report data analysis results to Utah Parent Center annually. Completed and ongoing.
 - Results were provided to the Utah Parent Center in March, 2010.
 - A focus group was held which included representatives from seven LEAs (including representatives from three large districts of +50,000 students), three parents from the

Utah Parent Center, representatives from the USOE (special education and charter schools), and personnel from the Utah Personnel Development Center.

- The focus group reviewed results by State and LEA and determined strategies for improvement for each identified area.

Results of this activity include Utah Parent Center staff, when presented with State and LEA data, discussing, observing trends, and planning to address the needs indicated by the data, as documented by agendas and discussions with Utah Parent Center staff.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 8. Improvement activities resulted in accurate data collection and reporting, increased State and LEA personnel development activities, and increased discussion between USOE and LEA staff regarding areas needing improvement and strategies for improvement; thereby resulting in improved services for students with disabilities in the LEA and State.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 8 (See Appendix C).

No new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	Increase from previous year by 0.1% regarding the 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.
2011 (2011-2012)	Increase from previous year by 0.1% regarding the 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.
2012 (2012-2013)	Increase from previous year by 0.1% regarding the 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.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionate Representation

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.

(20 U.S.C. 1416 (a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	The percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%.

Actual Data for FFY 2009: 0%

Display 9-1: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	Under- representation	Over- representation
Total # of LEAs	112	112
# of LEAs flagged for disproportionate representation	0	1
% of LEAs flagged for disproportionate representation	0%	0.89%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	0
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.0%	0.0%

The target of 0% was met.

The USOE collects data for Indicator 9 through the State December 1 Special Education Child Count (618 data). The USOE calculates a Weighted Risk Ratio based on the identification rate for each racial/ethnic group at each LEA. Thus, all data for all racial/ethnic groups in the State are examined. A "Final" Risk Ratio (based on the Weighted Risk Ratio) is determined only if there are 10 or more students in the group of interest (based on child count data) and if there are also 10 or more students in the comparison group.

Prior to FFY 2008, if there were at least 10 students in the group of interest but fewer than 10 students in the comparison group, then an Alternate Risk Ratio (ARR) was used. The ARR served to compare the

LEA's identification rates with the identification rates of the State as a whole. However, there are LEAs that have unique situations, particularly the smaller LEAs where the ARR was most typically used, and thus, many of the flagged ARR were not a reflection of any inappropriate identification practices occurring, but rather a reflection of small numbers of students in various racial/ethnic groups in these small LEAs. (This conclusion was reached after two years of using the ARR and investigating all ratios above 3.00.) Therefore, the ARR is no longer being used for Indicator 9 starting with FFY 2008.

For indicator 9, 112 LEAs are included in the analyses. Of these 112 LEAs, 49 met the minimum requirements at least one time for a Final Risk Ratio to be calculated (for each LEA, in theory, five risk ratios could be calculated—one for each racial/ethnic group). Please note that many LEAs in Utah have between 0-5 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: the number of LEAs for Indicators 4A and 4B is 106; the number of LEAs for Indicators 9 and 10 is 112. This is because Indicators 4A and 4B are using 2008-09 data due to the data lag option.)

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above (over-representation) or 0.30 or below (under-representation). Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

Display 9-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Final Risk Ratio (Weighted Risk Ratio)
Over-Representation	3.00 and up
Under-Representation	0.30 and below

During FFY 2009, there was only one LEA flagged as having a Weighted Risk Ratio above the cut score of 3.00, (however, no disproportionate representation was found to be occurring in the LEA that was flagged.) There were no LEAs flagged as having a Weighted Risk Ratio below the cut score of 0.30.

Valid and Reliable Data:

The December 1 Child Count data have proven over time to be the most accurate of the USOE data collections in the Data Clearinghouse. The Edit Checks at entry into the Clearinghouse database require the school districts and charter schools to have carefully reviewed their own data before submission. Error checks send the data back to the LEA for correction. After the errors have been corrected, and the data are received, a sign off sheet from each LEA is required to verify accuracy of their Child Count. When LEAs are flagged for possible over-representation or under-representation, the USOE notifies each LEA with suspected disproportionate representation in writing with a copy of the annual LEA data used in making the decision and requests that the LEA submit policy and procedure documents within 10 days of receipt of the letter. The State then reviews the policy and procedure documents and the practices of the LEA which was previously accomplished only through the State's monitoring process.

If, after reviewing the LEA's policy and procedure documents and the LEA's practices, there is a finding of disproportionate representation, the LEA will be asked to submit additional off-site data for review and/or to revise policies, procedures, and practices identified as inappropriate and publicly post the revisions by June 30th of that year.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-2010):

As indicated in Display 9-3, the State of Utah maintained a 0% disproportionate representation rate. Thus, for five years, zero LEAs have had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.

Please note that in 2005-06, different cut-scores were used to flag LEAs for disproportionate representation. A cut-score of 1.5 was used for over-representation; a cut-score of 0.5 was used for under-representation. This is the reason for the larger number of LEAs flagged in 2005-06 than in subsequent years. The State determined that such a low cut-off score in 2005-06 was resulting in many false positives. In fact, none of the LEAs that were flagged had faulty identification policies, procedures, or practices; the conclusion of all investigations was that the LEAs were making appropriate identifications. Often the finding of a risk ratio falling between 1.5 and 2.5 was due to small numbers of students in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any policies, procedures, or practices of the LEA. Therefore, the State changed the cut-scores as indicated. However, in all years, none of the flagged LEAs were deemed as having inappropriate identification procedures.

Correction of Previous Year's Noncompliance:

With zero LEAs having disproportionate representation in FFY 2008 due to inappropriate identification, evaluation, and placement of students with disabilities of all ethnicities, no correction was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.173, §300.111, §300.201, and §300.301-§300.311 as per OSEP's 09-02 Memorandum, including the presence and implementation of policies, procedures, and practices designed to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities, ensure child find, and conduct appropriate evaluations/reevaluations and eligibility determinations. Data were collected from State and Federal reports, on-site monitoring, and/or additional LEA data submissions (desk audits).

Display 9-3: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
Total # of LEAs	72	91	99	106	112
# of LEAs flagged for disproportionate representation – Over-representation	36	5	2	0	1
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.0%	0.0%	0.0%	0.0%	0.0%
# of LEAs flagged for disproportionate representation – Under-representation	0	1	0	0	0
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.0%	0.0%	0.0%	0.0%	0.0%

Discussion of Improvement Activities:

Each Improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 9 (See Appendix C).

The following activities were completed FFY 2009:

1. Develop and disseminate a manual that reviews disproportionate representation determination methods and consequences. Completed.
 - A manual was developed and disseminated to provide concrete information for LEAs regarding how representation is calculated and determined and the resulting USOE and LEA actions.

Results of this activity are that the USOE has consistent guidance to give LEAs about disproportionate representation including the USOE process to determine if any LEA in the state has over- or under-representation of racial and ethnic groups in special education and related services that is a result of inappropriate identification. Further, the LEAs have concrete information about the consequences that would occur if the USOE found any disproportionate representation.

2. Using the Self Assessment Tool and UPIPS monitoring, targeted LEAs will conduct a review of policies and procedures to determine if the disproportionate representation could be the result of inappropriate identification procedures. Completed.
 - Targeted LEAs used the Self Assessment Tool to evaluate their own policies and procedures to determine if they had inappropriate identification.
 - UPIPS monitoring evaluated the identification policies and procedures of all LEAs monitored each year.

Results of this activity are that targeted LEAs reviewed their policies and procedures and no disproportionate representation as a result of inappropriate identification was found. Furthermore, awareness created through the Self Assessment Tool process resulted in a number of LEAs sponsoring their own identification practices professional development.

The following activities were completed and are ongoing FFY 2009:

1. Apply Risk Ratio formula to disaggregated data at LEA and State levels to identify LEAs with disproportionate representation in their special education population. Completed and ongoing.
 - A risk ratio formula was applied to all LEA and State 618 Child Count data.
 - Data were reviewed and a weighted risk ratio was used to determine a final risk ratio for each LEA.
 - LEAs with a final risk ratio of 3.00 or larger or 0.30 or smaller were flagged for a further review of their policies, procedures, and practices to ensure that there were no inappropriate identification, evaluation, or placement of students with disabilities in these identified LEAs.
 - Only one LEA was flagged for over- or under-identification in its special education population. As a result, only one LEA was asked to submit documentation of its policies, procedures, and practices to determine if the over-representation was a result of inappropriate identification, evaluation and placement of students with disabilities.

Results of this activity are that data were reviewed and only one LEA was flagged for suspected over- or under-disproportionate representation and its policy and procedure documents and its practices regarding evaluation and eligibility were reviewed. No inappropriate policies, procedures or practices were identified.

2. In FFY 2009, the State began using a procedure of an annual LEA data review outlined in the Disproportionality and Coordinated Early Intervening Services manual and UPIPS monitoring. (The State will conduct a review of policy and procedure documents and LEA practices to determine if the disproportionate representation could be the result of inappropriate identification practices for the targeted LEAs.) Completed and ongoing.
 - Only one LEA was flagged for over-identification in its special education population. No LEAs were flagged for under-identification in their special education populations.
 - The State used December 1 Child Count data to identify LEAs with suspected disproportionate representation. If the flagged status of LEAs is a result of inappropriate identification, evaluation, and placement of students with disabilities, monitoring data are reviewed to verify that the appropriate policies, procedures, and practices are in place.
 - The State reviewed the policies, procedures, and practices of one LEA to determine if there was any inappropriate identification, evaluation, and placement of students with disabilities since it was the only LEA flagged.

Results of this activity are that the one targeted LEA received follow-up monitoring, thereby ensuring students with disabilities are not being incorrectly identified, evaluated, and placed inappropriately in special education or related services.

3. Provide professional development to identified LEAs on evaluation and eligibility determination procedures. Completed and ongoing.
 - Professional development on identification, evaluation, and placement of students with disabilities is available through the Utah Professional Development Center, at many of the State's conferences, through online professional development modules, and on a local basis in many LEAs. Professional development in this area was provided to 771 LEA staff members during 2009-2010.

As a result of this activity, professional development in appropriate identification practices has been provided through a variety of formats offered to all LEAs.

4. Continue to collect, disaggregate, and compare 618 data. Completed and ongoing.
 - 618 data are collected annually.
 - 618 data are collected and disaggregated by LEA and by school level.
 - Annual collections make possible comparisons over time.

Results of this activity are that an annual 618 data collection of the same data elements allows for comparisons and helps determine trends, thereby allowing LEAs to anticipate and address potential issues regarding disproportionate representation.

5. Provide follow up technical assistance and/or enforcement actions based on identification of policies, procedures, and practices that lead to inappropriate identification of students with disabilities. Completed and ongoing.
 - A policy and procedures manual was developed by each LEA during the 2008-2009 school year to align with IDEA 2004 and Utah State Board of Education Special Education Rules (2007).
 - No enforcement actions were applied due to zero LEAs having inappropriate policies, procedures, and practices that lead to inappropriate identification.
 - USOE staff members followed up as needed with technical assistance.

Results of this activity are that each LEA has a USOE approved policy and procedures manual to guide its identification, evaluation, and placements of students with disabilities and receives follow-up technical assistance as needed to guide its identification, evaluation, and placements of students with disabilities.

6. Collaborate to provide state-wide professional development for all educators regarding classroom management, instruction, and school-wide targeted interventions to support students in LRE. Completed and ongoing.
 - Statewide professional development in collaboration with general education was provided in the following areas:
 - Response to Intervention
 - DIBELS, progress monitoring and screening
 - Assessment, informal and formal
 - Interventions for struggling readers
 - Behavior strategies
 - Tiered instruction
 - ELL instruction
 - Math and science instruction
 - Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators totaling 10,912.

Results of the activity include increased interaction and collaboration between general and special educators during overlapping professional development for educators participating as documented by attendance records and agendas. The statewide professional development

enabled educators to be provided with and to have access to research based instruction and intervention materials for implementation to support students in LRE.

7. Collaborate on program development of tiered instruction to support students in LRE. Completed and ongoing.
 - A tiered instruction framework was developed to support students in LRE:
 - Special educators and general educators reviewed and recommended instruction/intervention materials to classroom teachers.
 - USOE special education staff participated with general education leaders to develop instructional goals for math and science.
 - Instruction/intervention materials were listed on the USOE website and in the 3-Tier reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research-based instruction/interventions and assessments in the areas of Math and Science to support LRE.

Impact of completed activities listed above:

Due to the State’s process of the reviewing the policies, procedures, and practices of any LEA flagged as having suspected disproportionate representation, the State is ensuring that school districts and charter schools are using correct policies, procedures, and practices in the identification, evaluation, and placement of students with disabilities in Utah. This process also helps determine if inappropriate identification is the cause of any disproportionate representation of racial and ethnic groups in special education and related services in school districts and charter schools. The State review process also directs any flagged LEAs to develop a corrective action plan if they are found not to be in compliance with this indicator. The noncompliance must be corrected within one year from the date of the completion of the State’s determination that the LEA has disproportionate representation in compliance with UPIPS monitoring procedures and OSEP Memorandum of 09-02. This process ensures that students with disabilities are not disproportionately represented as a result of inappropriate identification.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 9 (See Appendix C).

