



Indiana Department of Education
SUPPORTING STUDENT SUCCESS

Indiana Part B Annual Performance Report

As required by 20 U.S.C. 1416 Sec. 616(b) of the
Individuals with Disabilities Education Improvement Act of 2004

Submitted to the United States Department of Education,
Office of Special Education Programs

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Indiana Acronyms Used in SPP/APR

AAMAS	Alternate Assessment based on Modified Achievement Standards
AATF	Alternate Assessment Task Force
AEPS	Assessment, Evaluation and Programming System
AHEAD	Association on Higher Education and Disability
APR	Annual Performance Report
ASAP	Indiana Accountability System for Academic Progress
ASK	About Special Kids
AUT or ASD	Autism Spectrum Disorder
AYP	Adequate Yearly Progress
BLV	Blind or Low Vision
BDDS	Bureau of Developmental Disabilities Services
CAAVES	Consortium for Alternate Assessment Validity and Experimental Studies
CAP	Corrective Action Plan
CCC	Case Conference Committee
CCLC	Center on Community Living and Careers
CCSSO	Council for Chief State School Officers
CD	Communication Disorder
CEEP	Center for Evaluation and Education Policy
CEL	Center for Exceptional Learners
CIFMS	Continuous Improvement Focused Monitoring System
CMAADI	Consortium for Modified Alternate Assessment Development and Implementation
CODA	Computerized Data Project (CODA)
CRSWPBS	Culturally Responsive School Wide Positive Behavior Supports
CTQ	Center for Improving Teacher Quality
DAC	Data Accountability Center
DANS	Data Analysis Network System
DHH	Deaf or Hard of Hearing
DOC	Department of Correction
ED	Emotional Disability
EDEN	Education Data Exchange Network
EI	Educational Interpreter
EIS	Educational Information Systems
ELL	English Language Learners
ESY	Extended School Year
ESEA	Elementary and Secondary Education Act

Acronyms

FAPE	Free Appropriate Public Education
FFY	Federal Fiscal Year (July 1 – June 30)
FSSA	Family and Social Services Administration
GED	Graduation Equivalency Diploma
GEI	General Education Interventions
GQE	Graduation Qualifying Examination
GSEG	General Supervision Enhancement Grant
HI	Hearing Impairment
HOUSSE	High Objective Uniform State Standard of Evaluation
HQT	Highly Qualified Teachers
IASEP	Indiana's Assessment System of Educational Proficiencies
IAC	Indiana Administrative Code
IC	Indiana Code
ICAN	Individualized Classroom Accountability Network
ICASE	Indiana Council of Administrators of Special Education
ICRC	Indiana Civil Rights Commission
IDEA 2004	Individuals with Disabilities Education Act of 2004
IDOE	Indiana Department of Education
IEM	Integrated Electronic Management system
IEP	Individualized Education Program
IHE	Indiana Institutions of Higher Education
IHO	Independent Hearing Officer
IN*SOURCE	Indiana Resource Center for Families with Special Needs
INPSFS	Indiana Post-Secondary Follow-up System
IN-SIG	Indiana State Improvement Grant
IPSFS	Indiana Post-School Follow-up System
IRN	Indiana Resource Network
ISTAR	Indiana Standards Tool for Alternate Reporting
ISTAR-KR	Indiana Standards Tool for Alternate Reporting-Kindergarten Readiness
ISTART7	Indiana Standards Tool for Article 7 Compliance
ISTEP+	Indiana Statewide Testing for Educational Progress-Plus
LEA	Local Educational Agency
LEAD	Local Equity Action Development
LRE	Least Restrictive Environment
MCD	Multiple Disabilities
MICD	Mild Mental Disability
MOA	Memorandum of Agreement

Acronyms

MOCD	Moderate Cognitive Disability
NAEP	National Assessment of Educational Progress
NASDSE	National Association of State Directors of Special Education
NCCRES	The National Center for Culturally Responsive Educational Systems
NCEO	National Center on Educational Outcomes
NCLB	No Child Left Behind Act
NCRRC	North Central Regional Resource Center
NCSE	National Council for Special Education
NCSEAM	National Center for Special Education Accountability Monitoring
NDPC	National Drop-out Prevention Center
NECTAC	National Early Childhood Technical Assistance Center
NPSO	National Post-Secondary Outcomes
NSTTAC	National Secondary Transition Technical Assistance Center
OHI	Other Health Impaired
OI	Orthopedic Impairment
OMB	Office of Management and Budget
OSEP	Office of Special Education Programs of the US Department of Education
PART	Program Assessment Rating Tool
Part B	Special Education under IDEA 2004 (ages 3-21)
Part C	Infant and Toddler Special Education under IDEA 2004 (birth to 3)
PBIS	Positive Behavior Interventions and Support
PIRC	Parent Information Resource Center
RFP	Request for Proposal
RPR	Regional Parent Resources
RTI	Response to Intervention
SAC	State Advisory Council on Children and Youth with Disabilities
SBE	State Board of Education
SEA	State Educational Agency
SIQ	Student Information Questionnaire
SLD	Specific Learning Disability Learning Disability
SLP	Speech/language Pathologist
SCD	Severe Mental Disability
SOP	Summary of Performance
SPP	State Performance Plan
SPSS	Statistical Package for Social Sciences
STN	Student Test Number
SW-PBIS	Schoolwide Positive Behavioral Intervention and Supports

FFY 2010 (SY 10-11) APR

Indiana

Acronyms

SY	School Year (dependent on local calendar)
TA	Technical Assistance
TBI	Traumatic Brain Injury
US DOE	United States Department of Education
VI	Visual Impairment
VR	Vocational Rehabilitation

General Overview of the Annual Performance Report (APR)

SPP and APR Development:

The Indiana Department of Education (IDOE) serves the citizens of Indiana by fulfilling its statutory responsibilities, implementing the policies of the Indiana State Board of Education (SBE), and supporting the priorities of the State Superintendent of Public Instruction. The IDOE focuses its resources to promote higher standards and greater levels of achievement for all students. The Office of Special Education is an integral component of the IDOE, ensuring a free and appropriate public education (FAPE) in the least restrictive environment (LRE) for all students with disabilities within the State of Indiana.

The IDOE provides leadership and state-level support for students with disabilities from ages 3-21. The IDOE also ensures that Indiana is in compliance with the Individuals with Disabilities Education Act (IDEA), through monitoring of special education programs, protection of mediation and due process rights, and sound fiscal management.

In 2004, the United States Congress reauthorized IDEA as IDEA 2004. IDEA 2004 requires the United States Secretary of Education to monitor states in three priority areas, including: the provision of a FAPE in the LRE, general supervision, and disproportionate representation. This monitoring is done through consideration of 20 Indicators. [See 20 U.S.C. 1416(a)(3)(A)-(C)]. Additionally, pursuant to IDEA 2004 each state must submit monitoring reports—the State Performance Plan (SPP) and the Annual Performance Report (APR).

The SPP is effective for an eight-year time period and includes an overview of each of the 20 Indicators, a description of the system or process, baseline data and discussion of the data for each Indicator, measurable and rigorous targets and improvement activities (including timelines and resources for implementation). The APR is an annual report to the US Secretary of Education on the performance of the State under each state's SPP and includes actual target data for the given reporting federal fiscal year (FFY), discussion of improvement activities completed, explanation of progress or slippage for that given year and, if applicable, revisions to proposed targets, improvement activities, timelines and resources. The APR is submitted to the Office of Special Education Programs (OSEP), which then provides a response and determination of the State's reported status.

This APR is a summary and report on Indiana specific information for FFY 2010 (SY 10-11). The performance component of the APR is based off of the SPP, which was originally submitted in December, 2005. Indiana revised and submitted its SPP in conjunction with the submission of the FFY 2006 (SY 06-07) APR in order to provide a more concise and consistent vision of Indiana's monitoring system, which has undergone vast changes since the original SPP submission. Indiana also revised its SPP for the FFY 2009 (SY 09-10) submission of the APR in order to extend targets and improvement activities through FFY 2012 (SY 12-13) as required by OSEP. Indiana modified its SPP in collaboration with the State Advisory Council on the Education of Children with Disabilities (SAC), Indiana's stakeholder group.

