

**Part B State Annual Performance Report (APR) for FFY 05 (SY 05-06)**

**APR 2-1-07**

**Monitoring Priority: FAPE in the LRE**

**Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

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

**Measurement:** Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

Indiana is changing the graduation rate calculation formula beginning with the students graduating in the spring of 2006. The previous graduation formula results are also being reported (to provide a comparison to data and results reported in the SPP for FFY 2004) and the results for the new graduation formula are also reported for current and future reporting comparison purposes. The advantage to the public in reporting results using both formulas is that the previous formula was used for last year's SPP and the data will be more easily compared for progress/slippage purposes.

**All Students (General Education and Special Education) enrollment SY 05-06**

05-06 Grade 9 Public Enrollment	87,758
05-06 Grade 10 Public Enrollment	78,283
05-06 Grade 11 Public Enrollment	71,784
05-06 Grade 12 Public Enrollment	63,274

Data source: State Total Public School Enrollment, DOE website, and November 30, 2006 and confirmation e-mail

05-06 Grade 9 Dropouts	1,532
05-06 Grade 10 Dropouts	2,010
05-06 Grade 11 Dropouts	2,481
05-06 Grade 12 Dropouts	2,935

Data source: DOE/EIS 12-12-06 KL

**Special Education**

05-06 Grade 9 (age 15) Enrollment	12,731
05-06 Grade 10 (age 16) Enrollment	11,777
05-06 Grade 11 (age 17) Enrollment	9,825
05-06 Grade 12 (age 18-21) Enrollment	8,519

Data source: 2005-06 Statistical Report, page 19.

05-06 Grade 9 (age 15) dropouts	514
05-06 Grade 10 (age 16) dropouts	1051
05-06 Grade 11 (age 17) dropouts	1094
05-06 Grade 12 (age 18-21) dropouts	901

Data source: Report of Children with Disabilities Exiting, July 1, 2005-June 30, 2006, UEXQ-13, page 7 of 8.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
FFY 2005 (05-06 SY)	Target for FFY 2005 was for Special Education Graduation Rate, with a diploma, to be $\geq$ 73%

The official graduation used by the Indiana Department of Education until the 05-06 school year (and the one used to report in the SPP) is based on a calculation known as the cohort survival rate. It was adopted as an official rule by the State Board of Education in the Indiana Administrative Code (511 IAC 6.1-1.2). This method was developed from a federal study published to help create consistency among statistical methods. Using this calculation, the graduation rate is determined each year at each high school by figuring the percentage of students dropping out at each of the four grade levels during that year. Each of the dropout rates for grades 9, 10, 11, and 12 are subtracted from 1.0, then the rates are multiplied by each other and by 100 to create that year’s graduation rate. Using this formula the results are reported below (this calculation is used to provide comparability with last year’s results):

**Actual Target Data for FFY 05 [05-06 school year]:**

**Graduation rate for all students: 88.16%**

**Special Education Graduation Rate: 69.46%**

The new graduation rate calculation methodology is contained in House Enrolled Act 1120, Section 5. The new graduation rate was used beginning with the class of 2005-06 and calculations were made for overall graduation rate (all students) and for students with disabilities, and reported to Indiana’s Education Roundtable on November 20, 2006. The graduation rate target will be re-calibrated to transition into the new formula. The justification is that the state formula changed.

**Results using Indiana’s new graduation formula:**

**Graduation rate for all students: 75.5%**

**Special Education graduation rate: 54%**

**Data Source:** Preliminary Data as of 11.20.06, Presented to Indiana’s Education Roundtable, November 27, 2006, Indiana Department of Education

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005 (2005-06 SY):** Indiana experienced slippage with regard to graduation rate of students with disabilities. All Year 1 Improvement Activities were conducted as described.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2005 (2005-06 SY):** At this time, the proposed targets will remain unchanged because they appear to be achievable as additional Improvement Activities are implemented. Additional Improvement activities have been developed because they are needed to improve results and are required in Indiana's March 2, 2006 letter from OSEP informing DIDOE that the SPP meets requirements. The stakeholders will meet to discuss recalibrating graduation results for target using the new formula. Also, see Indicator 1 in SPP

Major additional Improvement Activities include:

- 1) legislation passed by Indiana's legislature, and;**
- 2) initiatives of the Indiana Department of Education.**

**Dropout Prevention Legislation:**

Dropout age was raised to age 18;

School Flex and Fast Track Implemented;

Early Warning Signs/School Report Card.

**Indiana Department of Education Strategies and Supports:**

Annual Statewide Summit to promote best high school practices and innovative high school redesign models;

High School Dropout Prevention Taskforce initiated;

New High School RE-Design Coordinator position created;

IDOE Strategic Plan Initiative to support dropout prevention efforts.

**Part B State Annual Performance Report (APR) for FFY 05 [05-06 SY]**

**Monitoring Priority: FAPE in the LRE**

**Indicator 2:** Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

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

**Measurement:** Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

Indiana is changing the graduation/dropout rate calculation formula beginning with the students graduating in the spring of 2006. At this time (January, 2007) IDOE is calculating the dropout rates for schools, the state, and by disaggregated groups for reporting to the public. The previous graduation/dropout formula is also being used in the APR for comparability with results from last year so that progress/slippage can be measured and reported. The stakeholder group will be meeting to recalibrate dropout targets using the new formula. See also SPP.