No new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	The percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%.
2011 (2011-2012)	The percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%.
2012 (2012-2013)	The percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionate Representation

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416 (a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	The percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%.

Actual Data for FFY 2009: 0%

Display 10-1: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	Under- representation	Over- representation
Total # of LEAs	112	112
# of LEAs flagged for disproportionate representation	3	6
% of LEAs flagged for disproportionate representation	2.68%	5.36%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	0
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.00%	0.00%

The target of 0% was met.

The USOE collects data for Indicator 10 through the State December 1 Special Education Child Count (618 data). The USOE calculates a Weighted Risk Ratio based on the identification rate for each racial/ethnic group in specific disability categories at each LEA. Thus, all data for all racial/ethnic groups in the State are examined. A "Final" Risk Ratio (based on the Weighted Risk Ratio) is determined only if there are 10 or more students in the group of interest (based on child count data) and if there are also 10 or more students in the comparison group.

Previous to FFY 2008, if there were at least 10 students in the group of interest but fewer than 10 students in the comparison group, then an Alternate Risk Ratio (ARR) was used. The ARR served to compare the LEA's identification rates with the identification rates of the state as a whole. However, there are LEAs that have unique situations, particularly the smaller LEAs where the ARR was most typically used, and thus, many of the flagged ARR's were not a reflection of any inappropriate identification practices occurring, but rather a reflection of small numbers of students in various racial/ethnic groups in these small LEAs. (This conclusion was reached after two years of using the ARR and investigating all ratios above 3.00.) Therefore, the ARR was no longer used for Indicator 10 starting with FFY 2008.

For indicator 10, 112 LEAs are included in the analyses. Of these 112 LEAs, 40 met the minimum n requirements at least one time for a Final Risk Ratio to be calculated (for each LEA, in theory, 30 risk ratios could be calculated –one for each racial/ethnic group times the six primary disability categories). Please note that many LEAs in Utah have between 0-5 students with a disability of a particular race/ethnicity; when this is disaggregated further by type of primary disability, the numbers get extremely small. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: the number of LEAs for Indicators 4A and 4B is 106; the number of LEAs for Indicators 9 and 10 is 112. This is because Indicators 4A and 4B are using 2008-09 data due to the data lag option.)

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above (over-representation) or 0.30 or below (under-representation). Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

Display 10-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Final Risk Ratio (Weighted)
Over-Representation	3.00 and up
Under-Representation	0.30 and below

A careful review of each of the six LEAs that were at or above the cut-score of 3.00 for over-representation and for the three LEAs at or below the cut-score of 0.30 for under-representation was conducted. Each LEA that was flagged was required to submit documentation of its policies, procedures, and practices which were reviewed by the State to verify that there was no over- or under-disproportionate representation of any racial and ethnic groups in specific disability categories due to inappropriate identification. UPIPS monitoring data including student files, evaluation, and identification procedures, and interviews with teachers, administrators, parents and students were also used in the review by the State. It was determined that none of the LEAs had disproportionate representation based on inappropriate identification.

Display 10-3: Risk Ratios that Were Flagged, by LEA

LEA	Racial/Ethnic Group	Disability	Number of SWD in racial/ethnic group	Number of SWD in other racial/ethnic groups	Final RR
1	Black	Emotional Disturbance	14	186	4.86
2	White	Autism	263	57	3.36
2	Hispanic	Other Health Impaired	41	303	0.30
2	Hispanic	Autism	37	283	0.29
3	Black	Other Health Impaired	16	395	3.96
4	Hispanic	Emotional Disturbance	15	65	0.26
5	Hispanic	Specific Learning	62	112	3.19

		Disability			
6	White	Autism	97	25	5.17
6	Hispanic	Autism	22	102	0.24
7	Native American	Specific Learning Disability	33	356	5.32

Valid and Reliable Data:

The December 1 Child Count Data have proven over time to be the most accurate of the USOE data collections in the Data Clearinghouse. The Edit Checks at entry into the Clearinghouse database require the school districts and charter schools to have carefully reviewed their own data before submission. Error checks send the data back to the LEA for correction. After the errors have been corrected and data received, a sign off sheet from each LEA is required to verify accuracy of their Child Count. The State review of policies, procedures, and practices by any LEA that is flagged for disproportionate representation ensures that no inappropriate identification, evaluation, or placement of any racial or ethnic populations takes place in their school district or charter school.

Explanation of Progress or Slippage that occurred for FFY 2009:

As indicated in Display 10-4, the State of Utah maintained a 0% disproportionate representation rate. Thus, for five years, zero LEAs have had disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.

Please note that in 2005-06, different cut-scores were used to flag LEAs for disproportionate representation. A cut-score of 1.5 was used for over-representation; a cut-score of .5 was used for under-representation. This is the reason for the larger number of LEAs flagged in 2005-06 than in subsequent years. The State determined that such a low cut-off score in 2005-06 was resulting in many false positives. In fact, none of the LEAs that were flagged had faulty identification policies, procedures, or practices; the conclusion of all investigations was that the LEAs were making appropriate identifications. Often the risk ratio between 1.5 and 2.5 was due to small numbers of students in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any policies, procedures, or practices of the LEA. Therefore, the State changed the cut-scores as indicated above. However, in all years, none of the flagged LEAs were deemed as having inappropriate identification procedures.

Correction of Previous Year's Noncompliance:

With zero LEAs having disproportionate representation in FFY 2008 due to inappropriate identification, evaluation, and placement of students with disabilities in all ethnicities and all disability categories, no correction was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.173, §300.111, §300.201, and §300.301-§300.311 as per OSEP's 09-02 Memorandum, including the presence and implementation of policies and procedures designed to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities, ensure child find, and conduct appropriate evaluations/reevaluations and eligibility determinations. Data were collected from State and Federal reports, on-site monitoring, or additional LEA data submissions (desk audits).

Display 10-4: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
Total # of LEAs	72	91	99	106	112
# of LEAs flagged for disproportionate representation – Over-representation	36	12	14	4	6
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.00%	0.00%	0.00%	0.00%	0.00%
# of LEAs flagged for disproportionate representation – Under-representation	0	5	4	2	3
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.00%	0.00%	0.00%	0.00%	0.00%

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 10 (See Appendix C).

The following activities were completed FFY 2009:

1. Develop and disseminate a manual that reviews disproportionate representation determination methods and consequences. Completed.
 - A manual was developed and disseminated to provide concrete information for LEAs regarding how representation is calculated and determined and the resulting USOE and LEA actions.

Results of this activity are that the USOE has consistent guidance to give LEAs about disproportionate representation including the USOE process to determine if any LEA in the state has over- or under-representation of racial and ethnic groups in special education and related services that is a result of inappropriate identification. Further, the LEAs have concrete information about the consequences that would occur if the USOE found any disproportionate representation.

The following activities were completed and ongoing FFY 2009:

1. Apply Risk Ratio formula to disaggregated data at LEA and State levels to identify LEAs with disproportionate representation in their special education population. Completed and ongoing.
 - A risk ratio formula was applied to all LEA and State 618 Child Count Race and Ethnicity data.
 - Data were reviewed and a weighted risk ratio was used to determine a final risk ratio for each disability category in all LEAs.
 - LEAs with a final risk ratio of 3.00 or larger or 0.30 or smaller were flagged for a further review of their policies, procedures, and practices to ensure that there were no

inappropriate identification, evaluation, or placement of students with disabilities in these identified LEAs.

- Using the risk ratio, six LEAs were flagged with a risk ratio larger than 3.00 for over-representation, and three LEAs were flagged with a risk ratio of less than 0.30. This triggered a State review of the policies, procedures, and practices for the seven total flagged LEAs to ensure that flagged status was not a result of inappropriate identification, evaluation, and placement of students with disabilities. UPIPS monitoring data were also reviewed.

Results of this activity are that seven LEAs were flagged for potential over/under-disproportionate representation. (Six LEAs were flagged for over-identification and three LEAs were flagged for under-identification, but two of the LEAs were flagged for both over- and under-identification.) The State conducted a review of each LEA's policies, procedures, and practices to ensure that there are no inappropriate identification policies, procedures, and practices in each LEA.

2. In FFY 2009, the State began using a procedure of an annual LEA data review outlined in the Disproportionality and Coordinated Early Intervening Services manual and also through UPIPS monitoring. The State conducts a review of policies and procedures to determine if the disproportionate representation could be the result of inappropriate identification practices for the targeted LEAs. Completed and ongoing.
 - The State reviewed Child Count data and then required that any LEAs that were flagged for disproportionate representation submit documentation of their policies, procedures and practices to the State for review.
 - Each targeted LEA's policies, procedures, and practices were reviewed by the State.
 - USOE staff members followed up as needed with technical assistance.

Results of this activity are that targeted LEAs received follow-up monitoring, thereby ensuring students with disabilities are not being incorrectly identified, evaluated, and placed inappropriately.

3. Provide professional development to identified LEAs on evaluation and eligibility determination procedures. Completed and ongoing.
 - Professional development on identification, evaluation, and placement of students with disabilities is available through the online training, the Utah Professional Development Center, at many of the State's conferences, on professional development modules, and on a local basis in many LEAs. Professional development was provided to 487 LEA staff members during 2009-2010 in this area.

As a result of this activity, professional development in appropriate identification practices has been provided through a variety of formats offered to all LEAs.

4. Continue to collect, disaggregate, and compare 618 data. Completed and ongoing.
 - 618 data are collected annually.
 - 618 Data are collected and disaggregated by LEA and by school level.
 - Annual collections make possible comparisons over time.

Results of this activity are that an annual 618 data collection of the same data elements allows for comparisons and helps determine trends, thereby allowing LEAs to anticipate and address potential issues regarding disproportionate representation.

5. Provide follow up technical assistance and/or enforcement actions based on identification of policies, procedures, and practices that lead to inappropriate identification of students with disabilities. Completed and ongoing.

- A policy and procedures manual was developed by each LEA during the 2008-2009 school year to align with IDEA 2004 and Utah State Board of Education Special Education Rules (2007).
- No enforcement actions were applied due to zero LEAs having inappropriate policies, procedures, and practices that lead to inappropriate identification.
- USOE staff members followed up as needed with technical assistance.

Results of this activity are that each LEA has a USOE approved policy and procedure manual to guide their identification, evaluation, and placements of students with disabilities and receives follow-up technical assistance as needed to guide their identification, evaluation, and placements of students with disabilities.

6. Collaborate to provide state-wide professional development for all educators regarding classroom management, instruction, and school-wide targeted interventions to support students in LRE. Completed and ongoing.
 - Statewide professional development in collaboration with general education was provided in the following areas:
 - Response to Intervention
 - DIBELS, progress monitoring and screening
 - Assessment, informal and formal
 - Interventions for struggling readers
 - Behavior strategies
 - Tiered instruction
 - ELL instruction
 - Math and science instruction
 - Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators totaling 10,912.

Results of the activity include increased interaction and collaboration between general and special educators during overlapping professional development for educators participating in professional development as documented by attendance records and agendas. The state-wide professional development enabled educators to be provided with and to have access to research based instruction and intervention materials for implementation to support students in LRE.

7. Collaborate on program development of tiered instruction to support students in LRE. Completed and ongoing.
 - A tiered instruction framework was developed to support students in LRE:
 - Special educators and general educators reviewed and recommended instruction/intervention materials to classroom teachers.
 - USOE special education staff participated with general education leaders to develop instructional goals for math and science.
 - Instruction/intervention materials were listed on the USOE website and in the 3-Tier reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research based instruction/interventions and assessments in the areas of Math and Science to support LRE.

Impact of completed activities listed above:

Due to the State's process of the reviewing the policies, procedures, and practices of any LEA flagged as having suspected disproportionate representation, the State is ensuring that school districts and charter

schools are using correct policies, procedures, and practices in the identification, evaluation, and placement of students with disabilities in Utah. This process also helps determine if inappropriate identification is the cause of any disproportionate representation of racial and ethnic groups in specific disability categories in school districts and charter schools. The State review process also directs LEAs to develop a corrective action plan if they are found not to be in compliance with this indicator. The noncompliance must be corrected within one year from the date of the completion State's determination that the LEA has disproportionate representation. This process ensures that students with disabilities are not disproportionately represented as a result of inappropriate identification.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 10 (See Appendix C).

No new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	The percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%.
2011 (2011-2012)	The percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%.
2012 (2012-2013)	The percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/Child Find

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.

(20 U.S.C. 1416(a)(3)(B))

****Utah State established timeline is 45 school days.**

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeframe).**

Account for children included in a, but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	One hundred (100) percent of children will be evaluated within 60 days** of receiving parental consent for initial evaluation.