General Supervision and Monitoring:

During the summer of 2009, a major restructuring of the general monitoring and supervision system occurred in Indiana, including a reorganization of both staff and processes of the monitoring team. This restructuring and reorganization serves to streamline the State of Indiana's monitoring processes to promote the timely identification and correction of all instances of noncompliance. An outcome of that restructuring process is an understanding of how the general supervision and monitoring from the Office of Special Education contributes to the larger vision of the IDOE. In 2009, the IDOE committed to a vision of 90-25-90. This vision encompasses 90% of students passing the math and language arts portion of the State standardized assessment (ISTEP+) and end of course assessments; 25% of students receiving a score of 3, 4, or 5 on at least one advanced placement exam, a 4 or higher on an International Baccalaureate exam, or receiving the equivalent of 3 semester hours of college credit during their high school years; and 90% of students graduating from high school. Due to this rigorous standard of

achievement for all students, a number of notable changes to the IDOE monitoring process were made in FFY 2010 (SY10-11). The IDOE monitoring team now consists of a broad range of staff members with varied backgrounds and expertise, each focused on a smaller number of individual Indicators, while working collaboratively towards a unified, encompassing approach to general supervision. Additionally, careful consideration has been made regarding the activities and strategies for assisting Indiana schools in overall improvement in areas of education of students with disabilities, including a problem solving process that assists local educational agencies (LEAs) in data based decision making that impacts student outcomes. Indiana has committed to setting high expectations for all LEAs, holding them accountable for providing a FAPE in the LRE, while allowing for flexibility at the local level to ensure innovation and excellent outcomes for all students.

The monitoring team benefited from the guidance and assistance from the North Central Regional Resource Center (NCRRC) and Data Accountability Center (DAC) in the restructuring of the monitoring program. In addition, the IDOE also utilized material posted to the Regional Resource Federal Centers (RRFC) Network SPP/APR calendar and has ensured that monitoring methods are consistent with OSEP Memorandum 09-02¹. The NCRRC also provided technical assistance (TA) and training to the IDOE in the analysis and development of its focused monitoring activities as well as general supervision responsibilities.

Public Reporting:

The IDOE has previously reported to the public on the SPP and APR in various venues including web postings at the IDOE website (<http://www.doe.in.gov/achievement/individualized-learning/monitoring>), collaborations with stakeholder groups and professional organizations such as the Indiana Council of Administrators of Special Education (ICASE), the Indiana State Advisory Council (SAC) and through regional and statewide conferences. Indiana will continue to utilize these methods for reporting progress and/or slippage on each Indicator as well as strive to investigate other methods that allow all stakeholders in Indiana to take an active role in ensuring that Indiana continues to meet the requirements set forth in IDEA 2004.

In addition to seeking support from ICASE, Indiana has sought advice from its State Advisory Council (SAC). The SAC met regularly throughout FFY 2010 and was updated on each Indicator in order for the SAC to have the opportunity to provide broad stakeholder input on many critical improvement activities as well as processes utilized by the IDOE. One such process was the required change of definition by the Office of Special Education Programs (OSEP) and calculation methods utilized in collecting data for Indicators 4A, 4B, 9, and 10.

In order to continue to report annually on the progress of each LEA in the State in meeting the targets set forth in the SPP, Indiana will post documents that have been submitted to each LEA that outline any findings of noncompliance as well as the LEAs percentage in meeting those compliance Indicators. For FFY 2010 (SY 10-11), letters of noncompliance can be found at (<http://www.doe.in.gov/achievement/individualized-learning/monitoring>). The IDOE will post a preliminary version of the FFY 2010 (SY 10-11) APR corresponding with its submission to OSEP on February 1, 2012 to its public website². After the APR is approved, the IDOE will post any updates to the APR at the same location. The IDOE will present information from the APR and each LEA's performance on Indicators 1, 2, 3, 4A, 5, 7, 9, 10, 11, 12, and 13 by publishing information on the website as required by OSEP. In addition, progress and slippage data described in the APR will be shared with the SAC in March of 2012.

Local Determinations:

The IDOE makes Local Determinations based upon LEA performance on compliance Indicators 9, 10, 11, 12, and 13. In addition, the State considers Indicator data, audit findings, uncorrected noncompliance,

¹ OSEP Memorandum 09-02

² <http://www.doe.in.gov/achievement/individualized-learning/monitoring>

timely submission of required documentation and accuracy of data when making Local Determinations as required by IDEA 2004. The IDOE made determinations and sent notification to each LEA in November of FFY 2010 (SY 10-11). Determinations were based on LEA data from FFY 2008 (SY 08-09), audit findings, timely and accurate data findings and uncorrected noncompliance from instances occurring during FFY 2008 (SY 08-09). As of February 1, 2012, Indiana has been unable to make local determinations for FFY 2009. On September 15, 2011, Indiana received notification from the Office of Special Education Programs (OSEP) that the definition and calculation methodology that was being utilized for Indicators 9 and 10 had potential racial/ethnic discriminatory practices and it was required that Indiana determine a new definition and calculation method. Due to the need to recalculate this information, Local Determinations were delayed for FFY 2009. All stakeholders were informed of the State's inability to make Local Determinations by the same date as it had made Local Determinations for FFY 2008. Communication was sent to each LEA superintendent as well as local director of special education to ensure that all parties were informed. In addition to this written communication, the memorandum that was sent to LEAs was publically posted on the IDOE website so that parents and other invested parties could be informed.³ The State looks forward to making Local Determinations as soon as possible but no later than April 2012.

OSEP Response Table:

Based on Indiana's submission of the FFY 2009 (SY 09-10) APR and revised SPP, the IDOE received a response table from OSEP that outlined Indiana's status by Indicator. In addition to comments from OSEP regarding progress on each Indicator next steps were also identified. The OSEP Part B FFY 2009 (SY 09-10) Response Table instructions and Indiana's response for each Indicator may be found in the "Additional Information Required by OSEP APR Response Table for this Indicator" section at the conclusion of each Indicator.

³ The Memorandum sent to all LEAs can be found at http://www.doe.in.gov/sites/default/files/individualized-learning/status-noncompliance-notification-letters-ffy-2010_0.pdf

Indicator 1 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

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

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA).⁴

Overview of the Indicator:

The data and targets reported for the Indicator are for FFY 2009 (SY 09-10) rather than for FFY 2010 (SY 10-11) based on the modification of the measurement for the Indicator from the Office of Special Education Programs (OSEP). The improvement activities discussed below were completed during FFY 2010 (SY 10-11).

In Indiana the graduation requirement for students with an IEP is the same for all students. Indiana Code states the following:

IC 20-26-13-5 "Graduation"

Sec. 5. (a) As used in this chapter, "graduation" means the successful completion by a student of:

- (1) a sufficient number of academic credits, or the equivalent of academic credits; and*
 - (2) the graduation examination or waiver process required under IC 20-32-3 through IC 20-32-6; resulting in the awarding of a high school diploma or an academic honors diploma.*
- (b) The term does not include the granting of a general educational development diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.*

Indiana's Diploma Requirements allow for four diploma types. These requirements went into effect for students entering high school in the fall of 2006. The four diploma types include the following:

- General
- Core 40
- Core 40 with Academic Honors
- Core 40 with Technical Honors

The Indiana General Assembly has made completion of the Core 40 diploma a graduation requirement for all students beginning with those entering high school in the fall of 2007. For more detailed information regarding the conditions for obtaining a Core 40 diploma, please see Attachment 1.1 located immediately following this Indicator.