**All Students (General Education and Special Education)**

05-06 Grade 9 Public Enrollment	87,758
05-06 Grade 10 Public Enrollment	78,283
05-06 Grade 11 Public Enrollment	71,784
05-06 Grade 12 Public Enrollment	63,274

Data source: State Total Public School Enrollment, DOE website, and November 30, 2006 and confirmation e-mail

05-06 Grade 9 Dropouts	1,532
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05-06 Grade 11 Dropouts	2,481
05-06 Grade 11 Dropouts	2,935

Data source: DOE/EIS 12-12-06 KL

**Special Education**

05-06 Grade 9 (age 15) Enrollment	12,731
05-06 Grade 10 (age 16) Enrollment	11,777
05-06 Grade 11 (age 17) Enrollment	9,825
05-06 Grade 12 (age 18-21) Enrollment	8,519

Data source: 2005-06 Statistical Report, page 19.

05-06 Grade 9 (age 15) dropouts	514
05-06 Grade 10 (age 16) dropouts	1,051
05-06 Grade 11 (age 17) dropouts	1,094
05-06 Grade 12 (age 18-21) dropouts	901

Data source: Report of Children with Disabilities Exiting, July 1, 2005-June 30, 2006, UEXQ-13, page 7 of 8.

FFY	Measurable and Rigorous Target
FFY 2005 (SY 05-06)	The drop-out rate for students with disabilities target was $\leq 27\%$

**Actual Target Data for FFY 2005 (2005-2006):**

Percentage of all students dropping out: 11.84%  
 Percentage of special education students dropping out: 30.54%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:** All Year 1 Improvement Activities were conducted as described. Indiana experienced slippage with regard to the dropout rate of students with disabilities.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for** At this time, the proposed targets will remain unchanged and appear to be achievable as more and additional Improvement Activities are implemented. Additional Improvement Activities are justified and have been developed because they are needed to improve results and are required in Indiana’s March 2006 letter from OSEP informing IDOE that the SPP meets requirements.

Additional Improvement Activities include:

**Dropout Prevention Legislation:**

- Dropout age was raised to age 18;
- School Flex and Fast Track Implemented;
- Early Warning Signs/School Report Card.

**Indiana Department of Education Strategies and Supports:**

- Annual Statewide Summit to promote best high school practices and innovative high school redesign models;
- High School Dropout Prevention Taskforce initiated;
- New High School RE-Design Coordinator position;
- IDOE Strategic Plan Initiative to support dropout prevention efforts.

NOTE: The new formula will be used to report results in APR due February 2008. The stakeholder group will be meeting to recalibrate targets using the new formula.

Part B State Annual Performance Report (APR) for FFY 2005 (05-06 SY)

**Monitoring Priority: FAPE in the LRE**

**Indicator 3:** Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts that have a disability subgroup that meets the State’s minimum “n” size meeting the State’s AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

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

**Measurement:**

- A. Percent =  $[(\# \text{ of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}) \div (\text{total } \# \text{ of districts that have a disability subgroup that meets the State's minimum "n" size in the State})] \times 100$ .
- B. Participation rate =
  - a. # of children with IEPs in assessed grades;
  - b. # of children with IEPs in regular assessment with no accommodations (percent =  $[(b) \div (a)] \times 100$ );
  - c. # of children with IEPs in regular assessment with accommodations (percent =  $[(c) \div (a)] \times 100$ );
  - d. # of children with IEPs in alternate assessment against grade level achievement standards (percent =  $[(d) \div (a)] \times 100$ ); and
  - e. # of children with IEPs in alternate assessment against alternate achievement standards (percent =  $[(e) \div (a)] \times 100$ ).

Account for any children included in a, but not included in b, c, d, or e above.

Overall Percent =  $[(b + c + d + e) \div (a)]$ .

- C. Proficiency rate =
  - a. # of children with IEPs in assessed grades;
  - b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent =  $[(b) \div (a)] \times 100$ );
  - c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent =  $[(c) \div (a)] \times 100$ );
  - d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent =  $[(d) \div (a)] \times 100$ ); and
  - e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent =  $[(e) \div (a)] \times 100$ ).

Account for any children included in a, but not included in b, c, d, or e above.

Overall Percent =  $[(b + c + d + e) \div (a)]$ .

Note: students with disabilities enrolled in private schools are to be subtracted from “a” per OSEP guidance of December 14, 2006.

FFY	Measurable and Rigorous Target
FFY 2005 (2005-2006)	Districts meeting AYP in special education sub-category $\geq$ 92%

**Actual Target Data for FFY 05 [school year 2005-06]:**

**3 A- Data from DOE website <http://www.doe.state.in.us/ayp/2005/2005-CorpAYP.xls>**

There are 293 School corporations (districts) in Indiana

Students with disabilities did not make AYP in:

49 School Corporations in English

18 School Corporations in Math

14 School Corporations in both English and Math

53 in either English or Math

Thus, 240 school corporations made AYP except for the disability category, for an AYP rate of 81.9%.

This year the bar was raised from 58.8% to 65.7% of students needing to pass the statewide assessment in order to meet AYP. The IDOE information release of May 19, 2006 reported that 72.7% of school corporations and 49.3% of schools, overall, made AYP this year.

**3 B - Participation**

FFY	Measurable and Rigorous Target
FFY 2005 (2005-2006)	The rate of participation of students with disabilities in state-wide assessments is $\geq 95\%$

**3 B- Participation Rate, Eng/La, Statewide Assessment, Fall 2005 testing, ISTEP and ISTAR**

Data sources: Student count by grade, October 1, 2005, CODA; ISTEP Disaggregation Report for September 19, 2005, EIS; ISTAR Report for Fall of 2005, DW.