Actual Data for FFY 2009: 97.41%

The target of 100% was not met; however, the State achieved 97.41% of children evaluated within 45 days of receiving parental consent.

The target of 100% was not met, although improvement was made over the FFY 2008 results which indicated that 96.9% of students were evaluated within the timeline as required in 34 CFR §300.301. In addition, 100% of LEAs which were found out of compliance for exceeding the initial evaluation timeline in FFY 2008 corrected their policies, procedures, and practices within one year. In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP Memorandum 09-02, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). The USOE ensures that the additional files selected for review are representative of the size and demographics of the LEA.

The USOE ensures that all students referred for special education and related services are evaluated and, as appropriate, offered special education and related services within the timelines contained within IDEA 2004 in 34 CFR §300.301. The initial evaluation/eligibility timeline used by the State for 2005-2006 and 2006-2007 was the IDEA-established 60 days; the timeline was adjusted to follow Utah State Board of Education Special Education Rules during 2007-2008 and was 45 school days for this APR reporting

period. During the 2009-2010 school year, 541 files of students for whom parental consent to evaluate was received were reviewed through on-site visits, self-assessment reports, desk audits, and the State dispute resolution process for this indicator as part of the general supervision system. These 541 files came from 33 LEAs (school districts and charter schools). The review process that was part of the Utah Program Improvement Planning System (UPIPS) was developed to ensure that each LEA is included in the formal monitoring process (see SPP for additional monitoring system detail).

Display 11-1: Percent of Children Evaluated within the 45 School Day Timeline (State-Established Timeline)

	FFY 2009
a. # of children for whom parental consent to evaluate was received	541
b. # of children whose evaluations were completed within 45 school days	527
# not included in b.	14
Percent of children with parental consent to evaluate who were evaluated within 45 school days (State-established timeline)	97.41%

Of the 541 reviewed files, 18 students later determined not eligible had evaluations which were completed within 45 school days and 523 students later determined eligible for special education and related services had evaluations completed within 45 school days. Fourteen students in seven LEAs later determined eligible for special education and related services had evaluations completed beyond the 45 school day timeline. The lengths of evaluations for these 14 students were 47, 48, 50, 55, 60, 60, 62, 68, 83, 87, 96, 107, 121, and 154 days. Delays in 11 of the evaluations were due to special education personnel noncompliance, and three of the evaluations were delayed due to difficulty in finding trained evaluation personnel. Thus, a total of 14 students had evaluations completed beyond the 45 school day timeline. Delays that were due to the following were not included in these totals; (1) a parent repeatedly failing to produce the student for the evaluation or refusing to produce the student for the evaluation, or (2) students who were enrolled in a school of another public agency after the timeframe for initial evaluation had begun, and prior to a determination by the student’s previous public agency as to whether the student is a student with a disability (34 CFR §300.301).

In the process of reviewing LEA data on this indicator, the USOE followed guidance provided in OSEP’s 09-02 Memorandum. As noncompliance with 34 CFR §300.301 in the LEAs was identified, each LEA special education director was notified in writing of the noncompliance, as well as the requirement that the noncompliance be corrected as soon as possible, but in no case later than one year from identification. As the noncompliance with 34 CFR §300.301 was found in only a small percentage of LEA files in each LEA with noncompliance, and represented an isolated incident in the LEA programs, the seven LEAs with evaluations exceeding 45 school days during FFY 2009 were required to write a Corrective Action Plan (CAP) to address their process for determining eligibility within the required timelines. LEAs that had initial evaluations which went beyond 45 school days were required to document additional professional development on the timeline requirement and submit additional monitoring data which demonstrated correction of the noncompliance in LEA policies, procedures, and practices, including completion of the overdue evaluation(s) as documentation that the corrective actions taken by the LEA resulted in subsequent and continued compliance. LEAs whose CAP does not result in the correction of the noncompliance within one year will receive enforcement actions from the USOE; actions will be selected to target the reason behind the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds.

The eight LEAs with noncompliance identified during the FFY 2008 APR successfully corrected their noncompliance with 34 CFR §300.301 in policies, procedures, and practices within one year with USOE

support and enforcement actions consisting of technical assistance, LEA professional development, and opportunities for LEAs to collaborate and “share” evaluation personnel. The LEAs with noncompliance as the result of teacher noncompliance instituted internal personnel actions which directly addressed and documented the noncompliance, again resulting in correction. In the process of determining that the LEAs corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP’s 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days, based upon the USOE’s review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits).

Valid and Reliable Data:

Data reliability and validity were ensured through a data collection process that used multiple methods. Data were collected from on-site visits, desk audits, LEA Self-Assessment Reports, and the State dispute resolution process. Furthermore, data were verified through a process in which some files were randomly selected to be reviewed twice, by two different reviewers, to ensure correct dates were entered and timelines were valid and reliable.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

As indicated in Display 11-2, the State has made progress on this indicator not only in terms of increasing the percentage of children meeting this indicator from 76% to a high of 97.41%, but also in terms of the number of reviewed files on which this indicator is based. In 2005-06, only 42 files were reviewed; this year, data were reported on 541 files. We are aware, however, that the target of 100% was not met, and continue to implement actions designed to improve Utah’s performance on this indicator. In addition, 100% of LEAs with noncompliance on initial evaluation timelines corrected their policies, procedures, and practices in a timely manner (see Verification of Correction below for additional information).

Display 11-2: Percent of Children Evaluated within the 45 School-Day Timeline, Results over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
a. # of children for whom parental consent to evaluate was received	42	229	406	385	541
b. # of children whose evaluations were completed within 45 school days	32	218	392	373	527
# not included in b.	10	11	14	12	14
Percent of children with parental consent to evaluate who were evaluated within 45 school days (State-established timeline)	76.2%	95.2%	96.6%	96.9%	97.41%

Correction of Previous Year’s Noncompliance: Corrected to 100%

As described in Display 11-3, 100% of noncompliance identified during FFY 2008 was corrected within one year.

Display 11-3: Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance for State reported for FFY 2008 for this indicator: 96.9%

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	8
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	8
3. Number of FFY 2008 findings <u>not</u> verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0

Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2008 findings not timely corrected (Same as the number (3) from above)	0
5. Number of FFY 2008 findings the State verified as corrected beyond the one-year timeline (“subsequent correction”)	0
6. Number of FFY 2008 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Verification of Correction (either timely or subsequent):

There is no remaining noncompliance from previous APR reporting periods. All noncompliance has been corrected within required timelines. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.301. In the process of determining that the LEA corrected noncompliance this indicator, the USOE followed guidance provided in OSEP’s 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days, based upon the USOE’s review of representative data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). Additionally, the USOE ensured that the initial evaluations, although late, were completed and eligibility determined for the students in question. While a sample of files were reviewed to determine ongoing LEA compliance with 34 CFR §300.301, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days.

Display 11-4: Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement Response Table	State’s Response
The State must report, in its FFY 2009 APR due February 1, 2011, that it has verified that each LEA with noncompliance reported by the State	In the process of determining that the LEA corrected noncompliance this indicator, the USOE followed guidance provided in OSEP’s 09-02 Memorandum, including accounting for all

<p>under this indicator in the FFY 2008 APR (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation although late, unless the child is no longer within the jurisdiction of the LEA.</p>	<p>instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits).</p> <p>LEAs with findings of noncompliance reported in the FFY 2008 APR were required to submit evidence of individual and LEA-wide correction of noncompliance to the USOE. Documentation of correction included evidence of professional development on IDEA regulatory requirement 34 CFR §300.301, as well as student-specific data that demonstrated compliance with this indicator (including that the initial evaluation was completed). The USOE verified correction and notified the LEA in writing that the noncompliance had been corrected. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days, as per OSEP's 09-02 Memorandum. Additionally, the USOE ensured that the initial evaluations, although late, were completed and eligibility determined for the students in question. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.301, including completing initial evaluations with the State-required timelines of 45 school days.</p>
<p>If the State is unable to demonstrate compliance in the FFY 2009 APR, the State must review its improvement activities, if necessary, to ensure compliance.</p>	<p>Although improvement occurred, the target of 100% was not met. As a result, improvement activities have been reviewed and it was determined that no additional activities are needed at this time.</p>

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 11 (See Appendix C).

The following activities were completed and ongoing FFY 2009:

1. Monitor for initial evaluation timelines within each LEA and document reasons timeline was exceeded, if applicable. Completed and ongoing.
 - Data were collected during the LEA self-assessment process, on-site monitoring by the USOE, Desk Audits, Dispute Resolution, and LEA Corrective Action Plan (CAP) reporting.
 - Information on the number of days and the reasons the timeline was exceeded is specifically requested and collected by the USOE and maintained in a database for this indicator.

Results of this activity include LEA special education directors and staff receiving immediate feedback on their performance on this requirement, clarification of the requirement, and additional on-site professional development on initial evaluation timeline requirements with examples and non-examples. This in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline as documented by UPIPS monitoring visits, agendas, improved rates of initial evaluations completed with 45 school days, and evidence of correction of noncompliance; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

2. Analyze monitoring data regarding initial evaluations with respect to timelines, eligibility, and documenting range/reasons if timeline is exceeded. Completed and ongoing.
 - The USOE aggregated data for purposes of this APR and provided LEAs with an analysis of their data. LEAs with initial evaluations exceeding the 45 school days were required to include this indicator in their CAP and document professional development of staff and correction as soon as possible, but in no case later than one year.
 - The USOE was able to determine the reason the majority of the evaluations exceeded the timeline (teacher noncompliance) and address the need statewide. The USOE enforcement activities were implemented, including; special education directors were notified in writing of teacher noncompliance issues, LEAs were required to revise their Corrective Action Plans (CAPs) to include and address noncompliance with initial evaluation timelines, and the USOE provided technical assistance at the LEA level.

Improvement activities resulted in USOE and LEA staff, when presented with State and LEA data, observing trends and planning to address needs demonstrated by the data, causing the USOE and LEA staff to work together to address teacher noncompliance issues as documented by discussions with special education directors and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

3. Provide LEA level data to LEAs on their status regarding initial evaluation timelines, eligibility, and range/reasons if timeline is exceeded. Completed and ongoing.
 - The USOE aggregated data for purposes of this APR and provided LEAs with an analysis of their data when findings of noncompliance were discovered.
 - LEAs with initial evaluations exceeding the 45 school days were required to include this indicator in their CAP and document professional development and correction of policies, procedures, and practices as soon as possible but in no case later than one year.

Results of this activity include increased discussion of LEA data among LEA staff members and LEA file monitoring for Indicator 11, which in turn increased LEA staff knowledge and compliance with the 45 school day initial evaluation timeline by leading them to determine the reasons that initial evaluation timelines were exceeded and address them immediately with impacted personnel as documented by UPIPS visits, agendas, discussions with special education directors, and improved rates of initial evaluations completed within 45 school

days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

4. Provide professional development to special education teachers, related service providers, and evaluators statewide on initial evaluation timeline requirements. Completed and ongoing.
 - 60.5 USOE staff professional development hours were provided to LEA staff state-wide addressing child find, evaluations, and timeline requirements.
 - LEAs were reminded during fall USOE meetings of initial evaluation timeline requirements and the impact of those timelines on APR results and local determinations to enable them to disseminate the information to their staffs.

Results of this activity include statewide professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA staff knowledge and compliance with the 45 school day initial evaluation timeline as documented by professional development logs and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

5. Develop and disseminate a parent training manual, in conjunction with the Utah Parent Center, which clarifies the evaluation process, including timeline requirements, as well as school and parent responsibilities. Completed and ongoing.
 - The manual has been completed and was disseminated during the 2009-10 school year.

Results of this activity include completion of a parent training manual which has increased parent knowledge and monitoring of initial evaluation timelines, which in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

6. Implement focused monitoring process to provide additional technical assistance and review LEAs that continue to not meet targets. Completed and ongoing.
 - The USOE developed and implemented criteria for determining the need for an on-site monitoring visit.
 - The USOE developed and implemented a protocol for an annual desk audit and focused on-site visit. During 2009-2010, all LEA data were reviewed at least once.
 - The USOE utilized information during annual LEA desk audits to determine if LEAs needed on-site visits.
 - The USOE provided additional technical assistance when needed.

Results of this activity include increased required state-wide LEA staff professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline by requiring additional focus on this timeline as documented by correction of noncompliance, discussions with LEA staff and special education directors, and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

7. Develop opportunities for LEAs to discuss evaluation needs with surrounding LEAs in an effort to create collaboration and sharing of scarce staff. Completed and ongoing.
 - LEAs are included in State personnel shortage discussions.

- Charter schools are provided with additional opportunities to network and discuss solutions for personnel shortages during monthly Roundtables.
- During data analysis it was discovered that the most common reason for initial evaluations not being completed within the timeline was due to teacher noncompliance. The USOE enforcement activities were implemented, including; special education directors notified in writing of teacher noncompliance issues, LEAs were required to revise their Corrective Action Plans (CAPs) to include and address noncompliance with initial evaluation timelines, and the USOE provided technical assistance.