The Indiana Legislature changed the graduation rate calculation formula to utilize the Student Test Number (STN) system beginning with the entering class of 2006.⁵ The STN system collects all statewide data as Indiana's data warehouse and includes many layers of built in data and validity checks. For more detailed information regarding the STN Cohort Graduation Rate in alignment with the ESEA, please see

⁴ The data related to this Indicator is for FFY 2008 (SY 07-09) per OSEP guidance. More information can be found by reviewing the Part B SBB/APR Indicator/Measurement Table located at: <http://spp-apr-calendar.rfcnetwork.org/getfile/view/id/808>

⁵ Indiana State Performance Plan (SPP). Page 4, Indicator 1

FFY 2010 (SY 10-11) APR

Indiana

Indicator 1

Attachment 1.2 located immediately following this Indicator. The STN data system is aligned with ESEA requirements.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target for Indicator 1
FFY 2009 (SY 09-10)	Special education graduation rate, with diploma, will be one percent improvement over the prior year with the goal of $\geq 95\%$ as established under ESEA and defined under 511 IAC 6.2-7-8. ⁶

Actual Target Data for FFY 2009 (SY 09-10):

Calculation	Numerator: # Graduates (ages 17-22)	Rate
	Denominator: # Graduates + # Certificates + # Drop-outs (ages 16-22) + # Maximum Age	%
FFY 2005 (SY 05-06)	4,783	48.3%
	$4,783 + 1,217 + 3,788 + 116 = 9,904$	
FFY 2006 (SY 06-07)	4,945	54.93%
	$4,945 + 1,029 + 2,939 + 191 = 9,003$	
FFY 2007 (SY 07-08)	5,450	55.71%
	$5,450 + 1,297 + 2,936 + 99 = 9,782$	
FFY 2008 (SY 08-09)	5,898	58.95%
	$5,898 + 1,325 + 2,700 + 82 = 10,005^7$	
FFY 2009 (SY 09-10)	5,403	69.72%
	$5,410 + 1096 + 1241 + 41 = 7788^8$	

Explanation of Progress or Slippage that occurred for FFY 2009 (SY 09-10):

As per OSEP instructions, Indiana is reporting the graduation rate percentage for FFY 2009 (SY 09-10).

The current target, as outlined in Indiana's SPP and as established through ESEA and defined under 511 IAC 6.2-7-8, is defined as annual improvement in the graduation rate towards a rate of 95% with the final target rate of 95%.

Indiana's actual target data for FFY 2009 (SY 09-10) improved 10.77% from FFY 2008 (SY 08-09), which represents progress on the Indicator. Indiana also met its target of improvement of one percent improvement over the prior year towards 95% for FFY 2009 (SY 09-10).

⁶ For high schools, graduation rate as determined under Indiana code 511 IAC 6.2-2.5-9, for classes of students who expect to graduate in the 2005-2006 school year and subsequent school years; that increases toward a rate of ninety-five percent (95%)

⁷ Reported data for Indicator 1 in the FFY 2009 (SY 09-10) APR were harvested from the State's reported 618 Table 4, Exiting

⁸ Reported data for Indicator 1 in the FFY 2010 (SY 10-11) APR were harvested from the State's reported 618 Table 4, Exiting

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activity	Timeline	Status
Participation in the Indiana High School Summit an annual IDOE sponsored summit promoting innovative High School reforms.	FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)	In partnership with America's Promise and State Farm Insurance Company Indiana held its second annual statewide summit, the Indiana Dropout Prevention Leadership Summit. This summit was held with school, county, and community leaders from around the State. This effort focused on bringing community leaders together to study why students are dropping out around the State. Each county then created an action plan to improve dropout rates in their communities. The summit was held in the fall of 2010. Each county that developed action plans provided updates on their plans throughout 2010. Regional summits were also held during 2010 in order to maintain progress and support.
Foster Mentoring/Tutoring relationships such as the Best Buddies project.	FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)	Best Buddies Indiana had 48 high schools that offered Best Buddies during FFY 2008 (SY 08-09), serving 717 buddy pairs. The program targets students with disabilities that are likely to drop out of high school and/or struggle in the academic curriculum and pairs each student with a mentor to foster educational growth. Support for Best Buddies is specifically marked as a State budget line item.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indicator 1 data for FFY 2009 (SY 09-10) represents Indiana's highest score on the Indicator since the graduation rate calculation was changed. The State also improved 10.77% from the previous year and met its target for the second consecutive year. For the aforementioned reasons, Indiana has no revisions to its targets, improvement activities, timelines, or resources for Indicator 1 at this time.

Additional Information Required by OSEP FFY 2009 (SY 09-10) APR Response Table for this Indicator:

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts to improve performance.	No response required.

Attachment 1.1

Course and Credit Requirements to Obtain a Core 40 Diploma⁹	
English/ Language Arts	8 credits Including a balance of literature, composition and speech.
Mathematics	6 credits 2 credits: Algebra I 2 credits: Geometry 2 credits: Algebra II <small>Or complete Integrated Math I, II, and III for 6 credits. All students must complete a math or physics course in the junior or senior year.</small>
Science	6 credits 2 credits: Biology I 2 credits: Chemistry I or Physics I or Integrated Chemistry-Physics 2 credits: any Core 40 science course
Social Studies	6 credits 2 credits: U.S. History 1 credit: U.S. Government 1 credit: Economics 2 credits: World History/Civilization or Geography/History of the World
Directed Electives	5 credits World Languages Fine Arts Career-Technical
Physical Education	2 credits
Health and Wellness	1 credit
Electives*	6 credits <small>(Career Academic Sequence Recommended)</small>
40 Total State Credits Required	

Schools may have additional local graduation requirements that apply to all students

* Specifies the number of electives required by the State. High school schedules provide time for many more electives during the high school years. All students are strongly encouraged to complete a Career Academic Sequences (selecting electives in a deliberate manner) to take full advantage of career exploration and preparation opportunities.

⁹ All course requirements for the various diploma types is also available at the following website:
<http://www.doe.in.gov/achievement/curriculum/indianas-diploma-requirements>

Attachment 1.2

STN Cohort Graduation Rate Explanation:

TO CALCULATE THE DENOMINATOR FOR THE GRADUATION COHORT RATE:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three years before the reporting year for which the graduation rate is being determined.

(EXAMPLE: If the graduation year being determined is 2008-2009, the grade 9 enrollment from 2005-2006 would be calculated for each school).

STEP TWO: Add the number determined under step one, and:

- The number of students who have enrolled in the high school after the date on which the original cohort (STEP ONE) was determined and have the same expected graduation year

(EXAMPLE): A student enrolls in the school as a 10th grader in 2006-2007. The student's expected graduation year is 2008-2009. The student is added to the cohort.

STEP THREE: Subtract from the sum (STEPS ONE and TWO) the number of students who have left the cohort for any of the following reasons:

- Transfer to another public or nonpublic school
- Removal by the student's parents to provide homeschooled instruction
- Withdrawal because of a long term medical condition or death
- Detention by a law enforcement agency or the department of correction
- Placement by a court order or the department of child services
- Enrollment in a virtual school
- Leaving school, if the student attended school in Indiana for less than one school year and the location of the student cannot be determined
- Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults
- Withdrawing from school before graduation, if the student is a high ability student (defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates

All of these types of students do not "count against" a school's graduation rate and are removed from the denominator.

TO CALCULATE THE NUMERATOR FOR THE GRADUATION COHORT RATE:

STEP FOUR: Determine the total number of students from STEP ONE and STEP TWO who have graduated during the current reporting year OR a previous reporting year (early graduates).

TO CALCULATE THE GRADUATION COHORT RATE:

STEP FIVE: Divide the numerator (number of graduates) by the denominator (number in the cohort, minus students who were removed due to reasons described in STEP THREE).

- A student never "switches" cohorts; the student remains with the same cohort throughout. Early graduating students do not "count against" a school district or school—instead they are counted for the school district/school in the cohort year that the student would have graduated.

Indicator 2 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.¹⁰

Overview of the Indicator:

The data and targets reported for the Indicator is for FFY 2009 (SY 09-10) rather than for FFY 2010 (SY 10-11), based on OSEP's modification of the measurement for the Indicator. The improvement activities discussed below were completed during FFY 2010 (SY 10-11).

The Indiana Legislature changed the graduation rate calculation formula to utilize the STN system beginning with the entering class of 2006.¹¹ The STN system collects all statewide data as Indiana's data warehouse and includes layers of built-in data and validity checks. The STN data system is aligned with ESEA requirements.