Grade	a IEP students	b Tested w/o acc	c Tested w/ acc	d Alternate/grade	e Alternate/alt std
3	14300	6597	5880	0	667
4	14196	5437	7335	0	732
5	13263	4011	8186	0	710
6	12728	2878	8881	0	777
7	12860	2410	9490	0	826
8	12987	2149	9527	0	804
9	13279	1813	9101	0	837
10	12093	1375	8769	0	829
	105706	26670	67169	0	6182

OSEP guidance, and Nancy Reder (NASDSE) e-mail of December 14, 2006 to State Directors, changed the calculation for computing the percentage of students with disabilities to be included in statewide assessments. Formerly, students with disabilities who were unilaterally placed by their parents in private schools were to be included in the denominator (divisor) of the calculation. The recent guidance indicates unilaterally placed private school students are not to be included in the calculation. Indiana had a total of 3971 unilaterally placed private school students with disabilities, aged 3-21 in December 2005. The number of parentally placed students with disabilities in private schools on December 1, 2005, by grade, for grades tested, were:

Grade	Number of Parentally Placed students
3	535
4	507
5	417
6	302
7	239
8	225
9	119
10	115
Total	2459

## APR Template – Part B (4)

Indiana  
State

Data source: Students served by Public Schools, Parentally Placed in Private Schools, December 1, 2005, CODA/IEM data.

Thus, these 2459 students with disabilities, in grades 3-10, who are unilaterally enrolled by their parents in private schools are to be subtracted from the total number of students with disabilities enrolled in public schools in grades 3-10. These students are to be subtracted from “a” above for a calculation of:

Participation rate equals (b+c+d+e) divided by (a – unilaterally enrolled private school students) or (26670 + 67169 + 0 + 6182) divided by (105706 – 2459) = 96.87%

Participation rate for students with disabilities: 96.87%

### 3 B- Participation Rate, Math, Statewide Assessment, Fall 2005 testing, ISTEP and ISTAR

Data sources: Student count by grade, October 1, 2005, CODA; ISTEP Disaggregation Report for September 19, 2005, EIS; ISTAR Report for Fall of 2005, DW.

Grade	IEP students	Tested w/o acc	Tested w/ acc	Alternate/grade	Alternate/alt std
3	14300	6700	5777	0	667
4	14196	5602	7170	0	732
5	13263	4121	8076	0	710
6	12728	3035	8724	0	777
7	12860	2573	9327	0	826
8	12987	2224	9452	0	804
9	13279	1893	9021	0	837
10	12093	1412	8732	0	829
	105706	27560	66279	0	6182

OSEP guidance, and Nancy Reder (NASDSE) e-mail of December 14, 2006 to State Directors, changed the calculation for computing the percentage of students with disabilities to be included in statewide assessments. Formerly, students with disabilities who were unilaterally placed by their parents in private schools were to be included in the denominator (divisor) of the calculation. The recent guidance indicates unilaterally placed private school students are not to be included in the calculation. Indiana had a total of 3971 unilaterally placed private school students with disabilities, aged 3-21 in December 2005. The number of parentally placed students with disabilities in private schools on December 1, 2005, by grade, for grades tested, were:

Grade	Number of Parentally Placed students
3	535
4	507
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6	302

## APR Template – Part B (4)

Indiana  
State

7	239
8	225
9	119
10	115
Total	2459

Data source: Students served by Public Schools, Parentally Placed in Private Schools, December 1, 2005, CODA/IEM data.

Thus, these 2459 students with disabilities, in grades 3-10, who are unilaterally enrolled by their parents in private schools are to be subtracted from the total number of students with disabilities enrolled in public schools in grades 3-10. These students are to be subtracted from “a” above for a calculation of:

Participation rate equals (b+c+d+e) divided by (a – unilaterally enrolled private school students) or  $(26670 + 67169 + 0 + 6182)$  divided by  $(105706 - 2459) = 96.87\%$

Participation rate for students with disabilities: 96.87%

Indiana’s Target participation rate for students with disabilities on statewide assessments was 95%

Indiana exceeded the target for participation on statewide assessments

3-C

FFY	Measurable and Rigorous Target
FFY 2005 (2005-2006)	The number of students with disabilities with reported proficiency on statewide and alternate assessment is $\geq$ 32% for English/Language Arts and $\geq$ 38% for mathematics.

**3 C- Proficiency Rate of Students with Disabilities in Statewide Assessment, Fall 2005**

**English**

Grade	Column A Students with IEPs	Column B Proficient w/o accomm	Column C Proficient w/ accomm	Column D Alt on grade level	Column E Proficient on alternate/alt stds
3	14300	4436	1426	0	583
4	14196	3674	1860	0	663
5	13263	2565	1855	0	642
6	12728	1672	1831	0	648
7	12860	1071	1715	0	693
8	12987	956	1754	0	672
9	13279	645	1552	0	657
10	12093	494	1690	0	673
Total	105706	15513	13683	0	5231