Improvement activities resulted in increased collaboration between LEAs to identify and utilize evaluation personnel, as documented by discussions with both charter school directors and charter school special education directors, and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

8. Address shortage of qualified examiners with Institutes of Higher Education (IHEs) in Utah. Completed and ongoing.
 - Three meetings were held during FFY 2009 with representatives from LEAs, IHEs, and the USOE.
 - IHE and LEA personnel identified and reviewed strategies to meet the evaluation personnel needs of the LEAs.

Results of this activity include increased discussion between LEAs, IHEs, and USOE personnel on strategies needed to address the shortage of qualified examiners and the programs that target the needs of LEAs as documented by agendas and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

9. Utilize enforcement actions to ensure LEAs are in compliance with the initial evaluation timeline requirement. Completed and ongoing.
 - The USOE staff discussed the need for compliance with all LEAs during monthly USOE and Roundtable meetings with LEA special education directors.
 - The USOE staff provided written notification on noncompliance and timelines for correction to LEAs with noncompliance. LEAs with noncompliance participated in discussions regarding noncompliance with the USOE staff during which the noncompliance and the requirements were reviewed, the reason for the noncompliance was determined, and corrective action planning occurred to address the reason for noncompliance.
 - The USOE enforcement actions, when needed, target the reason for the LEA noncompliance to ensure timely correction. For example, when the issue is teacher noncompliance, the LEA special education director is notified in writing of the noncompliance, and required to revise their CAP to address the noncompliance.

Results of this activity include increased statewide professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline and written notification of compliance status as documented by UPIPS correspondence, UPIPS Manual, agendas, and improved rates of initial evaluations completed within 45 school days; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

10. The USOE will notify LEA special education directors that of the timelines exceeded, the majority were due to teacher noncompliance with the requirement. The USOE will prompt affected LEAs for information on how this issue was addressed as part of their UPIPS Corrective Action Plan (CAP).
- The USOE staff notified LEA special education directors in March, 2010.
 - Impacted LEAs were required to address teacher noncompliance as the root cause of the noncompliance in their CAPs.

Results of this activity include increased awareness of teacher noncompliance as the root cause of the noncompliance and resulted in revised CAPs to address the issue, which in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 11. Improvement activities resulted in state-wide professional development activities which in turn increased LEA knowledge and compliance with the 45 school day initial evaluation timeline; thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with special education and related services needed to improve their educational performance.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 11 (See Appendix C).

No new or revised activities needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	One hundred (100) percent of children with parental consent to evaluate were evaluated and eligibility determined within 60 days.**
2011 (2011-2012)	One hundred (100) percent of children with parental consent to evaluate were evaluated and eligibility determined within 60 days.**
2012 (2012-2013)	One hundred (100) percent of children with parental consent to evaluate were evaluated and eligibility determined within 60 days.**

**Utah's state established timeline is 45 school days.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/Effective Transition

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.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in **a** but not included in **b, c, d, or e**. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d – e)] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	One hundred (100) percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

Actual Data for FFY 2009: 98.45%

Display 12-1: Percent of Children Referred by Part C Who are Found Eligible for Part B and Have IEPs Developed by Their Third Birthdays

	FFY 2009
a. # of children served in Part C and referred to Part B	1,694
b. # found not eligible and whose eligibility was determined prior to third birthdays	249
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	1,203
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	89
e. # of children who were referred to Part C less than 90 days before their third birthdays	134
# in a but not in b, c, or d (number of children whose eligibility not determined before their third birthday)	19
Percent who met the indicator	98.45%

The target of 100% was not met; however, 98.45% of children referred by Part C prior to age 3 were evaluated and eligibility determined before their third birthdays.

This is the first year that the statewide database, Transition from Early-intervention Data Input System (TEDI), was fully operational and all school districts were required to self-report their data by June 30, 2010. TEDI accesses the Part C database daily to obtain all children that meet three criteria; child is 27 months, has not opted out, and is actively enrolled. Those children’s data are transferred to TEDI with the child’s demographic information. As the database enters the child into TEDI it provides that child with a unique identifier number that will continue with that child throughout their education in Utah. It also provides the school district with the number of days before the child’s birthday and transition meeting date. Once the transition meeting is held then the record must be acted upon by Part B. After assessment is completed and the child has been found eligible or not eligible that information is sent back to the Part C database. If there is a discrepancy then Part B and Part C representatives must reconcile their database. Data are available only to that child’s school district and are controlled by limited access for confidentiality. TEDI provides the State and the school district with data to complete this indicator. These transition data were collected from July 1, 2009 through June 30, 2010. As a result of implementation of TEDI, the number of files reviewed increased from 325 in FFY 2008 to 1,694 in FFY 2009, as all files applicable to this indicator were reviewed. Only school districts use this state-wide database. In Utah, charter schools do not provide public preschool. In the process of reviewing school district data on this indicator, the USOE followed guidance provided in OSEP’s 09-02 Memorandum. As noncompliance with 34 CFR §300.124 was identified, each school district special education director was notified in writing of the noncompliance, as well as the requirement that noncompliance be corrected as soon as possible, and in no case later than one year from identification. The noncompliance with 34 CFR §300.124 was found in only a small percentage of school district files in each school district with noncompliance and represented an isolated incident in the flagged school district programs.

Valid and Reliable Data:

School districts ensure that their data are reliable and valid when the data are submitted to the Utah State Office of Education. State-wide professional development for preschool coordinators was implemented during 2007-2008 and 2008-2009 to ensure understanding of current reporting requirements. Preschool coordinators are either responsible for gathering these data or checking data that are submitted for accuracy; therefore a trainer-of-trainers model was used.

During the FFY 2009 year, professional development was provided to school districts on the implementation of the new state-wide database TEDI. Since this database was also providing information from Part C's database, professional development was provided together by the 619 Coordinator and the data manager from Part C for all Part C providers and their Part B counterparts in the school districts to ensure reliable data input into the Part C and Part B database. As this process was new, each school district was contacted individually by the 619 Coordinator to ensure that data was input correctly and that the database accurately reflected the data of the school district. The UPIPS monitoring process is used to collect additional verification data to ensure compliance with this indicator.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

As indicated in Display 12-2, the USOE made substantial progress on this indicator not only in terms of increasing the percentage of children meeting this indicator from a low of 64% to a high of 98.45% but also in terms of the number of files on which this indicator is based. In 2003-04, only eight files were reviewed; during FFY 2008, data were reported on 325 files, and in FFY 2009 all students (1,694) transitioning from Part C to Part B were reviewed. Improvement was also shown in the last year: the percentage of children meeting this indicator slipped from 98.6% to 98.4% with 4 times as many students being reported. The USOE continues to strive for and to get closer to the 100% compliance rate.

The progress shown on this indicator is highly attributable to the provision of technical assistance and the process for correcting noncompliance (based on an improvement activity added during 2005-2006). In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP's 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.124, including completing and implementing an IEP by the child's third birthday, based upon the USOE's review of the state-wide database, on-site monitoring or additional LEA data submissions (desk audits). As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.124, including completing and implementing an IEP by the child's third birthday.

All LEAs must track all students referred from Part C and submit those data to the USOE. In addition, the Utah Program Improvement Planning System (UPIPS) state-wide monitoring system is used to obtain and verify the data LEAs have submitted through on-site file reviews. Any identified LEA noncompliance with 34 CFR §300.124 is required to be corrected as soon as possible and in no case later than one year. LEA progress and correction is tracked monthly and includes a review of the status of each LEA's Corrective Action Plan (CAP) and Program Improvement Plan (PIP), including the documented correction of identified compliance errors. The CAP is evaluated annually for evidence of corrections of noncompliance issues, completion of professional development activities and, if needed, new procedures developed and implemented to ensure compliance. Results of these activities are verified through additional LEA and USOE student file reviews and 618 data. Targeted technical assistance will continue to be provided to move LEAs toward the target of 100%.

Display 12-2: Percent of Children Referred by Part C who are Found Eligible for Part B and Have an IEP Developed by Their Third Birthdays. Results Over Time

	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
a. # of children served in Part C and referred to Part B	25	160	321	206	325	1,694
b. # found not eligible and whose eligibility was determined prior to third birthdays	0	22	67	44	34	249
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	16	115	234	135	272	1,203
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	0	4	7	20	15	89
e.# of children who were referred to Part C less than 90 days before their third birthdays	NA	NA	NA	NA	NA	134
# in a but not in b, c, or d	9	19	21	7	4	19
Percent who met the indicator	64.0%	85.8%	94.7%	95.1%	98.6%	98.45%

Display 12-3: Reasons for Delays

LEA	Number of Delays	Number of Days Delayed	Reasons for Delay
1	7	3-28	Additional testing needed, summer birthday
2	1	3	Eligibility was on time, but IEP was late because a translator was not available
3	1	46	Summer birthday
4	1	40	Summer birthday
5	1	18	Summer birthday
6	3	4-127	New preschool started and there was a delay in hiring a new teacher
7	2	17-42	ELL issues; team did additional testing in classroom setting;

			summer birthday
8	1	11	Unable to convene IEP team by 3 rd birthday
9	1	18	Teacher quit unexpectedly
10	1	3	Eligibility was on time, but IEP was late due to new teacher being hired

Note: This chart contains data on all students who were included in a, but not in b, c, or d. These data do not necessarily reflect findings of noncompliance, as some LEAs had already made USOE verified corrections prior to data collection.

The State’s general supervision system includes the Utah Program Improvement Planning System (UPIPS) monitoring process and dispute resolution process. UPIPS Monitoring Process: The Utah Program Improvement Planning System was developed to ensure that each LEA is included in the formal monitoring process. A stratified sample of school districts is included in each year’s cohort. The selection criteria for school districts in each cohort include the following variables: student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique conformation of Utah’s 41 school districts, there are three school districts of 50,000+ students. Three of the five cohorts for monitoring contain one of these very large school districts, and the fifth contains two districts with enrollments of at least 25,000 students. Each of the five cohorts also includes districts of medium and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum. The mean percentage of English Language Learner (ELL) students and of non-white students based on total enrollment varies. These data substantiate the representativeness of each cohort. LEAs are selected for State monitoring after being assigned to a cohort based upon location and size.

Each LEA is monitored each year throughout the five years using self-assessment, on-site visits, desk audits, annual performance reports, and/or data reporting. Dispute resolution data from complaints and hearings is also reviewed and included as part of the monitoring process. The UPIPS monitoring process places increased responsibility on each LEA by involving them in a continuous cycle of identification and improvement. In Year 1, the LEA is charged with involving key stakeholders in the development of a Self-Assessment Report that analyzes the LEA’s effectiveness in ensuring compliance and improving results for students. The LEA then develops a Corrective Action Plan (CAP) and Program Improvement Plan (PIP) that targets areas identified as needing improvement and aligns those identified areas with LEA interventions designed to correct them. Each year of the cycle the USOE performs a desk audit of each LEA which includes an off-site review of the LEA data, submitted as part of the Self-Assessment Report and from annual 618 data. Based on the results of the Annual Desk Audit, an on-site visit may be scheduled in which random student files will be reviewed for each visited LEA to collect additional data that validate the accuracy of the LEAs self-collected data and to determine if improvement efforts, as part of the CAP and PIP, have been successful. During Years 2-5 the UPIPS process also tracks the status of each LEA’s CAP and PIP, including the correction of identified compliance errors within one year. The CAP is evaluated each year for evidence of completion of activities and results of those activities are then verified through additional student file reviews and 618 data. Some LEAs may have multiple on-site visits based upon their annual desk audit.

As noncompliance is identified, it is reported as a finding. A finding is a written notification from the State to an LEA that contains the State’s conclusion that the LEA program is in noncompliance and includes the citation of the statute or regulation and a description of the data supporting the conclusion. Written notifications of findings occur as soon as possible and generally within three months of discovery. Except

for findings identified through State complaints or due process hearings, individual instances of noncompliance in an LEA involving the same legal requirement under IDEA and Utah Special Education Rules are grouped together as one finding. An LEA will have multiple findings of noncompliance for the same time period if the LEA is noncompliant with more than one legal requirement. Upon written notification of noncompliance from the USOE, the LEA must correct the noncompliance in its policies, procedures, and practices as soon as possible, but in no case later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected. In addition, LEAs are required to write a Corrective Action Plan (CAP) to address their process for ensuring that the regulatory requirements are being implemented correctly throughout the LEA. LEAs that have findings of noncompliance are required to document additional professional development on the regulatory requirements and submit additional monitoring data which demonstrated correction of the noncompliance in LEA policies, procedures, and practices, including completion of the overdue evaluation(s). LEAs whose CAP does not result in the correction of the noncompliance within one year will receive enforcement actions from the USOE; actions will be selected to target the reason behind the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds.