Indiana Code states the following:

511 IAC 6.1-1-2

(h) "Dropout" means a student who:

- (1) was enrolled in school during the current school year or the previous summer recess;
- (2) left the educational system during the current school year or the previous summer recess;
- (3) has not graduated from high school; and
- (4) does not meet any of the following exclusionary conditions:
 - (A) Death.
 - (B) Temporary absence due to suspension or a school excused absence.
 - (C) Transfer to a public or nonpublic school

In order to be included as a dropout, the school the child most recently attended reports the student as dropping out after October 1. This gives the student an opportunity to re-enroll after the school year begins and prior to the subsequent October 1 collection so as not to be incorrectly included in the dropout rate. The components of the dropout/mobility rate are the same for students with IEPs as they are for general education students.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target for Indicator 2
2009 (SY 09-10)	The drop-out rate for students with disabilities is ≤ 23% using the four-year dropout rate methodology.

¹⁰ The data related to this Indicator is for FFY 2008 (SY 08-09) per OSEP guidance.

¹¹ Indiana State Performance Plan (SPP). Page 4, Indicator 1

Actual Target Data for FFY 2009 (SY 09-10):

Calculation	Numerator: # Drop-outs (ages 17-22)	Rate
	Denominator: # Graduates + # Certificates + # Drop-outs (ages 16-22) + # Maximum Age	%
FFY 2005 (SY 05-06)	3,788	38.25%
	$4,783 + 1,217 + 3,788 + 116 = 9,904$	
FFY 2006 (SY 06-07)	2,938	32.63%
	$4,945 + 1,029 + 2,938 + 91 = 9,003$	
FFY 2007 (SY 07-08)	2,936	30.01%
	$5,450 + 1,297 + 2,936 + 99 = 9782$	
FFY 2008 (SY 08-09)	2,700	26.99%
	$5,898 + 1,325 + 2,700 + 82 = 10,005^{12}$	
FFY 2009 (SY 09-10)	1241	15.93%
	$5,410 + 1096 + 1241 + 41 = 7788^{13}$	

Explanation of Progress or Slippage that occurred for FFY 2009 (SY 09-10):

Indiana has met its target for FFY 2009 (SY 09-10). This data represents progress of 11.06% from FFY 2008 (SY 08-09) to FFY 2009 (SY 09-10). This data represents the first time Indiana has met its target for this Indicator.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activity	Timeline	Status
Regional Program Specialists (12) employed by IN*SOURCE (the Indiana Resource Center for families with special needs); collaborate with IDOE, parents, schools to keep students in school.	FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)	During FFY 2009 (SY 09-10) the IDEA 2004 grantee and parent advocacy group, the Indiana Resource Center for Families with Special Needs (IN*SOURCE), conducted a variety of presentations and workshops across the State. The training sessions often focused on helping parents and educators understand the special education process and concepts. The training events were conducted in collaboration with other agencies such as the IDOE, Parent Information and Resource Center (PIRC), About Special Kids (ASK), Indiana Institute for Disability and Community (IIDC) and many LEAs from across the State. Individual assistance was also an important part of the support provided to families in pursuit of assistance for their children with disabilities. This

¹²Reported data for Indicator 2 in the FFY 2009 (SY 09-10) APR were harvested from the State's reported 618 Table 4, Exiting

¹³Reported data for Indicator 2 in the FFY 2010 (SY 10-11) APR were harvested from the State's reported 618 Table 4, Exiting

		<p>assistance and consultation was provided via meetings, phone calls, e-mail and letters.</p> <p>IN*SOURCE maintained a website for the distribution of help to parents. The online resources provided parents easy access to important information and provided a forum to exchange ideas and information with other parents. In addition to the website and social networking resource, IN*SOURCE also published and distributed an agency newsletter to parents and educators across the State via US mail and e-mail. Published three times during FFY 2009 (SY 09-10), the newsletter focused on current special education issues including a regular article written by staff from the IDOE. To learn more regarding IN*SOURCE go to http://www.insource.org/</p>
<p>Partner with Regional Resource Center for multi-state strategy identification.</p>	<p>FFY 2006 (SY 06-07) through FFY 2012 (SY 12-13)</p>	<p>The IDOE regularly accessed, utilized and distributed information from the National Dropout Prevention Center for Students with Disabilities by conveying information from the center's website to LEAs and IDOE program specialists.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indicator 2 data for FFY 2009 (SY 09-10) represents Indiana's best score on the Indicator since the dropout rate calculation changed. The State also improved 11.06% from the previous year and has met its target for the first time on this Indicator. For the aforementioned reasons, Indiana has no revisions to its targets, improvement activities, timelines, or resources for Indicator 2 at this time.

Additional Information Required by OSEP FFY 2009 (SY 09-10) APR Response Table for this Indicator:

Statement from the Response Table	State's Response
<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>	<p>No response required.</p>

Indicator 3 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with Individualized Education Programs (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 (Adequate Yearly Progress) 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)].

Overview of the Indicator:

For the Indicator, FFY 2010 (SY 10-11) results are reported using test scores administered during the spring of FFY 2010 (SY 10-11) through the Education Exchange Network (EDEN). Assessment data for FFY 2010 (SY 10-11) submitted through the EDEN system in the 618 Table 6 on December 15, 2011 matches the data used in this Indicator.

Targets and Actual Target Data for FFY 2010:

FFY 2010	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)			
Targets for FFY 2010 (2010-2011)	94.5%		Reading		Math		Reading		Math	
			95%		95%		37%		43%	
Actual Target Data for FFY 2010 (2010-2011)	#	%	#	%	#	%	#	%	#	%
		263	99.25%	80979	97%	80754	97%	41792	50%	47568

Indicator 3

3.A - Actual AYP Target Data for FFY 2010:

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target for Indicator 3A
FFY 2010 (SY 10-11)	LEAs ¹⁴ meeting AYP in the subgroup of students with disabilities \geq 94.5%.

Percent of the districts with a disability subgroup that meets the State’s minimum “n” size¹⁵ that meet the State’s AYP targets for the disability subgroup:

Year	Total Number of Districts	Number of Districts Meeting the “n” size	Number of Districts that meet the minimum “n” size and met AYP for FFY 2009	Percent of Districts
FFY 2010 (SY 10-11)	292	265	263	99.25%

When Safe Harbor and other permissible factors are accounted for, the Statewide total for Local Education Agencies (LEAs) meeting AYP during FFY 2010 (SY 10-11)¹⁶ in Indiana was 99.25%, which represents progress of 1.25% from FFY 2009 (SY 09-10). The data also represents the second consecutive year Indiana has met its target for Indicator 3A since the adoption of the State Performance Plan (SPP).

3.B – Actual Participation Target Data for FFY 2010:

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target for Indicator 3B
2010 (SY 10-11)	The rate of participation of students with disabilities in statewide assessments is \geq 95%.

¹⁴ Local Educational Agencies

¹⁵ “n” size is 30

¹⁶ For details see: <http://www.doe.in.gov/sites/default/files/accountability/ayp-results-summary-numbers.pdf>

Participation rate for children with IEPs¹⁷:

Statewide Assessment 2010-2011		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
									#	%
a	Children with IEPs	12697	12933	12311	11899	11396	11507	10854	83597	
b	IEPs in regular assessment with no accommodations	5072	3865	2707	1882	1262	1117	1896	17801	21.29%
c	IEPs in regular assessment with accommodations	5222	5911	6363	6982	7252	7544	6156	45430	54.34%
d	IEPs in alternate assessment against grade-level standards	1497	2162	2280	2003	1650	1602	0	11194	13.39%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0.00%
f	IEPs in alternate assessment against alternate standards	788	849	821	874	949	975	1073	6329	7.57%
g	Overall (b+c+d+e+f) Baseline	12579	12787	12171	11741	11113	11238	9125	80754	96.60%
Children included in a but not included in the other counts above										
	In your narrative, account for any children with IEPs who did not participate.	29	33	27	29	54	70	1615	1857	2.22%

¹⁷ This data is publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/assessment/ds-gr-3-8.pdf> and also at: <http://www.doe.in.gov/improvement/data-reporting/find-school-and-corporation-data-reports> under the header Alternative Assessments

Participation rate for children with IEPs¹⁸:

Statewide Assessment 2010-2011		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
									#	%
a	Children with IEPs	12697	12933	12311	11899	11396	11507	10854	83597	
b	IEPs in regular assessment with no accommodations	5034	3844	2709	1857	1268	1087	1919	17718	21.19%
c	IEPs in regular assessment with accommodations	5106	5767	6171	6636	7111	7419	6702	44912	53.72%
d	IEPs in alternate assessment against grade-level standards	1588	2285	2420	2239	1760	1728	0	12020	14.38%
e	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0.00%
f	IEPs in alternate assessment against alternate standards	788	849	821	874	949	975	1073	6329	7.57%
g	Overall (b+c+d+e+f) Baseline	12516	12745	12121	11606	11088	11209	9694	80979	96.87%
Children included in a but not included in the other counts above										
	In your narrative, account for any children with IEPs who did not participate.	29	33	27	29	54	70	1012	1254	1.50%

The following are reasons that a student with an IEP was not considered a participant in the assessment:

- Students whose assessment results were considered invalid
- Parent opts out of student taking assessment
- Student was absent during assessment
- Medically unfit for testing
- Students did not participate for other reasons that included expulsion and suspension, students who were not enrolled at the time of testing, and students whose grade level was marked in error.