OSEP guidance, and Nancy Reder (NASDSE) e-mail of December 14, 2006 to State Directors, changed the calculation for computing the percentage of students with disabilities to be included in statewide assessments. Formerly, students with disabilities who were unilaterally placed by their parents in private schools were to be included in the denominator (divisor) of the calculation. The recent guidance indicates unilaterally placed private school students are not to be included in the calculation. Indiana had a total of 3971 unilaterally placed private school students with disabilities, aged 6-21 in December 2005. This calculates to an average of 248 students at each age level. Students aged 9 through 16 constitute students in grades 3-10 for computation purposes, or 248 students times 8 (representing grades 3-10) or 1984 students with disabilities unilaterally enrolled in private schools. These students are to be subtracted from “a” above for a calculation of:

(b + c + d + e) divided by (a minus students enrolled in private schools in grades tested) equals  
 (b + c + d + e) divided by (105, 706 minus 2459) **equals 33.31% proficient in**

**English/Language Arts**

Indiana’s target for proficiency for students with disabilities on statewide assessment in Eng/La was 32%

## APR Template – Part B (4)

Indiana  
State

Indiana exceeded the target for proficiency on statewide assessments in English/Language Arts.

### Math

Grade	Column A students with IEPs	Column B proficient w/o accomm	Column C proficient w/ accomm	Column D alt on grade level	Column E alt on alt ach students
3	14300	4581	1776	0	588
4	14196	3936	2650	0	669
5	13263	2872	2909	0	640
6	12728	2029	3150	0	664
7	12860	1515	3121	0	714
8	12987	1178	2474	0	698
9	13279	866	2615	0	691
10	12093	550	1959	0	697
total	105706	17527	20654	0	5361

OSEP guidance, and Nancy Reder (NASDSE) e-mail of December 14, 2006 to State Directors, changed the calculation for computing the percentage of students with disabilities to be included in statewide assessments. Formerly, students with disabilities who were unilaterally placed by their parents in private schools were to be included in the denominator (divisor) of the calculation. The recent guidance indicates unilaterally placed private school students are not to be included in the calculation. Indiana had a total of 3971 unilaterally placed private school students with disabilities, aged 6-21 in December 2005. This calculates to an average of 248 students at each age level. Students aged 9 through 16 constitute students in grades 3-10 for computation purposes, or 248 students times 8 (representing grades 3-10) or 1984 students with disabilities unilaterally enrolled in private schools. These students are to be subtracted from “a” above for a calculation of:

$(b + c + d + e)$  divided by  $(a \text{ minus private school students})$  equals

$(b + c + d + e)$  divided by  $(105706 - 2459)$  equals 42.13%

**Proficiency rate for students with disabilities in Math is 42.13%**

Indiana's target for proficiency on statewide assessments in math was 38%

Indiana exceeded the target for statewide assessment proficiency in Math

#### **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005 (05-06 SY):**

Progress was achieved and the targets were exceeded. No changes are planned. The aligning of curriculum, instruction and assessment has proven effective.

#### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FY 2006:**

No Revisions

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**Monitoring Priority: FAPE in the LRE**

**Indicator 4:** Rates of suspension and expulsion:

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

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

**Measurement:**

- A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity) divided by the (# of districts in the State)] times 100.

Include State’s definition of “significant discrepancy.”

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>FFY 2005 2005-06 School Year</b>	The percent of districts meeting the criteria for statistical significance 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 will be equal to or less than 2.25%.

**Definition of “significant discrepancy” for 4A:**

Section 618 data reported for FFY 2005 (School Year 2005-06) was analyzed by CEEP, Indiana University. The determination of significant discrepancy in the rates of long-term suspensions and expulsions for students with disabilities was defined as:

- 1) Reported 30 or more long-term suspensions and expulsions for greater than 10 days for students with disabilities during the 2005-06 school year;

AND

- 2) That was at least the double the state average incidence rate of 1.34% in the percentage of students with disabilities who were suspended or expelled for greater than 10 days during the 2005-06 School Year.

**Actual Target Data for FFY 2005 (2005-06 School Year):**

**4 A-** There were 9 school districts that met the definition of having a significant discrepancy of students with disabilities suspended or expelled for more than 10 days. This calculates to 3.0% of districts, as compared to the 2.3% rate reported for 2004-05 and the measurable and rigorous target of 2.25%.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005 (2005-06 School Year):** Improvement activities are to begin spring of 2007. For 2004-05, there were 7 districts that met the definition of significant discrepancy, and for 2005-06 there were 9 districts. This calculates to 2.3% and 3.0% respectively. There was slight slippage, but the small numbers involved give confidence that progress will result from Improvement Activities that will begin Spring of 2007.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2005 (2005-06 School Year):** *The proposed targets, activities, timelines and resources all appear reasonably calculated to result in improvement for 2006-07.*

**Note:** The FFY04 (SY 2004-05) calculation of statewide incidence of suspensions for more than 10 days for students with disabilities was calculated to be .15% and this was derived by calculating suspensions and expulsions of students with disabilities and comparing this figure to total student enrollment. The FFY 2005 (2005-06 SY) statewide incidence of 1.34% is derived by calculating the number so students with disabilities suspended or expelled more than 10 days and dividing by the enrollment of students with disabilities. This is believed to give a more accurate picture for 4A.

**INDICATOR 4 B** – This is a new indicator. See SPP for data and reporting of 4 B.

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**Monitoring Priority: FAPE in the LRE**

**Indicator 5:** Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;<sup>1</sup>
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

**Measurement:**

- A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs removed from regular class greater than 60% 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 public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
(2005-2006)	<ul style="list-style-type: none"> <li>A. The percent of students with IEPs removed from regular class less than 21% of the day is equal to or greater than 60.36%</li> <li>B. The percent of students with disabilities removed from regular class greater than 60% of the instructional day is equal to or less than 15.31%</li> <li>C. The percent of students with disabilities served in either public/private separate schools or in residential placements is equal to or less than 1.23%</li> </ul>

<sup>1</sup> At the time of the release of this package, revised forms for collection of 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State reported data collections.