Correction occurs when the LEA revises noncompliant policies, procedures, and/or practices and the USOE verifies the correction and notifies the LEA of the correction. In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP's 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of IDEA, including the correction of noncompliance in conformance with the OSEP 09-02 memorandum, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). While a sample of files were reviewed to determine ongoing LEA compliance with all specific regulatory requirements of IDEA, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with IDEA regulatory requirements of 34 CFR 300.124.

Correction of Previous Year's Noncompliance: Corrected to 100%

The **one** LEA that was out of compliance in FFY 2008 was required to write a Corrective Action Plan (CAP) in order to ensure that in the future all children would have eligibility determined by their third birthdays as per 34 CFR §300.124. This LEA is now in compliance as indicated in Display 12-4. The correction of noncompliance was verified by the USOE. Specifically, the USOE verified that this LEA corrected its policies, procedures, and practices in ensuring that children served in Part C and referred to Part B for eligibility determination were determined eligible and had an IEP developed and implemented by the third birthday. The USOE verified that LEAs are implementing the specific regulatory requirements of 34 CFR §300.124 as per OSEP's 09-02 Memorandum and IEPs, although late, were developed and implemented for the children in question. In the process of determining that the LEA corrected noncompliance this indicator, the USOE followed guidance provided in OSEP's 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.124, including completing and implementing the IEP by the child's third birthday, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). While a representative sample of files were reviewed to determine ongoing LEA compliance with 34 CFR §300.124, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.124, including completing and implementing the IEP by the child's third birthday.

Display 12-4: Percent of LEAs who Corrected Noncompliance

	FFY 2008
# of LEAs out of compliance	1
# of LEAs who corrected noncompliance within one year	1
% of LEAs who corrected noncompliance within one year	100.0%

Discussion of Completed Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 12 (See Appendix C).

The following activities were completed and ongoing FFY 2009:

1. Provide school districts with professional development on eligible, not eligible, and IEP in effect by 3 years of age allowing for smoother transition for student and family. Completed and ongoing.
 - Forty-one districts and USDB were provided with professional development on issues causing noncompliance with this indicator and working with Part C to provide reliable data in the statewide database.

This activity resulted in the LEA correcting noncompliance and providing verification of correction of noncompliance to the State as soon as possible, and in no case later than one year as documented by correction of noncompliance during the monitoring process.

2. Develop guidance on reporting requirements for Part C and Part B. Completed and ongoing.
 - During FFY 2009, professional development was conducted showing how the two different databases from Part C and Part B communicate. The professional development identified that Part C database changes needed to allow for an accurate reconciliation of students transitioning from Part C to Part B, so Part C has developed a reconciliation report, as well as providing for new changes to the TEDI database which will continue to be refined through 2013.
 - Needed changes were made to the Part C database and are reflected in the guidance for reporting.
 - Guidance for reporting has been completed in FFY 2009 and will be continue in FFY 2010-2013.

Results of this activity are reflected in the form of the TEDI manual on the new special education web site under preschool and will continue through FFY 2013.

3. Collaborate with Part C to develop a web-based method to share data between the two agencies. Completed and ongoing.
 - The web-based system, TEDI, was available for a trial period in February, 2009 for LEAs to use to enter the Indicator 12 data.
 - Part B and Part C, at the State level, met with each LEA and Part C provider to explain the data sharing process available within TEDI. This professional development has assisted in making TEDI more user-friendly as well what additional features will need to be added in the future.

Results of this activity indicate that the TEDI database will provide benefit to Parts B & C

and to families by easily providing data from one agency to the other. Thus, children will be easier to track, and LEAs can quickly see which children they need to determine eligibility for and within what timeline. This will result in higher compliance rates on this indicator.

4. Develop a new Memorandum of Understanding (MOU) with Part C upon approval of new State Special Education Rules. Completed and ongoing.
 - The Utah MOU for transition was started this year but was temporarily postponed due to other priorities by both agencies.
 - The Interagency Community Council (ICC) from Part C has supported the effort to begin the MOU process without the completion of the final Part C Regulations. MOU meetings started in FFY 2009 and will be completed by FFY 2012.

Results of this activity will include a completed State MOU that outlines shared responsibility for this indicator during FFY 2012.

5. Continue to meet with Part C quarterly to coordinate information in order to improve transition for students and families. Completed and ongoing.
 - Parts B & C personnel, at the State level, have met and worked together to ensure that no students were not accounted for during this reporting period, as well as to collaborate on the ongoing updates of information sharing between the Parts B & C databases.

This activity has resulted in more effective communication at the State level which has assisted districts at the local level, as demonstrated by improved data on this indicator allowing for a smoother transition for students and families.

6. Track school districts that did not reach the target of 100%. Completed and ongoing.
 - There were six school districts that did not have 100% with this Indicator, several implemented corrective action within FFY 2009.

Results of this activity indicate that the TEDI database will provide benefit to the districts and the state. Districts can compile data in real time and monitor their data as often as they believe necessary. The benefit to the state is that the database will not allow any children to be unaccounted for in the transition process. Compliance with this indicator is now easier to track. This will result in higher compliance rates on this indicator.

Impact of activities listed above:

These activities provided additional resources and supports to ensure a smooth and timely transition from Part C to Part B for students and their families and have improved the rate of compliance with this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 12 (See Appendix C).

The review indicated that no new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	One hundred (100) percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

2011 (2011-2012)	One hundred (100) percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2012 (2012-2013)	One hundred (100) percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	The USOE general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects one hundred (100) percent of noncompliance as soon as possible but in no case later than one year from identification.

Actual Data for FFY 2009: 99.48%

Display 15-1: Percent of Correction of Identified Noncompliance Within One Year

	FFY 2009 Identified 08-09 Corrected Within 1 Year
Target	100%
# of Total Findings	384
# Corrected within One Year	382
% Correction of Noncompliance	99.48%

The target of 100% was not met; however, the State achieved a 99.48% correction of noncompliance within one year. Furthermore, the two findings that were not corrected within one year were corrected as of July, 2010.

Describe the process for selecting LEAs for Monitoring:

The State's general supervision system includes the Utah Program Improvement Planning System (UPIPS) monitoring process and dispute resolution process. UPIPS Monitoring Process: The Utah

Program Improvement Planning System was developed to ensure that each LEA is included in the formal monitoring process. A stratified sample of school districts is included in each year's cohort. The selection criteria for school districts in each cohort include the following variables: student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique conformation of Utah's 41 school districts, there are three school districts of 50,000+ students. Three of the five cohorts for monitoring contain one of these very large school districts, and the remaining two include two school districts with enrollments of at least 25,000 students. Each of the five cohorts also includes school districts of medium and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum. The mean percentage of English Language Learner (ELL) students and of non-white students based on total enrollment varies. These data substantiate the representativeness of each cohort. LEAs are selected for State monitoring after being assigned to a cohort based upon location and size. Charter schools were assigned to the monitoring cycle as follows. As new charter schools open, they are assigned to the following year's monitoring cycle. They are not randomly assigned to a monitoring year because it is more important to let Utah charter schools know immediately what the rules and regulations are regarding IDEA. If they were randomly assigned to a monitoring year, it could be five years before a given charter school was monitored.

Each LEA is monitored each year throughout the five years using self-assessment, on-site visits, desk audits, annual performance reports, and/or data reporting. Dispute resolution system data from complaints and hearings is also reviewed and included as part of the monitoring process. The UPIPS monitoring process places increased responsibility on each LEA by involving them in a continuous cycle of identification and improvement. In Year 1, the LEA is charged with involving key stakeholders in the development of a Self-Assessment Report that analyzes the LEA's effectiveness in ensuring compliance and improving results for students. The LEA then develops a Corrective Action Plan (CAP) and Program Improvement Plan (PIP) that targets areas identified as needing improvement and aligns those identified areas with LEA interventions designed to correct them. Each year of the cycle the SEA performs a Desk Audit of each LEA which includes an off-site review of the LEA data, submitted as part of the Self-Assessment Report and from annual 618 data. Based on the results of the Annual Desk Audit, an on-site visit may be scheduled in which random student files will be reviewed for each visited LEA to collect additional data that validate the accuracy of the LEAs' self-collected data and to determine if improvement efforts, as part of the CAP and PIP, have been successful. During Years 2-5 the UPIPS process also tracks the status of each LEA's CAP and PIP, including the correction of identified compliance errors within one year. The CAP is evaluated each year for evidence of completion of activities and results of those activities are then verified through additional student file reviews and 618 data. Some LEAs may have multiple on-site visits based upon their annual desk audit.

As noncompliance is identified, it is reported as a finding. A finding is a written notification from the State to an LEA that contains the State's conclusion that the LEA program is in noncompliance and includes the citation of the statute or regulation and a description of the data supporting the conclusion. Written notifications of findings occur as soon as possible and generally within three months of discovery. Except for findings identified through State complaints or due process hearings, individual instances of noncompliance in an LEA involving the same legal requirement under IDEA and Utah Special Education Rules are grouped together as one finding. An LEA will have multiple findings of noncompliance for the same time period if the LEA is noncompliant with more than one legal requirement. Upon written notification of noncompliance from the USOE, the LEA must correct the noncompliance in its policies, procedures and practices as soon as possible, but in no case later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected. In addition, LEAs are required to write a Corrective Action Plan (CAP) to address their process for ensuring that the regulatory requirements are being implemented correctly throughout the LEA. LEAs that have findings of noncompliance are required to document additional professional development on the regulatory requirements and submit additional monitoring data which demonstrated correction of the noncompliance in LEA policies, procedures, and practices, including completion of the overdue evaluation(s). LEAs whose CAP does not result in the correction of the noncompliance within

one year will receive enforcement actions from the USOE; actions will be selected to target the reason behind the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds.

Correction occurs when the LEA revises noncompliant policies, procedures, and/or practices and the USOE verifies the correction and notifies the LEA of the correction. In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in OSEP's 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of IDEA, including the correction of noncompliance in conformance with the OSEP 09-02 memorandum, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (desk audits). While a sample of files were reviewed to determine ongoing LEA compliance with all specific regulatory requirements of IDEA, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with IDEA regulatory requirements.

Display 15-2: Part B Indicator 15 Worksheet

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
2. Percent of youth with IEPs dropping out of high school.	Dispute Resolution: Complaints, Hearings			
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 training program, or both, within one year of leaving high school.		0	0	0
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or	4	4	4

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Other			
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified 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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
4B. 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.	Dispute Resolution: Complaints, Hearings	0	0	0
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	31	86	84
6. Percent of preschool children aged 3 through 5 – early childhood placement.		Dispute Resolution: Complaints, Hearings	4	6
8. Percent of parents	Monitoring Activities:	22	59	59

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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.	Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	4	4	4
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	8	8	8
	Dispute Resolution: Complaints, Hearings	0	0	0
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	1
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth	Monitoring Activities:	12	47	47

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
aged 16 and above with 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 service needs.	Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance: Evaluation and Eligibility	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	38	165	165
	Dispute Resolution: Complaints, Hearings	3	4	4
Sum the numbers down Column a and Column b			384	382
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	99.48%

Timely Correction of FFY 2008 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a on the Indicator B15 Worksheet)	384
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	382
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	2

FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	2
5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	2
6. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

Not applicable because all FFY 2008 findings of noncompliance have been corrected as of July, 2010.

Verification of Correction for Findings of Noncompliance Reported in the FFY 2009 APR (Either Timely or Subsequent):

The USOE has verified that each LEA with findings of noncompliance identified in FFY 2008 is correctly implementing the specific regulatory requirements, (i.e., achieved 100% compliance) based on updated data subsequently collected either through on-site monitoring activities or LEA submitted data.