Accommodations and Valid Scores:

- Accommodations yielding valid scores: Tests taken by students who were provided accommodations that have been approved by the State are considered valid and the students should be included as participants.
- Accommodations may be approved in one of two ways: (1) in most cases approved accommodations are on a State list of preapproved accommodations; (2) Indiana allows the IEP team to seek approval from the State Education Agency (SEA) for use of non-standard accommodations that do not appear on the list. In these cases, if the State determines that the

¹⁸ This data is publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/assessment/ds-gr-3-8.pdf>

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accommodation does not invalidate the score, students receiving these accommodations will be included as participants.

- Students who received invalid scores due to an accommodation that was not approved by the State are counted as non-participants. In making the calculations, these students are included in the denominator (# of children with IEPs enrolled during the testing window), but NOT in the numerator (# of children with IEPs participating in the assessment).
- Under certain circumstances, students whose scores are considered invalid for any other reason may be considered participants, consistent with Indiana’s Elementary and Secondary Education Act (ESEA) Accountability Workbook.

3.C – Actual Performance Target Data for FFY 2010

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target for Indicator 3C
2010 (SY 10-11)	The number of students with disabilities with reported proficiency on statewide and alternate assessment is $\geq 37\%$ English/Language Arts and $\geq 43\%$ Mathematics.

Actual Target Data for Performance:

Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards¹⁹:

Statewide Assessment 2010-2011		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	12697	12933	12311	11899	11396	11507	10854	83597	
b	IEPs in regular assessment with no accommodations	6485	6250	6061	4769	3857	3870	4176	35468	42.43%
c	IEPs in alternate assessment against grade-level standards	1245	1460	1488	1097	1001	790	0	7081	8.47%
d	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0.00%
e	IEPs in alternate assessment against alternate standards	542	632	655	671	790	817	912	5019	6.00%
f	Overall (b+c+d+e) Baseline	8272	8342	8204	6537	5648	5477	5088	47568	56.90%

¹⁹ This data is publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/assessment/ds-gr-3-8.pdf> and also at: <http://www.doe.in.gov/improvement/data-reporting/find-school-and-corporation-data-reports> under the header Alternative Assessments

Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards²⁰:

Statewide Assessment 2010-2011		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	12697	12933	12311	11899	11396	11507	10854	83597	
b	IEPs in regular assessment with no accommodations	6258	5642	4030	3422	3314	2631	2685	27982	33.47%
c	IEPs in alternate assessment against grade-level standards	1314	1804	1869	1662	1102	1079	0	8830	10.56%
d	IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0.00%
e	IEPs in alternate assessment against alternate standards	563	655	659	654	769	797	883	4980	5.96%
f	Overall (b+c+d+e) Baseline	8135	8101	6558	5738	5185	4507	3568	41792	49.99%

Explanation of Progress or Slippage that occurred for FFY 2010:

FFY	Indicator 3A Percentage
FFY 2010 (SY 10-11)	99.25%
FFY 2009 (SY 09-10)	97.74%
FFY 2008 (SY 08-09)	86.79%

Indiana met its target for Indicator 3A and is reporting progress of 1.51% for the Indicator. Indiana attributes the increase in Indicator 3A performance to the improvement activities of the Indicator.

Also, in accordance with the ESEA target that 100 percent of students meet grade-level standards in reading and math by 2014, Indiana is steadily raising the minimum percentage of students that must pass English/language arts and math assessments in order to make AYP. Indiana raises its AYP standards every three years, up to and including 2010, and will continue to raise the standards every subsequent year until 2014.

²⁰ This data is publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/assessment/ds-gr-3-8.pdf> and also at: <http://www.doe.in.gov/improvement/data-reporting/find-school-and-corporation-data-reports> under the header Alternative Assessments

FFY	Indicator 3B Percentages	
	Reading	Math
FFY 2010 (SY 10-11)	96.60%	96.87%
FFY 2009 (SY 09-10)	95.57%	96.16%
FFY 2008 (SY 08-09)	97.24%	96.84%

For Indicator 3B Indiana is reporting progress of 1.03% in Reading participation and 0.71% in Math participation. For both measurements Indiana met and exceeded its aggressive targets of 95% in Reading participation and 95% in Math participation.

FFY	Indicator 3C Percentages	
	Reading	Math
FFY 2010 (SY 10-11)	49.99%	56.90%
FFY 2009 (SY 09-10)	43.16%	50.73%
FFY 2008 (SY 08-09)	64.11%	54.02%

For Indicator 3C Indiana reports progress of 6.83% in Reading proficiency and progress of 6.17% in Math proficiency. For both measurements Indiana has met and exceeded its targets for 37% in Reading proficiency and 43% in Math proficiency.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activity	Timeline	Status
Develop and implement the Indiana Modified Achievement Standards Test (IMAST)	FFY 2008 (SY 08-09) Through FFY 2012 (SY12-13)	Indiana continues to administer and support the IMAST, Indiana's alternate assessment against grade-level standards, allowing students to be assessed based on the student's individualized needs. Indicator outcomes data are taken directly from the IMAST assessment, comparison of students taking ISTEP+ against IMAST by disability category.

Improvement Activity	Timeline	Status
Through the Indiana Resource Network (IRN) and Indiana Center for Assessment and Instruction (ICAI), provide tools, training and technical assistance as schools increase student achievement, build staff capacity and align resources.	FFY 2008 (SY 08-09) Through FFY 2012 (SY12-13)	The ICAI continues to provide best practices professional development statewide concerning ISTEP+ accommodations, ISTAR, ISTAR-KR and the Modified ISTEP+ and work with the IDOE Assessment Division to provide accurate information. The ICAI also acts as a statewide resource to LEAs and schools on the accessibility of instruction, Universal Design for Learning, and differentiated instruction while working with IDOE staff to coordinate this information.
Focused efforts at developing standards-based IEPs, with a focus on the middle and high school levels.	FFY 2008 (SY 08-09) Through FFY 2012 (SY12-13)	Indiana continues efforts focused on the development of standards-based IEPs with an emphasis on the middle and high school levels.

Public Reporting Information:

Public reports of assessment results, conforming with 34 CFR §300.160(f), are available at the following website: <http://www.doe.in.gov/sites/default/files/assessment/ds-gr-3-8.pdf>. Additional reports are available at: <http://www.doe.in.gov/improvement/data-reporting/find-school-and-corporation-data-reports> under the header "Alternative Assessments."

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

Indiana has met and exceeded all targets for Indicator 3, and for this reason Indiana reports no revisions to its improvement activities, targets, timeline, or resources for this Indicator.

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

Statement from the Response Table	State's Response
3A: OSEP appreciates the State's efforts to improve performance.	No response required.
3B: In the FFY 2010 APR, due February 1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).	The web link is provided in the "Public Reporting Information" section above.
3C: OSEP appreciates the State's efforts to improve performance.	No response required.

Indicator 4A of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:

See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

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

Measurement:

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.

Include State's definition of "significant discrepancy."

Overview of Issue/Description of System or Process:

The State utilized its September 2009 enrollment count and the data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) for the school year —2009-2010 due November 1, 2010.