**Actual Target Data for (FFY 2005-2006):**

**Data Source:** Data Source: 2005-2006 Statistical Report, March 2006

Page 11: 2005-2006 School Year Percent of students with disabilities served in public schools by program type (Federal Unduplicated Count) – Ages 6-21

Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day: 59.54%  
(Regular Class [80% or more])
- B. Removed from regular class greater than 60% of the day: 14.33%  
(Separate Class [less than 40%])
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements: 1.99%  
(Separate Day School Facility, Residential Facility, Homebound/Hospital Placement)

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (FFY 2005-2006):**

- a. Indiana Creative Problem Solving Initiative: Continued Funding
- b. Indiana Facilitated Case Conference Training: Continued Funding
- c. In-State Improvement Grant: Continued Participation
- d. Continuous Improvement Focused Monitoring: Continued Annually

Percent of children with IEPs ages 6 – 21:

- A. Removed from regular class less than 21% of the day:  
Slippage: .81% < one percent

Percent of children with IEPs ages 6 – 21:

- B. Removed from regular class greater than 60% of the day:  
Progress: .99% < one percent

Percent of children with IEPs ages 6 – 21:

- d. Served in either public/private separate schools or in residential placements:  
Slippage: .75% < one percent

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2005-2006)**

Due to the use of preliminary data in the 2004-2005, minor percentile changes occurred and are now corrected in the SPP. The new percentages were used in comparing 2004-2005 placement types with the 2005-2006 placement types. It should be noted that the format supplied for the APR has language and category changes.

No Revisions

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**Monitoring Priority: FAPE in the LRE**

**Indicator 6:** Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

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

**Measurement:** Percent = [(# of preschool children with IEPs who received special education services in settings with typically developing peers) divided by the (total # of preschool children with IEPs)] times 100.

FFY	Measurable and Rigorous Target
FFY 2005 (2005-2006)	The percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education) is => 43%.

**Actual Target Data for (FFY 2005):**

Indiana’s 618 Annual Data on Settings with Typically Developing Peers

INDIANA	Dec 1, 2005	Dec 1, 2004
EC	9542	4,358
PT EC/PT ECSE	1632	3,564
Home	46	109
Total	11,220	8,031
Total Children	19,228	18,960
% in settings with typical peers	58.3%	42.4%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:**

Improvement Activities Completed:

During the 2005-2006 school year, the Division of Exceptional Learners assisted the Indiana Council of Special Education Administrators in offering Leadership Academies. Leadership Academies for Special Education Directors were conducted in November, 2005 and February, 2006 that included information on early childhood least restrictive environment, the continuum of placement options, and placement codes. An Article 7 parent forum that included the LRE topic was conducted in March, 2006. Also, the LRE topic that included local public school data reports, placement setting codes, and continuum of placement

options was included in the Fall Early Childhood Administrators' Conference in October, 2005.

Explanation of progress:

Statewide, 58.3% of the children served in FFY 2005 received services with typically developing peers compared to 42.4% last year. This represents an increase of 15.9 percent. This significant increase in the year to year change reflects use of the new placement settings definitions in FFY 2005.

The target performance for FFY 2005 was 43%. This percent was selected because it was the state-wide average from the previous educational environments data. Although Indiana met the state target performance, 42.2% of the school corporations (N=296) did not meet the target. Data on the FAPE in the LRE, indicator 6, will be posted on the Division of Exceptional Learners web site for all school corporations/special education planning districts.

All school corporations that did not meet the performance target will be expected to develop an improvement plan. In addition, any school corporation whose data indicates 20% of children or less were served in settings with typically developing peers will be expected to include evidence of LRE training on the continuum of placement options and a description of the school corporation's full LRE continuum of placement options.

Information received from the U.S. Department of Education at the 2005 Data Managers meeting in Washington, D.C. indicated that the regulations and the new placement setting codes were on the fast track for approval. Since it takes several months to make changes to in the computerized data system, Indiana made the decision to implement the new placement codes. If the placement settings were changed within a couple of months prior to the December 1 child count, Indiana would not have data to report the percent of time in early childhood settings and there would not have been sufficient time to provide technical assistance and written guidance on utilizing the new placement codes. The data reported for the 2005-2006 school year reflected a cross walk of the old definitions with the new definitions. Specifically, the old definition of an early childhood setting required that the child participate in the early childhood setting with typically developing peers 100% of the time. The new definition is now more closely aligned with the school age general education setting definitions. If a child is in a typical setting for at least 80% of the time, this is now reported as an early childhood setting rather than a special education setting.

Cross walk

# reported in early childhood 100% of time = # reported in early childhood 80% of time

# reported in part time early childhood/part time early childhood special education = # in early childhood 40% to 79% of time and # in early childhood less than 40% of time.

# reported in home under old definition = # reported in home in new definition

Indiana hypothesizes that the reason for the significant increase in percent of children served in early childhood in FY 2005 is due to changing the definition that required the child to be in an early childhood setting 100% of the time to calculating the percent of time spent in early childhood settings. In particular, children in early childhood classes or kindergarten whose only special education service was speech and language services were previously reported in early childhood special education. Under the new definitions, these children were reported in early childhood setting 80% of the time.