The USOE has also verified that each LEA has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):

To verify correction of findings of noncompliance, the USOE reviewed the correction of each individual case of noncompliance as well as updated data submitted by the LEAs to ensure that data submitted were accurate and reliable. The USOE ensured that the data were representative of the size and demographics of the LEA. Each LEA with findings of noncompliance was required to conduct a root cause analysis to determine the cause of each instance of noncompliance. The LEAs were then required to write and implement a CAP to address the noncompliance throughout the LEA. For LEAs who did not submit evidence of timely correction of noncompliance, the USOE wrote letters to the school's administration, as well as to the school board and the Utah State Charter School Board. Additional on-site visits were also conducted to verify correction of findings of noncompliance. The USOE also provided technical assistance for these LEAs.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

Not applicable because all FFY 2007 findings were corrected as of the FFY 2008 APR.
 If the State reported <100% for this indicator in its FFY 2008 APR and did not report that the remaining FFY 2007 findings were subsequently corrected, provide the information below:

1. Number of remaining FFY 2007 findings noted in OSEP's June 2010 FFY 2008 APR response table for this indicator	0
2. Number of remaining FFY 2007 findings the State has verified as corrected	0
3. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	0

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):

Not applicable because all FFY 2006 findings were corrected as of the FFY 2007 APR.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008; (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 an-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.	The State's response is described above in the section titled; Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either timely or subsequent).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:

Progress:

- The implementation of several activities has resulted in progress through a significant decrease in the number of findings of noncompliance, as well as correction of noncompliance including correction of policies, procedures, and practices within LEAs as soon as possible but in no case later than one year. LEAs are regularly informed of their progress and follow-up visits are scheduled by the USOE if timely and accurate data are not submitted documenting correction of noncompliance. LEAs have participated in multiple conversations with the USOE regarding the importance of corrections, ways to document the correction, and have responded positively to the requirements, as they now can see the correlation of this indicator with the State Performance Plan (SPP) and their resulting Annual Performance Report (APR) determinations.
- All LEAs with findings of noncompliance in FFY 2005, FFY 2006, FFY 2007, FFY 2008, and FFY 2009 have corrected their findings of noncompliance as of July 1, 2010. (One of the two LEAs corrected their finding of noncompliance on August 22, 2009, three days after the one

- year timeline. The other LEA corrected their noncompliance on July 1, 2010.) (see Slippage for explanation of State enforcement actions).
- 110 LEAs were monitored during FFY 2009. In those 110 LEAs, all findings were corrected in all LEAs as of July, 2010. Of those, 99.48% were corrected as soon as possible, but in no case later than one year of identification.
 - LEAs have seen how the result of correction of noncompliance affects their APR determinations in either a positive manner or through enforcement actions for continuing noncompliance.

Slippage:

- Although significant progress (99.48%) has been made on this indicator, Utah has not met the target of 100% compliance. Not all LEAs (two) met the required timelines for submitting documentation of the correction of noncompliance, although at this time, both of the LEAs exceeding correction timelines during FFY 2009 have corrected their noncompliance. State-wide, most LEAs have been able to implement changes and correct noncompliance rapidly.
- Enforcement actions have been implemented for all LEAs with identified findings of noncompliance that were not corrected within one year, including additional technical assistance, mandatory professional development, contact with the LEA Superintendent to inform of the noncompliance, requirement of a root cause analysis, requirement of a CAP to specifically address the continuing noncompliance, delay of IDEA funds, additional on-site visits, and notification in writing of the noncompliance. Enforcement actions were tailored to the needs of the LEAs, including length of time of noncompliance and documented LEA actions toward corrections. Fortunately, these enforcement actions have only needed to be used with a few select LEAs as the majority completed their corrections of noncompliance in a timely manner.
- Enforcement actions for an LEA who had not corrected findings of noncompliance within one year, and exceeded the timeline by several months, included letters to the school board, the principal, and the Utah State Charter School Board, an on-site visit which included student record reviews, interviews with school staff and students, a parent focus group, and meetings with the school administration. The LEA is required to document continuing compliance with specific regulatory requirements through regular submission of documentation of continuing compliance. The remaining LEA exceeded the timeline by three days and enforcement actions included a letter to the school administration.

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 15 (See Appendix C).

The following activities were completed and are ongoing FFY 2009:

1. Utilize UPIPS and UPIPS-SRR program to collect data on LEA compliance. Completed and ongoing.
 - The UPIPS monitoring data were collected, as needed, from LEAs.
 - The UPIPS-SRR was used to collect data from the SEA level from 23 LEAs and was known to be used at the LEA level for self-assessment, additional data collection, and professional development for 19 LEAs.

Results of this activity include increased UPIPS-SRR state-wide training activities and SEA/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, monitoring, and compliance with IDEA requirements, as documented by professional development logs, agendas, improved rates of correction of noncompliance, and decreased rates of noncompliance.

2. Track correction of LEA areas of noncompliance within one year timeline. Completed and ongoing.

- An excel spreadsheet is maintained and updated frequently (as LEAs submit data) to track progress of each LEA in their correction of noncompliance.
 - The spreadsheet shows all findings, progress, and correction dates for each LEA.
 - The spreadsheet is used to record both deadlines and dates of corrections.
 - As the data are received, the data are checked for accuracy by USOE staff and approval is documented on the spreadsheet.
 - A formal letter is then sent to the LEA updating them on the approval of submitted data and current status on UPIPS requirements.
 - Correction of noncompliance as soon as possible but in no case later than one year is documented and tracked from written notification from USOE to LEA of noncompliance to official notification from USOE to LEA stating the noncompliance is corrected.
 - Data stored in the spreadsheet are randomly checked for accuracy monthly by USOE staff.

Results of this activity include LEA special education directors receiving ongoing and current information regarding findings of noncompliance for Indicator 15, which in turn increased LEA correction of noncompliance in a timely manner, as documented by UPIPS correspondence, UPIPS spreadsheet, improved rates of correction of noncompliance, and decreased rates of noncompliance.

3. Provide LEAs with prompt feedback on FFY 2008 APR results. Completed and ongoing.
 - APR results were disaggregated to the LEA level, disseminated to each LEA, and a forum for discussion was provided at least twice at State special education meetings and charter school director meetings.
 - After discussions, each LEA was sent an APR determination letter and data which prompted additional discussion between USOE and LEA staff.

Results of the activity resulted in increased statewide training activities and USOE/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, compliance, and correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, UPIPS spreadsheet, improved rates of correction of noncompliance, and decreased rates of noncompliance.

4. Implement actions described in the USOE Framework for Recognition, Assistance, and Intervention with all LEAs, including the use of incentives for LEAs with timely corrections and enforcement actions for LEAs with continuing uncorrected noncompliance. Completed and ongoing.
 - The USOE disaggregated FFY 2008 APR data to the LEA level.
 - The USOE applied the LEA level data to the Framework and made LEA determinations.
 - The USOE notified LEAs of their determination and resulting recognition, assistance, and/or enforcement actions.

Results of the activity resulted in increased awareness of APR results, determination level, and consequences for Indicator 15, which in turn increased LEA staff knowledge, compliance, and correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, UPIPS spreadsheet, improved rates of correction of noncompliance, and decreased rates of noncompliance.

5. Conduct professional development for LEA special education directors and staff in areas of noncompliance with re-collection of compliance data after training. Completed and ongoing.
 - 84 hours of professional development was provided for 110 LEAs in the areas of evaluation, eligibility determination, IEP development, parental involvement, placement, and transition.

- Additional data collected after training occurred in 38 LEAs and showed timely correction of previous noncompliance in 37 LEAs.

Results of this activity included increased statewide professional development activities and USOE/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, compliance, and correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, UPIPS database, improved rates of correction of noncompliance, and decreased rates of noncompliance.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 15. Improvement activities resulted in state-wide training activities and SEA/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, monitoring, and compliance with IDEA requirements, ensuring that appropriately identified students with a disability will receive a free appropriate public education needed to improve their educational performance.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 15 (See Appendix C).

No new or revised activities needed at this time.

Activities	Timelines	Resources	Justifications

Measurable and Rigorous Targets – Indicator 15

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	The USOE general supervision system (including Monitoring, complaints, hearings, etc.) identifies and corrects one hundred (100) percent of the noncompliance as soon as possible but in no case later than one year from identification.
2011 (2011-2012)	The USOE general supervision system (including Monitoring, complaints, hearings, etc.) identifies and corrects one hundred (100) percent of the noncompliance as soon as possible but in no case later than one year from identification.
2012 (2012-2013)	The USOE general supervision system (including Monitoring, complaints, hearings, etc.) identifies and corrects one hundred (100) percent of the noncompliance as soon as possible but in no case later than one year from identification.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 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 in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	One hundred (100) percent of signed written complaints will have reports issued or be otherwise resolved within the 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.

Actual Data for FFY 2009: 100%

Display 16-1: Number and Percent of Complaints Resolved Within the Timeline

	FFY 2009
Complaints received	7
Complaints resolved w/in timeline	7
Percent resolved w/in timeline	100%

The target of 100% was met.

Display 16-2 provides the details about the complaints received.

Display 16-2: Complaint Information

Section A: Written, Signed Complaints	
(1) Total number of written, signed complaints filed	7
(1.1) Complaints with reports issued	6
(a) Reports with findings of noncompliance	4
(b) Reports within timeline	6
(c) Reports within extended timelines	0
(1.2) Complaints pending	0
(a) Complaints pending a due process hearing	0
(1.3) Complaints withdrawn or dismissed	1

Valid and Reliable Data:

All written complaints are date stamped by the USOE and the timeline is monitored by the USOE compliance officer to ensure accurate timeline data. Final reports are disseminated to the parties providing an additional opportunity to review the accuracy of data. The USOE special education support staff are trained on procedures for stamping documents for date and receipt as well as the appropriate staff member to receive data. Procedures are intended to ensure reliable and valid data, as well as maintain confidentiality.

Data are consistent with those reported on Table 7, included in Appendix D.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-2010):

The 100% rate was achieved during FFY 2009 with the State completing seven out of seven complaints within the timeline. This rate in FFY 2008 was also 100%, resulting in maintaining compliance with the IDEA requirement 34 CFR §300.152, which is the procedure for investigating a complaint and issuing a written decision within the 60 day time limit.

Display 16-3: Number and Percent of Complaints Resolved within the Timeline, Results over Time

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
Complaints received	20	9	9	10	10	7
Complaints resolved w/in timeline	18	9	9	9	10	7
Percent resolved w/in timeline	90%	100%	100%	90%	100%	100%

Correction of Previous Year's Noncompliance:

As all complaints were resolved within the timelines in FFY 2008, no correction of noncompliance was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.152, which is the procedure for investigating a complaint and issuing a written decision within the 60 day time limit, and as per OSEP's 09-02 Memorandum, which describes the timeline and procedures for correcting individual and system-wide noncompliance within one year.

Discussion of Improvement Activities:

Each Improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 16 (See Appendix C).

The following activities were completed and ongoing FFY 2009:

1. Conduct quarterly meetings with Disability Law Center (DLC) to coordinate efforts on state formal complaints. Completed and ongoing.
 - The USOE has conducted regular meetings and has endeavored to build a collaborative relationship with the DLC in order to resolve conflicts in a more expeditious, amicable manner, and to identify and address potential problems proactively to prevent dispute. In addition to quarterly meetings, the USOE Compliance Officer and USOE specialists effectively communicate and collaborate with the DLC for purposes of acquiring stakeholder input, providing technical assistance and training, and responding proactively to potential disputes.

Results of this activity include a collaborative relationship that has benefited all stakeholders by increasing understanding among all stakeholders and resolving disputes between parents and LEAs efficiently and effectively. The activity has also contributed to maintaining a low number of complaints.

2. Evaluate the results of activities from 2009-2010 and determine additional activities based on those data. Completed and ongoing.
 - The activities for indicator 16 were analyzed through the use of the USOE SPP/APR Improvement Activity form. In addition to successfully meeting the target goal of resolving 100% of the complaints filed within the 60 day timeline or a timeline extended for exceptional circumstances, Utah was also successful in facilitating continued positive collaboration with families and early dispute resolution to maintain low numbers of formal state complaints filed. The following activities contributed toward meeting the target goal for this indicator as well as facilitated keeping the numbers of formal complaints filed to a minimum.
 - Effective communication with the Disability Law Center (DLC) enabled potential topics of complaints to be addressed proactively and actual complaints to be resolved earlier.
 - Awareness of emerging issues was addressed through technical assistance to LEAs prior to the issue rising to a level of a formal State complaint.
 - Including the DLC as a partner in providing technical assistance professional development to LEAs allowed the DLC and LEAs an opportunity to communicate and collaborate directly without an adversarial relationship.

Results of this activity include a collaborative relationship that has benefited all stakeholders by increasing understanding among all stakeholders and resolving disputes between parents and LEAs efficiently and effectively. The activity has also contributed to maintaining a low number of complaints.

3. Continue to develop Utah's system of dispute resolution in order to encourage more productive communication as early resolution of problems. Completed and ongoing.
 - The USOE has convened a stakeholder group dedicated to early dispute prevention and resolution. The group has been meeting to examine Utah's dispute resolution system in order to determine its effectiveness in light of Utah's identified areas of concern. The process will conclude with recommendations for revisions of current dispute resolution mechanisms as well as potential mechanisms designed to further Utah's goal of early dispute prevention and resolution.
 - LEA special education directors and other LEA designees were provided with professional development designed to improve the ability to successfully collaborate and communicate with anxious parents.

Results of this activity include collaboration with stakeholder representatives to ensure consideration of broad and varied perspectives when designing dispute resolution mechanisms. This outcome will contribute to Utah's goal of maintaining low numbers of formal state complaints and due process hearings filed by maximizing effective collaboration and early dispute prevention and resolution between families, LEAs, and other stakeholders.

4. Create and utilize a database to track timelines and corrective actions to ensure timelines are met and compliance corrected within one year. Completed and ongoing.
 - A database was created during 2008-2009 and used to track all dispute resolution requests, activities, timelines, and findings.