Definition of Significant Discrepancy and Identification of Comparison Methodology:

As a result of the Office of Special Education (OSEP) and the Data Accountability Center (DAC) review of Indiana's FFY 2009 Significant Discrepancy definition for Indicator 4B, Indiana was required to change its 4B definition of Significant Discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children disabilities by race and ethnicity. Because Indiana was required to change its FFY 2009 Indicate 4B definition and method of calculation for significant discrepancy, it was also chosen to modify its FFY 2009 Indicator 4A definition and calculation methodology to better address the issue of Significant Discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with disabilities.

On January 13, 2012, in response to the downward trend in the number of LEAs that were exceeding the established incident rate threshold, the Indiana Special Education Advisory Council (SAC) reviewed and provided input on Indiana's revised Indicator 4A significant discrepancy definition. The State lowered the Indicator 4A incident rate threshold from 3.0 times or higher than the State average to 2.0 times or higher than the State average for two consecutive years. As a result of lowering the incident rate threshold, the State modified the "Measurable and Rigorous Targets" for FFY 2010, FFY 2011 and FFY 2012 (see Indiana Part B State Performance Plan (SPP), page 26 for revised targets).

Indiana revised its FFY 2010 Indicator 4A significant discrepancy of students with disabilities definition in the rates of suspensions and expulsions greater than 10 days as an incidence rate that is two times or higher than the State incidence rate for two consecutive years. Sample "n" size is set at a minimum of 10 students in a given population. A review of policies, procedures and practices is conducted on those LEAs designated as having significant discrepancy to determine if the discrepancy is due to the LEA's failure to comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and the execution of procedural safeguards.

Indicator 4A

Indiana compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State when determining if significant discrepancies are occurring (34 CFR §300.170(a)).

Indicator 4A: Measurable and Rigorous Target for FFY 2010 based on FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) data:

FFY	Measurable and Rigorous Target
FFY 2010 (using 2009-2010 data)	The percent of LEAs 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 ten days in a school year will be equal to/or less than 1.50%.

Actual target Data for FFY 2010 (SY 10-11) based on FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) Data:

Indiana’s significant discrepancy definition requires an LEA to exceed the established threshold for two consecutive years; therefore the State utilized the FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) data when reporting significant discrepancy in the FFY 2010 (SY 10-11) APR.

4A(a). LEAs with Significant Discrepancy in Rates for Suspension and Expulsion:

Year	Total Number of LEAs ²¹	Number of LEAs that have Significant Discrepancies	Percent
FFY 2010 (using 2009-2010 data)	346	5	1.45%

The data indicates 1.45% of the Indiana LEAs (5 out of 346 for the FFY 2010 (SY 10-11) had significant discrepancies in rates for suspension and expulsion during the reporting period.

282 LEAs were excluded from the calculation because they did not meet the required “n” size of 10 or more students with disabilities suspended or expelled for more than 10 days in a school year.

4A(a). LEAs with Significant Discrepancy in Rates for Suspension and Expulsion of Students with Disabilities that Were the Result of Inappropriate Policies, Procedures and Practices:

Year	Total Number of LEAs ²²	Number of LEAs that have Significant Discrepancies that were the Result of Inappropriate policies, Procedures and Practices	Percent
FFY 2010 (using 2009-2010 data)	346	4	1.16%

²¹ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

²² Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator

Review of Policies, Procedures, and Practices (completed in FFY 2010 using 2009-2010 data) for the LEAs identified with significant discrepancies:

- a. The State elected to change the definition of significant discrepancy for Indicator 4A as previously described. On January 13, 2012, the new definitions were reviewed by the SAC and finalized.

The FFY 2010 (SY10-11) statistical analysis based the on FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) data indicated five LEAs had significant discrepancies in the rates for suspension and expulsion of students with disabilities. The five LEAs were notified on December 9, 2011 of the significant discrepancies. The notification informed the LEA that they were required to review their policies, procedures and practices; and to complete the Indiana *FFY 2010 (SY 10-11) Self-Assessment Survey* and submit the assessment by December 23, 2011.

The IDOE and its contracted agent reviewed and analyzed the LEAs' self assessment surveys. Follow-up telephone interviews were conducted with the LEAs to clarify information regarding their self assessments, as needed. Based upon the review of the LEAs data, self assessment and phone interviews, it was determined that one of the five LEAs significant discrepancies was not due to inappropriate policies, procedures or practices. However, it was determined that it would be necessary to conduct an individual file review on the four remaining LEAs with significant discrepancies to determine if appropriate policies, procedures and practices were in place to assure compliance with 34 CFR § 300.201 and 20 U.S.C. 1416(a)(3)(A); 1412(a)(22). The IDOE selected the files based upon a ten percent random sample (no less than five, no more than ten) of case files of students with disabilities that were suspended or expelled for more than 10 cumulative days during the FFY 2010 (SY 09-10).

- b. The file review analysis indicated that the significant discrepancies in the four LEAs were due to inappropriate policies, procedures or practices, and these four LEAs were determined to be noncompliant with 34 CFR § 300.201 and 20 U.S.C. 1416(a)(3)(A); 1412(a)(22).
- c. Three of the four LEAs determined to have significant discrepancies due to inappropriate policies, procedures or practices were notified on January 31, 2012 that the noncompliance must be corrected as soon as possible and in no case later than one year from the date of this notification. The three LEAs were informed that they are required to:
 1. Review and revise their policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA; and,
 2. Correct each individual case of noncompliance identified in the file review, unless the student is no longer under the jurisdiction of the LEA.

In addition, the LEAs identified with FFY 2010 (SY10-11) noncompliance are required to work with the IDOE and their assigned Indiana Resource Network (IRN) technical assistance provider to develop and implement a corrective action plan. Progress on this Indicator will be monitored through the general supervision component of the IDOE special education monitoring process.

The fourth LEA was notified on January 31, 2012 that it had failed to correct the finding issued in FFY 2008 (SY08-09) within one year of the State's notification, or subsequently correct the noncompliance; therefore the LEA must correct the noncompliance as soon as possible. See the "Action Taken if FFY 2008 Noncompliance Not Corrected" section below for additional information and sanctions in place for this LEA.

Discussion of Progress or Slippage that Occurred in FFY 2010:

The State lowered the threshold for determining significant discrepancy of suspensions/expulsion of students with disability from an incident rate that was three times or greater than the State average to two times the State average, therefore the State is not able to report FFY 2010 (SY10-11) progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 (SY11-12) APR due February 1, 2013.

Correction of FFY 2009 Findings of Noncompliance:

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) using 2008-2009 data	0
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Indiana did not make any Indicator 4A FFY 2009 (SY09-10) findings of noncompliance. Prior to FFY 2009 (SY09-10), the State had reported its Indicator 4A rates of suspension and expulsion data one year in advance (the FFY 2008 (SY 08-09) APR utilized the FFY 2008 (SY 08-09) data rather than the FFY 2007 (SY 07-08 data). In order to comply with federal requirements for the FFY 2009 (SY 09-10) APR, Indiana reported on the FFY 2008 (SY 08-09) data, which is the same data it reported in its FFY 2008 (SY 08-09) APR.

Verification of Correction (either timely or subsequent):

Indiana did not issue any FFY 2009 findings of noncompliance

Actions Taken if Noncompliance Not Corrected:

Indiana did not issue any FFY 2009 findings of noncompliance.

Correction of Remaining FFY 2008 Findings of Noncompliance:

1. Number of remaining FFY 2008 findings (identified in July 1, 2008 – June 30, 2009 using 2007-2008 data), noted in OSEP's June 1, 2011 FFY 2009 APR response table for this Indicator	2
2. Number of remaining FFY 2008 findings the State has verified as corrected	1
3. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	1

Verification of Correction (either timely or subsequent):

For FFY 2008 (SY08-09) Indiana issued two findings under Indicator 4A. The LEA that corrected the FFY 2008 (SY 08-09) finding of noncompliance was assigned to work directly with the PBIS IRN center. The PBIS Indiana project directors, in a series of meetings, met with the LEA's administrators and staff to discuss their data regarding compliance as well as policies, procedures and practices concerning suspension and expulsion. The root cause analysis suggested the following:

- a.) the high rates of disciplinary referral for students with disabilities were primarily due to a high rate of suspension and expulsion for all students; and,
- b.) one of the leading contributors to high rates of disciplinary exclusion in the district was student tobacco use.