**Revisions, with Justification, to Proposed Targets / Improvement Activities /  
Timelines / Resources for (FFY 2005 – [2005-2006])**

Indiana achieved the FFY 2005 target performance. Since Indiana utilized the new placement codes on the December 1, 2005 child count, it is necessary to increase the target performance in order to develop a realistic statewide average performance target utilizing the new education environment codes. Indiana will continue to monitor school corporations that do not meet the target performance to ensure that the full, continuum of placement options are available to meet the individual needs of children with disabilities and progress is made. The new targets are in the State Performance Plan.

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**Monitoring Priority: FAPE in the LRE**

**Indicator 7:** Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

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

**Measurement:**

- A. Positive social-emotional skills (including social relationships):
  - i. 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.
  - ii. 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.
  - iii. 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.
  - iv. 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.
  - v. 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.
  - vi. 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):
  - i. 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.
  - ii. 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.
  - iii. 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.
  - iv. 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.

<p>comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.</p> <p>V. 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.</p> <p>If a + b + c + d + e does not sum to 100%, explain the difference.</p> <p>C. Use of appropriate behaviors to meet their needs:</p> <p>i. 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.</p> <p>ii. 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.</p> <p>iii. 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.</p> <p>iv. 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.</p> <p>v. 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.</p> <p>If a + b + c + d + e does not sum to 100%, explain the difference.</p>
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**Indicator 7- Indicator 7 is a new indicator. See SPP for data, targets and activities.**

FFY	Measurable and Rigorous Target
2007	Targets will be set in 2008.

Part B State Annual Performance Report (APR) for FY 2005 (SY 05-06)

**Monitoring Priority: Parent Involvement**

**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.

**Indicator 8- This is a new indicator. See SPP for data, targets and activities for Indicator 8.**

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**Monitoring Priority: Disproportionality**

**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.

Include State’s definition of “disproportionate representation.”

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

**INDICATOR 9- This is a new indicator. Data, targets and activities for Indicator 9 are reported in the SPP.**

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**Monitoring Priority: Disproportionality**

**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.

Include State’s definition of “disproportionate representation.”

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

**INDICATOR 10- This is a new indicator. Data, targets and activities for Indicator 10 are reported in the SPP.**

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**Monitoring Priority: Effective General Supervision Part B / Child Find**

**Indicator 11:** Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline).

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

**Measurement:**

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations were completed within 60 days (or State established timeline).
- c. # determined eligible whose evaluations were completed within 60 days (or State established timeline).

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

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

**INDICATOR 11- This is a new Indicator. See the SPP for data, targets and activities for Indicator 11.**

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**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.

Account for children included in a, but not included in b, c or d. 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)] times 100.

FFY	Measurable and Rigorous Target
FY 2005 2005-2006	100% of children referred by Part C prior to age 3, who are found eligible for Part B have an IEP developed and implemented by their third birthday.

Actual Target Data for FFY 2005:

Indiana's data from the December 1, 2005 Child Count

A - # Part C children referred to Part B	B - # determined not eligible	C - # found eligible who have IEP implemented by 3 <sup>rd</sup> birthday	D - # parent delay in evaluation or initiation of services (refusal caused delays)	E - # late IEPs Reasons for delays
3,266	*471	2,492	195	* 108 (65 children were late due to school failure reasons. 43 children were late due to Part C untimely referrals)

% = [(2492-c) divided by (3,266-a -471-b-195-d= 2600)]= .9584 times 100

95.8% of children referred by Part C prior to age 3 who are found eligible for Part B have an IEP developed and implemented by their third birthday.

\*No time range data was collected on the December 1, 2005 child count. As was indicated in the APR submitted for FFY 2004, the CODA data system had to be revised to collect the new information on the December 1, 2006 child count. The data will be available on the FFY 2006 APR.

OSEP APR letter of October, 2005 requires Indiana to report public agency attendance at Part C transition conferences.

2005	2004
School personnel invited 2,624	School Personnel invited 2,465
School personnel attended 2,587	School Personnel attended 2,420
98.5%	98.2%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

Improvement Activities Completed:

Indiana’s Transition Initiative for Young Children and Their Families worked on improving transition experiences for children from birth through 8 years of age. Leadership is provided from the State Transition Team representing parents and state level agencies and programs involved in transition. The transition initiative provided support to local community transition teams through training, team development, assistance with transition agreements, and dissemination of useful transition materials and products:

- Written transition products were provided to all 92 counties, First Steps clusters, special education districts, and Head Start programs
- Staff from the transition initiative assist ten community transition teams representing 25 counties continue to partner to improve community wide transition systems.
- There was 66% increase in the number of written agreements statewide.
- Eight local written procedures and 35 products to support the transition process were developed in 7 First Steps Clusters covering 37 counties.
- Team training/facilitation was provided to 10 transition teams covering 25 counties for 36 events.
- The transition web site [www.indianatransition.org](http://www.indianatransition.org) was launched in May, 2005. It provides easy access to transition information and resources, Over 5,523 requests were accessed from the previous site and the new site for this time period.

At the Spring Early Childhood Administrators conference, the Division of Exceptional Learners presented a certificate of recognition to planning districts achieving 100% compliance on implementing services by 3<sup>rd</sup> birthday. A state map showing districts with the most serious non-compliance was distributed.

The Division shared transition data with special education directors at their conferences.