Results of this activity include accurate tracking of requests, activities, timelines, and findings, enabling the USOE to meet timeline requirements by ensuring complaint investigations are finished and any corrective actions are completed in a timely manner.

Impact of completed activities listed above:

Each improvement activity was reviewed in terms of its impact on Indicator 16. Improvement activities resulted in increased collaboration with stakeholder representatives which contributed to maintaining a low number of State complaints and due process hearings by maximizing effective collaboration, early dispute prevention and resolution between families, LEAs, and other stakeholders. The improvement activities also resulted in the USOE meeting required timelines as complaint investigations and corrective actions were completed in a timely manner.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 16 (See Appendix C).

The review indicated that no new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	One hundred (100) percent of signed written complaints will have reports issued or be otherwise resolved within the 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.
2011 (2011-2012)	One hundred (100) percent of signed written complaints will have reports issued or be otherwise resolved within the 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.
2012 (2012-2012)	One hundred (100) percent of signed written complaints will have reports issued or be otherwise resolved within the 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.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 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.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	One hundred (100) percent of due process hearing requests that were adjudicated will have hearings completed 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.

Actual Data for FFY 2009: 100%

The target of 100% was met.

Display 17-1: Number and Percent of Due Process Hearings Resolved within the Timeline

	FFY 2009
Due Process Hearing requests filed	7
Resolution sessions	7
Resolutions reached or hearing request withdrawn prior to a decision by a hearing officer.	7
Decisions w/in timeline	0
Decisions w/in properly extended timeline	0
Percent resolved w/in timeline or properly extended timeline	100%

Display 17-2 provides the details about the hearing requests reported in Table 7, which is included in Appendix D.

Display 17-2: Hearing Request Information as Reported in Table 7

Section C. Due Process Complaints	
(3) Total number of due process complaints filed	7
(3.1) Resolution meetings	7
(a) Written settlement agreements	7
(3.2) Hearings fully adjudicated	0
(a) Decisions within timeline (including expedited)	0
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	7

Valid and Reliable Data:

The State compliance officer monitors due process hearing complaints as they are filed and during the process. Support staff is trained on procedures for date stamping complaints upon receipt to ensure accuracy of the timeline.

Explanation of Progress or Slippage that occurred for FFY 2009

As can be seen in Display 17-3, the percent of due process hearing requests resolved within the timeline has been 100% for the past five years. Both the LEA and parent are notified upon every request for a due process hearing. Utah strongly encourages mediation or facilitation as a way to resolve disputes in the most expeditious and amicable fashion. Mediation or facilitation is always offered and encouraged at the onset of the due process resolution session. During FFY 2009, seven due process hearing requests were filed. All seven requests were settled during the resolution time period and were withdrawn.

Display 17-3: Number and Percent of Due Process Hearings Resolved within the Timeline, Results over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
Due Process Hearing requests filed	4	7	4	2	7
Resolution sessions	4	7	4	2	7
Resolution sessions reached without a hearing and within the timeline or properly extended timeline	4	6	4	1	7
Decisions w/in timeline	0	0	0	0	0
Decisions w/in properly extended timeline	0	1	0	1	0
Percent resolved w/in timeline or properly extended timeline	100%	100%	100%	100%	100%

Correction of Previous Year's Noncompliance

Data on this Indicator show that the target of 100% was met in FFY 2008. Therefore, since there was no noncompliance, no correction is indicated. The USOE verified that the USOE and LEAs are implementing the specific regulatory requirements of 34 CFR §300.515, which describes the 45 day timeline in which a written decision must be reached in a due process hearing, and as per OSEP Memorandum 09-02, which describes the timeline and procedures for correcting individual and system-wide noncompliance within one year.

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 17 (See Appendix C).

The following activities were completed and are ongoing FFY 2009:

1. Recruit additional due process hearing officers (DPHOs) as needed to ensure an adequate pool in the event that a due process hearing request is filed. Completed and ongoing.
 - Utah added one new name to its list of hearing officers.

This activity resulted in a larger pool of DPHOs to draw from, thus ensuring continued adherence to timelines.

2. Notify LEA and parent of required timelines upon every request for a due process hearing. Completed and ongoing.
 - Both parties were notified, in writing, of the required timelines upon every request for a due process hearing.
 - Each LEA special education director was notified by telephone when a request for a due process hearing was received by the USOE. If the LEA special education director had not yet received the request for a due process hearing, a copy of the request was transmitted by fax to the director.

This activity resulted in all parties being informed of timeline requirements, thus ensuring adherence to timelines.

3. Continue every other year required professional development for DPHOs. Completed and ongoing.
 - Training was conducted in August, 2010 at the Utah Institute on Special Education Law and all five of Utah's hearing officers attended.

As a result of this training, DPHOs will have current information to carry out due process hearings effectively and ensure that timelines continue to be met.

Impact of completed activities listed above:

The improvement activities for Indicator 17 are designed to ensure that hearing officers understand the timeline requirements for due process hearings and are prepared to manage the hearing to meet these timelines. The ability to assign a properly trained hearing officer expeditiously is a prerequisite to successful adherence to the timelines. Because Utah places great emphasis on early dispute prevention and resolution and has historically low numbers of due process hearing requests filed, hearing officers are not full time employees. Rather, as contract employees, the role of special education hearing officer represents a small percentage of their jobs. Though the Utah State Office of Education has always been successful in assigning a hearing officer in a timely fashion, it is important to maintain a list of potential individuals who are properly trained to maintain this ability. An additional DPHO was added, thus ensuring an expanded pool to draw from in order to continue an adherence to timelines at 100% compliance.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Review form in order to determine its impact on Indicator 17 (See Appendix C).

The review indicated that no new or revised activities are needed at this time.

Activities	Timelines	Resources	Justifications

FFY	Measurable and Rigorous Targets
<p>2010 (2010-2011)</p>	<p>One hundred (100) percent of due process hearing requests that were adjudicated will have hearings completed 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>2011 (2011-2012)</p>	<p>One hundred (100) percent of due process hearing requests that were adjudicated will have hearings completed 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>2012 (2012-2013)</p>	<p>One hundred (100) percent of due process hearing requests that were adjudicated will have hearings completed 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>

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	Eighty percent (80%) of the due process hearing complaints that went to resolution session will be resolved through resolution session settlement agreements.

Display 18-1: Number of Resolution Sessions Held

	FFY 2009
Number of Resolution Sessions Held	7

Since the number of resolution sessions held remained under 10 for FFY 2009, Utah is not required to report on this indicator.

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	Eighty-five (85) percent of due process hearing requests that went to resolution sessions will be resolved through resolution session settlement agreements..
2011 (2011-2012)	Eighty-five (85) percent of due process hearing requests that went to resolution sessions will be resolved through resolution session settlement agreements.
2012 (2012-2013)	Eighty-five (85) percent of due process hearing requests that went to resolution sessions will be resolved through resolution session settlement agreements.

Part B State Annual Performance Report (APR) for FFY 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.
(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	Eighty-eight (88) percent of mediations will result in mediation agreements.

Display 19-1: Number of Mediations

	FFY 2009
Number of mediations held	1

Since the number of mediations held remained under 10 for FFY 2009, Utah is not required to report on this indicator.

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	Ninety (90) percent of mediations will result in mediation agreements.
2011 (2011-2012)	Ninety (90) percent of mediations will result in mediation agreements.
2012 (2012-2013)	Ninety (90) percent of mediations will result in mediation agreements.

Part B State Annual Performance Report (APR) for 2009

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

Data Sources: 618 data, UPIPS Monitoring data.

FFY	Measurable and Rigorous Targets
2009 (2009-2010)	One hundred (100) percent of 618 reports, State Performance Plan and Annual Performance Report will be accurate and submitted on time.

Actual Target Data for FFY 2009: 95.24%

Display 20-1: Percent of 618 Data and APR Data Submitted on Time and Accurately

A. APR Grand Total	45
1. Timeliness (Timely Submission points)	5
2. Accuracy (Subtotal points)	40
B. 618 Grand Total	40.72
1. Timeliness (Timely Subtotal x 2)	12.86
2. Accuracy ((B. + C. + D. Subtotals) x 2)	27.86
C. APR Grand Total (A) + 618 Grand Total (B)	85.72
D. Subtotal (C/90)	.952
a. Overall Timeliness Score ((A1+B1)/20)	89.3%
b. Overall Accuracy Score ((A2+B2)/70)	96.9%
E. Overall Indicator Score (Subtotal D x 100)	95.24%

The target of 100% was met.

All 618 data reports required by OSEP were completed and submitted on time **by the USOE Special Education Services Section to the USOE Information Technology section.** Child Count, FAPE and

Assessment reports were submitted on February 1, 2010. Discipline and Personnel reports were submitted by November 1, 2010. **The Exit report was submitted after the November 1, 2010 deadline by the USOE Information Services section.** The Utah Annual Performance Plan was submitted on time and modifications and suggestions for improvements and additional data required by OSEP were completed on time as per instructions. Displays 20-2 and 20-3 provide details of the timeliness and accuracy calculations.

Display 20-2: Detailed Information on the Timeliness and Accuracy of APR Data

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
Subtotal			40
APR Score Calculation	Timely Submission Points - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		45.00

Display 20-3: Detailed Information on the Timeliness and Accuracy of 618 Data

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/10	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/10	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/10	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/10	0	1	1	N/A	2
Table 5 - Discipline Due Date: 11/1/10	1	1	0	N/A	2
Table 6 - State Assessment Due Date: 2/1/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/10	1	1	1	N/A	3
Subtotal					19
618 Score Calculation			Grand Total (Subtotal X 2.143) =		40.72

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	40.72
C. APR Grand Total (A) + 618 Grand Total (B) =	85.72
Total N/A in APR	0
Total N/A in 618	0
Base	90.00
D. Subtotal (C divided by Base*) =	.952
E. Indicator Score (Subtotal D x 100) =	95.24

Valid and Reliable Data:

All 618 data are collected in the USOE Data Clearinghouse. Data errors are detected through an editing process and are sent back to LEAs for correction. Submissions are only accepted if they clear all editing procedures. Sign off signatures are required for some of the 618 data ensuring validity, accuracy, and reliability. 618 data have been collected for many years. The USOE conducts a yearly comparison for consistency as an additional check. Utah has constructed an effective Clearinghouse data system in

order to meet the reporting requirements of IDEA and other Federal programs. Public reporting has also helped ensure that data received from the LEAs are accurate, valid and reliable.

Explanation of Progress or Slippage that occurred for FFY 2009 (2009-10):

As indicated in Display 20-4, the 95.24% rate of timeliness and accuracy represents slippage from the FFY 2008 data of 97.62%.

Correction of Previous year’s Noncompliance:

100% rate of timeliness and accuracy has been maintained from FFY 2005 through FFY 2007. In FFY 2008, the State calculated and reported 100% data for timeliness and accuracy; however, OSEP indicated a calculation of 97.62% due to accuracy in later correspondence. That accuracy error resulted during the transition to EdFacts data reporting. Additional staff training and data verification procedures were implemented during FFY 2009; however, those actions have not resulted in complete correction. Additional improvement activities were developed jointly by the USOE Special Education Services section and Information Technology, as the data are collected and reported through both departments.

Display 20-4: Percent of Timeliness and Accurate Data, Results over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009
a. Overall Timeliness Score	100.0%	100.0%	100.0%	100.0%	89.3%
b. Overall Accuracy Score	100.0%	100.0%	100.0%	100.0%	96.9%
Overall Indicator Score	100.0%	100.0%	100.0%	97.62%*	95.24%

For FFY 2008, the USOE reported 100%; however, OSEP indicated a calculation of 97.62%.

Discussion of Improvement Activities:

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 20 (See Appendix C).

The following activities were completed and are ongoing FFY 2009:

1. Collaborate and communicate with USOE personnel regarding data needs. Completed and ongoing.
 - Several USOE interdepartmental meetings have been held. All departments are aware of special education data needs and are collaborating to ensure that those needs are met.
 - Data are regularly disseminated at special education staff meetings to keep staff members informed. The Utah Professional Development Center is also provided with data as needed to align professional development provision.
 - Data are shared at various committee meetings in order to drive decision making.
 - Data are shared at meetings with all LEA special education directors statewide.

Results of this activity have been improved levels of collaboration and effectiveness within the USOE and LEAs, and made all aware of the data needs for special education activities.

2. Utilize 618 data profile and UPIPS data in decision making and professional development activities. Completed and ongoing.
 - Each LEA was given a profile sheet with the data points and targets of the 20 indicators found in Utah’s APR.

- Comparisons were made between each LEA's data and the State data to determine if each LEA did or did not meet the targets.
- UPIPS monitoring data were also used to provide data for the profile sheets.
- Technical assistance was provided to LEAs to facilitate specific professional development planning based on the 618 data and UPIPS monitoring data provided.

Results of this activity indicate that LEAs are more aware of data and how data can be used in creating professional development plans, targeting problem areas, and helping LEAs make better program and personnel decisions based on data.