The LEA leadership did extensive reflection on the issue and as required by 34 CFR §300.170(b), reviewed and revised the policies, procedures and practices on suspensions and expulsions as well as developed a broad new alternative program. As a result of these new policies, procedures and practices the LEA did not have any suspensions/ expulsions of students with disabilities for more than 10 cumulative days during FFY 2010 (SY 10-11). The LEA was notified on January 31, 2012, that while the LEA had failed to correct the FFY 2008 (SY 08-09) finding of noncompliance within one year of the January 29, 2010 notification, the LEA had subsequently corrected.

The FFY 2008 (SY 08-09) findings of noncompliance were based on identified systematic procedure and policy flaws that caused noncompliance in the LEA. Indiana’s FFY 2008 (SY 08-09) significant discrepancy and monitoring process did not identify student specific cases of noncompliance, therefore there were no identified student specific cases to correct. However, as indicated above, Indiana and its contracted agent verified the correction of the FFY 2008 (SY 08-09) noncompliance pursuant to OSEP Memorandum 09-02 for the LEA by verifying correction of the systemic case of noncompliance, correction of procedures and practices, and a decrease from 16 suspensions/expulsions of students with disabilities for more than 10 cumulative days in a school year to zero suspensions/expulsions of students with disabilities for more than 10 cumulative days in a school year.

	Number of students with disabilities with suspensions/expulsions greater than 10 cumulative days in a school year
FFY 2007 (SY 07-08)	16
FFY 2008 (SY 08-09)	14
FFY 2009 (SY 09-10)	12
FFY 2010 (SY 10-11)	0

Effective with the FFY 2010 APR, Indiana has modified its Indicator 4A monitoring procedures to include individual student file reviews in LEAs who meet the State’s criteria for significant discrepancy, if the State’s review of the LEAs data, significant discrepancy self assessment, policies, procedures and practices does not substantiate that the LEA is correctly implementing the specific regulatory requirements of 34 CFR § 300.201 and 20 U.S.C. 1416(a)(3)(A);1412(a)(22).

Actions Taken if FFY 2008 Noncompliance Not Corrected:

The analysis of the one LEA that failed to correct the FFY 2008 (SY08-09) Indicator 4A noncompliance determined the significant discrepancy noncompliance was the result of a broad range of issues with policies, procedures and practices. Due to the extent of the issues, the LEA was assigned to work with three of the IRN resource centers (Effective Evaluation, Effective and Compliant IEPs, and HANDS in Autism) during FFY 2010 (SY 10-11). These three centers, along with IDOE staff, worked with the LEAs administrative team that included representation from the Superintendent’s office, general and special education administrators, building principals, district supervisors and consultants, federal programs, school nurses, social workers, IT staff, school psychologists, and an independent hearing officer. Information regarding LEA data related to suspension and expulsion was presented and discussed to increase awareness and understanding of the noncompliance. The LEA administrative team was mandated develop a committee for special education compliance in order to review local practices and policies related to suspension and expulsion. Resource center staff facilitated and guided the direction of the LEA in these practices. In addition, the centers coordinated school visitations and discussions with LEA staff and administration in efforts to address areas related to reducing behavior-related referrals and suspensions and expulsions such as data management, proactive strategy implementation, alternative skill development and general behavioral planning. The IRN centers provided guidance and support for the LEA to develop and implement an extensive corrective action plan that the IDOE is closely monitoring.

The LEA, as required, has been providing monthly updates to IDOE on procedural changes and the number of suspensions/expulsions for students throughout FFY 2010 (SY 10-11). The LEA has instituted the following procedural changes:

- The Superintendent mandated that all suspension/expulsions must be signed and approved by the Building Principal before a student is suspended or expelled.
- The Superintendent mandated that all expulsions are communicated to the Director of Special Education immediately.
- The Assistant Superintendent is notified on a monthly basis via a written report from the Director of Special Education on suspensions/expulsions. The report is to identify the school, student, infraction and the number of days a student has been on suspension/ expulsion.
- The Director of Elementary/Secondary Studies is given a monthly written report on the number of students suspended and/or expelled, school name, infraction and student name.
- The Director of Elementary/Secondary Studies communicates with the Director of Special Education concerning suspensions/expulsions.
- Building principals are working with their building staff members to develop strategies and alternatives to suspensions and expulsions.
- Building principals work with the LEA consulting Psychiatrist and the Behavioral Specialist to develop strategies that more effectively address behavior difficulties.
- The consulting Psychiatrist conducts in-service training for building staff concerning suspensions/expulsions.
- The LEA expanded the roles of the building social workers to include working on student issues throughout the entire student population, not just students in programs for emotional disabilities.
- The IRN is conducting building in-service training in January 2012 in the high schools with the most suspensions/expulsions.
- Principals are continuously working with their staff to develop school wide behavior programs.

As outlined in the overview of the FFY 2009 (SY 09-10) APR, Indiana, in conjunction with Indiana's State Advisory Panel and stakeholders, redesigned its Local Determination scoring system in order to heighten the level of sanctions and penalties against LEAs that fail to correct noncompliance within one year. For this single LEA that has not yet corrected noncompliance on multiple Indicators from FFY 2007 (SY 07-08) and FFY 2008 (SY 08-09) they received a Local Determination score of "Needs Intervention" from the IDOE and had special conditions and sanctions put into place during the course of FFY 2010 (SY10-11). When designing the special conditions and sanctions, Indiana took advantage of the technical assistance offered through the Data Accountability Center (DAC) and completed a two day onsite training completed by the staff at DAC that focused Indiana's efforts on issuing meaningful special conditions and sanctions. In addition, Indiana sought the advice of its State Advisory Council (SAC) to ensure stakeholder input regarding the special conditions that were being considered. As a result of the technical assistance provided by DAC and the recommendations of the SAC the following special conditions and additional sanctions have been imposed over the course of FFY 2010 (SY10-11) for the LEA that has failed to correct the noncompliance identified in FFY 2008 (SY 08-09):

- The IDOE Office of Special Education issued monthly action plans to the LEA, which outlined requirements that had to be met in order for the LEA to submit for Part B reimbursement of funds. These requirements aligned to the 20 Federal Indicators and were designed to ensure that all requirements outlined in the Individuals with Disabilities Education Act (IDEA) as well as Indiana's special education law, Article 7, were met. If the LEA failed to meet the requirements outlined each month, Part B funds were delayed until the LEA could show compliance with the requirements.

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- Monthly meetings were initiated between the LEA and an IDOE Office of Special Education consultant. Members of the IDOE Office of Special Education staff completed monthly site visits to the LEA and facilitated meetings with a team of staff at the LEA to address the issues of noncompliance.
- The IDOE mandated technical assistance to the LEA via three of the Indiana Resource Network (IRN) centers. This technical assistance focused on effective evaluation, effective and compliant IEPs, and behavior interventions for students. The LEA developed an overarching action plan with all three resource centers and those activities were monitored by the IDOE Office of Special Education. Additionally, onsite technical assistance was provided to the LEA on a monthly basis through the IRN centers.

These special conditions and sanctions will continue to be imposed and modified as needed until all identified noncompliance has been verified as corrected.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Coordinate activities with the School Wide Positive Behavior Support (PBS) initiative, a systems approach to effective school-wide management that provides a comprehensive continuum of supports.	FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)	PBIS Indiana technical assistance center is developing and establishing a Statewide network of culturally responsive positive behavior supports. The project is working with emerging model sites to develop a state-of-the-art model of culturally responsive PBS. The center is collaborating closely with national leaders and a state advisory team to establish a statewide PBS network including training and technical assistance.
LEAs identified with significant discrepancies will receive training in Culturally Responsive School Wide Positive Behavior Supports.	FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)	The two LEAs with Indicator 4A significant discrepancy reported in the FFY 2009 APR were assigned to work with one or more of the IRN Centers to develop a LEA plan of correction which included training in Culturally Responsive School Wide Positive Behavior Supports. See the Correction of Remaining FFY 2008 Findings of Noncompliance section above for details.
Indiana Resource Network (IRN)	FFY 2008 (SY 08-09) through FFY2012 (SY12-13)	<p>The Indiana Resource Network (IRN) is comprised of six centers that provide targeted, comprehensive support to schools across the State to improve teaching and learning. The areas addressed through the IRN are: autism, effective assessment and instruction, effective evaluations, effective and compliant individualized education programs (IEPs), positive behavior supports, and transition to adulthood. Information regarding the IRN centers a can be found at: http://www.irn.indiana.edu/index.php?pagelD=Centers.</p> <p>Additionally, LEAs are supported by three sole source projects that focus on parent training and information, assistive and accessible technologies, and training for teachers of students who are deaf, blind or have low vision.</p> <p>The following IRN centers are providing technical assistance related to significant discrepancy issues:</p> <p>PBIS Indiana: Positive Behavior Interventions & Supports Resource Center:</p> <p>The Indiana University Equity Project at the Center for Evaluation</p>