The state level memorandum of agreement has been updated and is currently being sent around for signature. The new agreement covers transition procedures. The agreement includes two new partners, the Division of Family Resources, Bureau of Child Care and the Indiana Department of Education, Division of Prime Time.

A DVD entitled “Steps to Success: Transition at Age 3” was widely distributed to providers and families. It was developed to help prepare families for transition. The intended audience is families whose children are in transition from First Steps (Part C) to public schools Early Childhood Special Education Services, Head Start, and other options. The DVD was funded from the Indiana State Improvement Grant and with support from the Division of Exceptional Learners.

#### Explanation of Progress:

The FFY 2005 data shows improvement in the percent of children from Part C to Part B that had an IEP in place by 3<sup>rd</sup> birthday but the 100% target has not been met. Statewide, 95.8% of the children had an IEP developed and implemented compared to 84% last year. 2% (65 ÷ 3,266) did not have an IEP in place due to school failure to implement compared to 3% last year. 98.5% of school personnel attended transition conferences to which they were invited compared to 98.2% last year.

The Division of Exceptional Learners and First Steps (Part C) utilized data from each system to verify and correct violations regarding participation at transition meetings. If school data indicated no invitation to the transition conference, First Steps (Part C) contacted the local service coordinator to request documentation of the transition conference. The service coordinator and the school representative were contacted to notify each of them of the result of the follow-up documentation in order to reinforce the expectation of attendance.

Each school corporation that did not achieve the 100% performance target will be required to develop an improvement plan to show actions to be taken to achieve 100% compliance in the next APR.

#### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2005**

No revisions because the performance target is 100%.

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13:** Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

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

**Measurement:** Percent = [(# of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

**INDICATOR 13-** This is a new Indicator. See SPP for data, targets and activities for Indicator 13.

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 14:** Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

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

**Measurement:** Percent = [(# of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

**INDICATOR 14-** This is a new Indicator. See SPP for data, targets and activities for Indicator 14.

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**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.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target
2005	100% of non-compliance corrected within one year

**Actual Target Data for (FFY 2005-2006):**

100% of non-compliance corrected within one year was not achieved.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (FFY 2005-2006):**

Improvement activities have been greatly expanded. The verification visit (OSEP August 06) helped identify areas needing improvement. The correction of non-compliance within 12 months will be top IDOE/DEL priority in 06-07. Performance and compliance results will be posted on the IDOE website and the posting will serve as the notification of local districts of their non-compliance and the start of the 12 month period for eliminating non-compliance.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (FFY 2006 [2006-2007])**

Improvement activities have been greatly expanded which is justified by the need to improve results for Performance Indicator # 15. See SPP # 15.

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**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.

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

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

**Overview of Issue/Description of System or Process:**

Indiana’s complaint process is governed by 511 IAC 7-30-2. Consistent with the Individuals with Disabilities Education Act, it allows any individual, group, or organization to file a complaint alleging a violation of federal or state law that apply to special education programs.

**Actual Target Data for 2005-2006:**

Eighty-six (86) signed and written complaints were filed during this time period. Thirteen (13) of the complaints were withdrawn, and six (6) were pending as of August 29, 2006. As required by Article 7, of the remaining sixty-seven (67), fifty-eight (58) were issued within the thirty (30) day timeline, while nine (9) were issued within extended timelines. In all, of the remaining sixty-seven (67), 100% were issued within the sixty (60) day timeline, in accordance with 34 CFR § 300.661.

**Discussion of Target Data:**

Indiana has been consistent with issuing complaint reports within the required timelines. Indiana has a transparent complaint process. All complaint reports are posted on the website for the Division of Exceptional Learners.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Percent of signed written complaints with reports issued that were resolved within the sixty (60) day timeline and percent of signed written complaints issued with reports due to a documented extension will be 100%.

**Improvement Activities/Timelines/Resources:**

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005-2006:**

There was no report of slippage. Indiana maintained 100% compliance.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005-2006:**

No revisions

**Part B – SPP /APR Attachment 1 (Form)**

**Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings**

<b>SECTION A: Signed, written complaints 2005-2006</b>	
(1) Signed, written complaints total	86
(1.1) Complaints with reports issued	67
(a) Reports with findings	67
(b) Reports within timeline	58
(c) Reports within extended timelines	9
(1.2) Complaints withdrawn or dismissed	13
(1.3) Complaints pending	6
(a) Complaint pending a due process hearing	0
<b>SECTION B: Mediation requests</b>	
(2) Mediation requests total	31
(2.1) Mediations	23
(a) Mediations related to due process	4
(i) Mediation agreements	0
(b) Mediations not related to due process	19
(i) Mediation agreements	12
(2.2) Mediations not held (including pending)	8
<b>SECTION C: Hearing requests</b>	
(3) Hearing requests total	66
(3.1) Resolution sessions	43
(a) Settlement agreements	13
(3.2) Hearings (fully adjudicated)	10
(a) Decisions within timeline	1
(b) Decisions within extended timeline	9
(3.3) Resolved without a hearing	53
<b>SECTION D: Expedited hearing requests (related to disciplinary decision)</b>	
(4) Expedited hearing requests total	6
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	1
(a) Change of placement ordered	0

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 17:** Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

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

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

**Overview of Issue/Description of System or Process:**

Indiana’s due process procedures are governed by 511 IAC 7-30-3 (“Article 7”) and are consistent with the Individuals with Disabilities Education Act (“the Act”). Article 7 and the Act require that local education agencies and parents that have disputes relating to the identification, evaluation or educational placement of a child with a disability or the provision of a free appropriate public education to the child. Pursuant to 34 CFR § 300.509, Indiana has developed a form for consumers to use to request due process, however consumers may also write a letter requesting a due process hearing. The form or letter may be sent to the Division by facsimile or by mail. The Superintendent of Public Instruction assigns a hearing officer on behalf of the local educational agency. The hearing officers are independent and have jurisdiction over the matter until a final decision is rendered or the matter is dismissed.