3. Train new charter school data managers and new LEA special education directors on all data collection requirements, including timelines. Completed and ongoing.
 - Quarterly professional development was provided to new charter school data managers and new special education directors.

Results of this activity include LEA data managers and new special education directors being knowledgeable of data collection requirements.

Impact of completed activities listed above:

LEAs are more aware of data and its importance in positively impacting the outcomes of students with disabilities. A great deal of effort has gone into making the data more accurate, reliable and valid through continued collaboration with the computer department at the USOE. Each LEA enters their data into the USOE clearinghouse and the data are cleared through edit checks, thus ensuring reliability and accuracy. The data profiles provided annually to all LEAs have made LEAs aware of yearly progress or slippage and have provided a basis for improvement through professional development activities and data based decision making.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources

Each improvement activity was reviewed using the Utah State Office of Education SPP/APR Improvement Activity Review form in order to determine its impact on Indicator 20 (See Appendix C).

Activities	Timelines	Resources	Justifications
<p>The USOE Information Technology Department will submit reviewed IDEA data to EdFacts prior to data due date.</p> <ul style="list-style-type: none"> • Data will be reviewed by the USOE Special Education Department prior to and after EdFacts submission. 	2011 - 2013	USOE IT staff and special education staff	This process adds a double data verification process, which should improve accuracy of State-reported 618 data.

FFY	Measurable and Rigorous Targets
2010 (2010-2011)	One hundred (100) percent of 618 reports, State Performance Plan and Annual Performance Report will be accurate and submitted on time.
2011 (2011-2012)	One hundred (100) percent of 618 reports, State Performance Plan and Annual Performance Report will be accurate and submitted on time.
2012 (2012-2013)	One hundred (100) percent of 618 reports, State Performance Plan and Annual Performance Report will be accurate and submitted on time.

APPENDIX A

ACRONYMS

ABC/UBI	Academic Behavior and Coaching/Utah Behavior Initiative
APR	Annual Performance Report
AUT	Autism
AYP	Adequate Yearly Progress
BIP	Behavior Intervention Plan
CAP	Corrective Action Plan
CRT	Criterion-Reference Test
CSPR	Consolidated State Plan Report
CTE	Career and Technical Education
DIBELS	Dynamic Indicators of Basic Early Literacy Skills
DLC	Disability Law Center
DPHO	Due Process Hearing Officer
DWS	Department of Workforce Services
ECO	Early Childhood Outcome Center
ECSE	Early Childhood Special Education
ED	Emotional Disturbance
EDEN	Education Data Exchange Network
EI	Early Intervention
ELL	English Language Learner
ESEA	Elementary and Secondary Education Act
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FBA	Functional Behavioral Assessment
FERPA	Family Education Rights and Privacy Act
FFY	Federal Fiscal Year
GED	General Educational Development
ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act
IEP	Individual Education Program
IHE	Institute of Higher Education
LEA	Local Education Agency
LRBI	Least Restrictive Behavior Initiative
LRE	Least Restrictive Environment
MPRRC	Mountain Plains Regional Resource Center
NCLB	No Child Left Behind
NECTAC	National Early Childhood Technical Assistance Center
NSTTAC	National Secondary Transition Technical Assistance Centers
OSEP	Office of Special Education Programs
P&A	Protection and Advocacy
PBIS	Positive Behavioral Interventions and Supports
PIP	Program Improvement Plan
PLAAFP	Present Levels of Academic Achievement and Functional Performance
RISEP	Research Institute for Safe and Effective Programs

RR	Risk Ratio
Rtl	Response to Intervention
SCM	Success Case Method
SES	Special Education Services
SET	School-wide Evaluation Tool
SLD	Specific Learning Disabilities
SLP	Speech-Language Pathologist
SMH	School Mental Health
SPP	State Performance Plan
SRR	Student Record Review
SWAT	Statewide Assistance Team
SWD	Student with Disabilities
TEDI	Transition from Early Intervention Data Information System
UAA	Utah's Alternate Assessment
UBCST	Utah Basic Competency Skills Test
UBI	Utah's Behavior Initiatives
U-PASS	Utah Performance Assessment System for Students
UPC	Utah Parent Center
UPDC	Utah Personnel Development Center
UPIPS	Utah Program Improvement Planning System
UPOD	Utah Preschool Outcomes Data
USBE	Utah State Board of Education
USEAP	Utah Special Education Advisory Panel
USOE	Utah State Office of Education
USOR	Utah State Office of Rehabilitation
WIA	Workforce Investment Act
WRR	Weighted Risk Ratio
YIC	Youth in Custody

APPENDIX B

Parent Survey—Special Education

This is a survey for parents of students receiving special education services. Your responses will help guide efforts to improve services and results for children and families. For each statement below, please circle either yes (Y), no (N) or not applicable (NA) when available.

Procedural Safeguards

- | | <u>Yes</u> | <u>No</u> |
|---|-------------------|------------------|
| 1. Did you receive a copy of your procedural safeguards (parent's rights)? | Y | N |
| 2. Were your procedural safeguards (parent's rights) explained so that you understood them? | Y | N |
| 3. If you speak a language other than English, does the school communicate with you in that language? | Y | N NA |

Evaluation and Eligibility

- | | | |
|---|---|---|
| 4. Did you sign a consent form before your child was evaluated? | Y | N |
| 5. Did you have the opportunity to provide input during your child's evaluation? | Y | N |
| 6. Did the evaluation team listen to and consider your input? | Y | N |
| 7. Were you invited to a meeting to discuss the results of your child's evaluation? | Y | N |

IEP Development

- | | | |
|--|---|------|
| 8. Was the IEP meeting scheduled at a mutually agreeable time? | Y | N |
| 9. Did you receive notice of the time and place before each IEP meeting? | Y | N |
| 10. Were you informed of your right to invite individuals who have knowledge or special expertise about your child to the IEP meeting? | Y | N |
| 11. Did you bring someone to the IEP meeting? | Y | N |
| 12. Did a general education teacher attend the IEP meeting? | Y | N NA |
| 13. Did the principal or his/her representative attend the IEP meeting? | Y | N |
| 14. Did the team ask for and consider your input on goals for your child's IEP? | Y | N |
| 15. Were all of your child's needs addressed during the IEP meeting? | Y | N |
| 16. At your child's IEP meeting, did the team discuss how your child would participate in statewide and district-wide testing? | Y | N |
| 17. At your child's IEP meeting, did the IEP team discuss classroom accommodations and modifications your child needs? | Y | N |
| 18. Did you sign a consent form before your child was placed in special education? | Y | N |

IEP Implementation

- | | | |
|---|---|---|
| 19. Are your child's general education teachers aware of your child's learning needs? | Y | N |
|---|---|---|

- | | | | |
|---|---|---|----|
| 20. Does the staff in the general classroom consistently provide the accommodations and modifications written in your child's IEP? | Y | N | NA |
| 21. Do your child's general education and special education teachers work together to implement the IEP? | Y | N | NA |
| 22. Is your child getting all of the services listed on the IEP? | Y | N | |
| 23. Are the related services your child receives (i.e., speech therapy, occupational therapy, counseling) helping him/her to benefit from special education services? | Y | N | NA |
| 24. Does your child participate in school activities such as assemblies, after school activities and field trips with non-disabled students? | Y | N | |
| 25. Do you receive periodic reports on your child's progress toward IEP goals? | Y | N | |
| 26. Is your child making progress toward meeting the goals on his/her IEP? | Y | N | |

Transition (School to Post-School)

- | | | | |
|---|---|---|----|
| 27. If your child is 15 years old or older, did the IEP team discuss transition services (e.g., career interests, employment, high school classes)? | Y | N | NA |
| 28. Does your child's IEP provide the direction and plan for helping your child reach his/her long term goals after he/she leaves public school? | Y | N | NA |
| 29. Do you understand your child's graduation requirements? | Y | N | NA |

Discipline

- | | | | |
|---|---|---|----|
| 30. Has your child been removed from his/her special education program as a result of a disciplinary action this school year (suspended or expelled) for more than 10 days? | Y | N | |
| 31. Did he/she receive special education services in a different setting during that time? | Y | N | NA |

General

- | | | | |
|--|---|---|--|
| 32. Does the school provide the information you need to have a positive effect on the quality of your child's program? | Y | N | |
| 33. Does the school facilitate opportunities for you to provide input about your child's education other than at IEP meetings? | Y | N | |
| 34. Is there a communication system in place that provides you the opportunity to exchange important information about your student as often as necessary? | Y | N | |
| 35. Does your school encourage your involvement as a means of improving services and results for your child with disabilities? | Y | N | |
| 36. Were you ever given information about organizations that offer support for parents with students with disabilities by your school/district? | Y | N | |
| 37. Have you participated in any training offered by the district, school, other parent groups or the Utah Parent Center? | Y | N | |

Comments:

APPENDIX C

Utah SPP/APR
FFY 2009 (2009-2010)

Improvement Activity Review Checklist

(Activities Written FFY 2008, Implemented 2008/09)

Reporting in FFY 2009 (2009-2010)

Annual Performance Review - February, 2011 Submission

Review Date _____

Submitted by _____

Indicators (circle all that apply)

Results Indicators 1 2 3 4 5 7 8 14

Compliance indicators 4 9 10 11 12 13 15 16 17 18 19 20

Check the category of this activity:

- Collaboration/Coordination
- Data Collection/Analysis
- Evaluation
- Policies/Procedures/Practices
- Professional Development
- Technical Assistance
- Other _____

Activity # ____ of ____ : Short Title of Activity:		
Instructions: Think through each activity using the questions below as a guide. Use the space below the question to document your analysis, if appropriate. If there are several "No" responses or "Yes/No" responses, consider whether or not to continue the activity. You may decide that the activity should be continued but needs revisions are needed. If so, indicate in question 12 and activity. Reflect revised activity in FFY 2009 APR & the SPP.	Yes Continue as written.	No Revise, write new activity or discontinue this activity.
Questions		
1. Is this improvement activity based on data/research/evidence and likely to produce consistent results?	Yes	No
2. Is the improvement activity clearly aligned to the indicator and/or related indicators?	Yes	No

3. If the activity addresses one or more compliance indicator/s, will the improvement activity assist in correcting finding/s of noncompliance? How?	Yes	No	N/A
4. Does the improvement activity reflect State "Promises to Keep" and "Special Education Department Priorities"? (Not applicable for compliance indicators.	Yes	No	N/A
5. Does the description of the improvement activity make it clear how to implement the activity successfully e.g., steps, guidelines, implementation process, and evaluation method?	Yes		No
6. Are data used to develop and document progress on this improvement activity valid and reliable?	Yes	No	
7. Is the improvement activity realistic? Can and/or will be it done?	Yes	No	
8. Do you have enough data to measure this activity's impact?	Yes	No	
9. Does the improvement activity include specific timelines?	Yes	No	
10. Is it clear who is responsible for implementation of this improvement activity?	Yes	No	
11. Are necessary resources (supports and funds) identified and available to implement the activity? What are they?	Yes	No	
12. Should this activity be continued?	Yes <input type="checkbox"/> As is <input type="checkbox"/> Revise	No, Discontinue and Revise SPP/APR if applicable	

APPENDIX D

Table 7

Report of Dispute Resolution Under Part B. of the
Individuals with Disabilities Education Act
2009-10

SECTION A: WRITTEN SIGNED COMPLAINTS	
(l) Total number of written, signed complaints filed	7
(1.1) Complaints with reports issued	6
(a) Reports with findings of noncompliance	4
(b) Reports within timeline	6
(c) Reports within extended timelines	0
(1.2) Complaints pending	0
(a) Complaint pending a due process hearing	0
(1.3) Complaints withdrawn or dismissed	1

SECTION B: MEDIATION REQUESTS	
(2) Total number of mediation requests received through all dispute resolution processes	4
(2.1) Mediations held	1
(a) Mediations related to due process complaints	0
(i) Mediation agreements	0
(b) Mediations not related to due process complaints	1
(i) Mediation agreements	1
(2.2) Mediations not held (including pending)	0
(2.3) Mediations withdrawn or not held	3

SECTION C. DUE PROCESS COMPLAINTS	
(3) Total number of due process complaints filed	7
(3.1) Resolution meetings	7
(a) Written settlement agreements reached through resolution meetings	7
(3.2) Hearings (fully adjudicated)	0
(a) Decisions within timeline (include expedited)	0
(b) Decisions within extended timeline	0
(3.3) Due process complaints pending	0
(3.4) Due Process complaints withdrawn or dismissed (included resolved without a hearing)	7

SECTION D: EXPEDITED DUE PROCESS COMPLAINTS (RELATED TO DISCIPLINARY DECISION)	
(4) Total number of expedited due process complaints filed	0
(4.1) Resolution meetings	0
(a) Written settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0
(4.3) Expedited due process complaints pending	0
(4.4) Expedited due process complaints withdrawn or dismissed (including resolved without a hearing)	0