**Actual Target Data for 2005-2006:**

There were sixty-six (66) total hearing requests during this period. Of those, ten (10) were fully adjudicated. One (1) of the ten (10) was issued within the forty-five (45) day timeline. Nine (9) were issued within timelines properly extended by the hearing officer at the request of one of the parties.

**Discussion of Data:**

Indiana has strived to work with its hearing officers to make decisions within timelines. There is a national trend of extending hearings. Indiana will continue to ensure that hearing decisions are rendered within the forty-five day (45) timeline or a timeline properly extended by the hearing officer at the request of either party.

FFY	Measurable and Rigorous Target
<p><b>2006 (2005-2006)</b></p>	<p>Percent of due process hearing requests that are fully adjudicated will have decisions rendered within the 45 day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100%.</p>

**Improvement Activities/Timelines/Resources:**

Indiana will continue to monitor due process timelines and continue training IHO's.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005-2006:**

Indiana progressed in this area by attaining 100% target performance, and will continue to expect IHO's to have decisions rendered within the 45 day timeline or timelines that are properly extended.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005:**

N/A

Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)

**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.

**INDICATOR 18-** This is a new Indicator. See SPP for data, targets and activities for Indicator 18.

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**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.

**Overview of Issue/Description of System or Process:**

Indiana’s mediation process is governed by 511 IAC 7-30-1. A request for mediation may be initiated by either the parent or the public agency, but the mediation process cannot begin unless both parties agree to participate. Mediation may be requested to resolve disputes relating to the identification, evaluation, educational placement of a child with a disability, or the provision of a free appropriate public education to the child.

Indiana’s mediators have an annual required training where they are taught laws pertaining to Article 7 and the Individuals with Disabilities Education Act. Mediators are assigned to mediations on a rotating basis and are paid a stipend for each mediation.

**Actual Target Data for FFY 2005 (2005-2006):**

There were thirty-one (31) total mediation requests during this period. Of those requests, four (4) were related to a pending due process action. Of those four (4), no agreements were reached. Eight (8) of the thirty-one (31) were not held, and of the remaining nineteen (19), twelve (12) agreements were reached.  $Percent = \frac{0+12}{23} = 52\%$ .

**Discussion of Baseline Data:**

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Percent of mediation requests that go to mediation will result in agreements 66.2% of the time.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005-2006:**

Indiana has occurred slippage in this area by not meeting the target performance set in FFY 2004 of 66.2%. There were 14 fewer mediations (23) in FFY 2004 than in FFY 2005 (37). The training manual used in the training of mediators includes a section on mediation agreements. During the training, mediators will be encouraged to reach a consensus before the closing of the mediation session.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005.**

The proposed targets have been revised in the SPP to be current with the results of FFY 2005 data. Indiana expects to see a marked improvement in the percent of agreed upon mediation agreements this next year.

### **Improvement Activities/Timelines/Resources:**

Indiana has a document that is sent to local educational agencies that describes the mediation process and how it can be accessed. Local educational agencies are required to include information about mediation in the notice of procedural safeguards. Additionally, Indiana provided information to consumers (both local educational agencies and parents) about the benefits of mediation and how it can be accessed.

**Part B State Annual Performance Report (APR) for FFY 2005 (SY 05-06)**

**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).

FFY	Measurable and Rigorous Target
2005 (2005-2006)	State reported data, including 618 data and annual reports, will be submitted on or before due dates and be accurate 100% of the time.

**Actual Target Data for FFY 2005 (FFY 2005-2006):** Target was met though two issues arose with regard to data submission for FFY 2005. Data was submitted on or before due dates.

The two issues are with regard to preliminary instructions and with comments made regarding the need for continuous training.

First, information presented at the Data Managers meeting advised states to prepare for data collection changes and further advised that the form review process was being expedited by OMB. Indiana implemented this advice, revised forms, installed needed software and programming changes, and conducted training on the “new” system. It turned out that the “expedited approval” did not result and the previous form/format was to be used instead. We were too far into the “new” system to change and made all possible adjustments where they could be made for reporting purposes.

Secondly, during the Validation Visit discussions, it was mentioned that there are ongoing concerns with data collection and entry with respect to suspension/expulsion data that are addressed through training (e.g. CODA staff visit each planning district a minimum of 3 times each year for training purposes). Even with this high level of training there are occasions where data is suspect or a state definition is different from a federal definition and

clarification of instructions and training is constantly needed as is annual monitoring of data submitted to assure consistency from year-to-year.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:** Each local planning district receives at least 3 annual visits from technical support staff, in addition to daily electronic and telephone contact with SEA data collection personnel. Workshops are held in the fall to provide training to ensure that staff at the local level are aware of pertinent data collection requirements. During the next round of workshops, suspension/expulsion data collection requirements and reports will be emphasized. In addition, Indiana's Student Test Number (STN) individual student identifier number, provides a double-check system to confirm the accuracy of Child Count data.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2005:** Target is still 100% timely and accurate data submission.

APR draft 2-1-07