Improvement Activities	Timelines	Status
		<p>and Education Policy (CEEP) in collaboration with the Center for Education and Lifelong Learning at the Indiana Institute on Disability and Community (IIDC) is the IRN center whose focus is to develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how PBIS impacts student achievement, family engagement, dropout rate and least restrictive environment placements. The center is working on the following activities:</p> <ul style="list-style-type: none"> • Development of an expanded RTI-based model of PBIS that addresses issues of culture and contributes to improved outcomes in achievement, graduation, and LRE; • Development of six model demonstration sites committed to the full implementation of the PBIS Indiana framework; • Working with sites assigned by the IDOE to address identified insufficiencies through the implementation of the PBS Indiana framework; • Working with schools partially implementing PBIS, providing professional development and technical assistance as needed to move schools at any level of implementation to more complete implementation; • Increasing capacity by building the knowledge base; and, • Development of a fully functioning and sustainable network of culturally responsive PBIS in Indiana. <p>The center has developed an extensive list of tools that include web-base modules, publications and other resources on</p> <ul style="list-style-type: none"> • Culturally responsive practices; • Disproportionality in school discipline; • Leadership teams; and, • PBIS frameworks. <p><u>Effective Evaluation Processes Resource Center:</u> The Effective Evaluation Processes Resource Center focuses on increasing Indiana educators' use of skills that ensure targeted and high quality interventions and strategies for struggling students, promote the use of appropriate special education evaluation tools and methods for all students, and assist LEAs in the correction of noncompliance and implementation of systemic changes to prevent future noncompliance.</p> <p><u>HANDS (Helping Answer Needs by Developing Specialists) in Autism Resource Center:</u> The HANDS in Autism resource center provides unique learning opportunities designed to integrate and understand autism and related disorders through hands-on and coaching experiences. Training and/or consultation requests are received from all areas of the State representative of different locales (e.g., urban, suburban, rural). When addressing such requests, an appraisal of the local needs and current levels of knowledge and practice are determined in order to construct an appropriate and practical training or response on requested topics. Such appraisal may range from a needs assessment of participants, schools, or the district, verbal feedback, historical review of trainings, and/or</p>

Improvement Activities	Timelines	Status
		<p>verbal discussion with stakeholders requesting such trainings and/or consultation. A customized training is then provided by HANDS trainers who represent a combination of professionals from the fields of special education, general education, behavioral analysis, school psychology, public health, and clinical psychology. With such a broad range of experience, trainings are customizable to different populations and groups and are illustrative of the necessary collaboration involved with successful Culturally Responsive School Wide Positive Behavior Supports (CRSWPBS) and multidisciplinary teams. Trainings are based upon evidence-based practices in autism, as reported by the National Standards Project and National Autism Center, and in line with the proactive and positive behavioral plans promoted within CRSWPBS. These foundational components (i.e., proactive and positive behavioral plans) are a natural tie to the HANDS training curriculum and evidence based practices purported by the aforementioned report.</p> <p><u>IN*SOURCE:</u> IN*SOURCE continued to provide ongoing activities statewide to help support the parent to parent volunteer network of 437 Regional Parent Resources (RPRs). IN*SOURCE has maintained this volunteer network for 30 years. This program has successfully supported many thousands of parents of children with disabilities statewide, using a parent to parent service delivery mode. IN*SOURCE provided information and ongoing training and support to these parent volunteers (RPRs) through the Statewide network of paid staff (Regional Program Specialist). Individual support to parent volunteers is available on an “as needed” basis and covers many different topics or issues including suspensions and expulsions of students with IEPs. During this twelve month period, this parent volunteer statewide network provided training and assistance to 1,038 families and other contacts statewide. This training and assistance included support to families concerning expulsion and suspension of students with IEPs. IN*SOURCE staff began to develop an online training program for potential parent volunteers during the SY 10-11 project year. Planning for this training began in the fall of 2010 and the completed eight part training program for IN*SOURCE volunteers went on line in April of 2011. Included in this online training program is a discussion of suspension and expulsion for students with IEPs.</p> <p>IN*SOURCE continued the maintenance of 20 regional offices to insure an appropriate level of support for parents and educators in their communities. Statewide support to families and educators reflected in this activity are generally provided on an individual basis, and may include assistance provided by email, telephone or on a face to face basis. This assistance to families covers a range of topics concerning the education of students with disabilities including suspension and expulsion. During this twelve month period, IN*SOURCE provided assistance to 13,923 family and other contacts statewide. From this number of total contacts, 509 contacts included information and support to families concerning suspension and expulsion.</p>

Improvement Activities	Timelines	Status
		<p><u>PATINS Project:</u> The Promoting Achievement through Technology and Instruction for all Students Project (PATINS Project) statewide technical assistance network for the provision of assistive/accessible technology supports to assist Indiana’s local educational agencies. As a sole source provider for the Indiana Department of Administration and the Indiana Department of Education, the PATINS Project works with local educational agencies to create flexible curricula and utilize technology tools that will support students with disabilities and reduce the existing learner barriers in the classroom. By addressing learner barriers in the classroom through technology and instruction, the project provides resources (assistive technologies and training) to local educational agencies to develop compensatory strategies and access to tools to reduce the effects of student’s disabilities and thereby allowing students to focus their ability on the specific demands of academic tasks and successfully demonstrate acceptable behaviours. The PATINS Project works with schools to reduce potential triggers of undesirable behaviour through the use of assistive technology by:</p> <ul style="list-style-type: none"> • Utilizing specific assistive technology tools to monitor behaviour during assigned classroom tasks; • Utilizing strategies and assistive technology tools to self-regulate behaviour during academic task performance; and, • Utilizing assistive technology to help students manage behaviours associated with social components of classroom activities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011(if applicable):

There are no proposed changes to the improvement activities, timelines or resources for FFY 2010 (SY 10-11); however the State has revised the proposed targets. The State also elected to modify its definition and calculation methodology for Indicator 4A to better address the issue of Significant Discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children disabilities.

On January 13, 2012, in response to the downward trend in the number of LEAs that were exceeding the established incident rate threshold, the Indiana Special Education Advisory Council (SAC) reviewed and provided input on Indiana’s revised Indicator 4A significant discrepancy definition. The State lowered the Indicator 4A incident rate threshold from 3.0 times or higher than the State average to 2.0 times or higher than the State average for two consecutive years, effective FFY 2010 (SY 10-11). As a result of lowering the incident rate threshold, the State modified the “Measurable and Rigorous Targets” for FFY 2010, FFY 2011 and FFY 2012.

FFY	Revised Measurable and Rigorous Targets for Indicator 4A
<p>2010 (SY 10-11)</p>	<p>The percent of LEAs 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 ten days in a school year will be equal to/or less than 1.50%.</p>
<p>2011 (SY 11-12)</p>	<p>The percent of LEAs 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 ten days in a school year will be equal to/or less than 1.25%.</p>
<p>2012 (SY 12-13)</p>	<p>The percent of LEAs 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 ten days in a school year will be equal to/or less than 1.00%.</p>

Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement from the FFY 2009 Response Table	State's Response
<p>The State must report, in its FFY 2010 APR, on the correction of noncompliance indentified ion FFY 2009, base on FFY 2008 and FFY 2007 data.</p>	<p>The State made no new Indicator 4A FFY 2009 findings of noncompliance in the FFY 2009 APR. See "Correction of FFY 2009 Findings of Noncompliance" section above.</p>
<p>When reporting on the correction of noncompliance the State must demonstrate, in the FFY 2010 APR, that it has verified that each district with remaining noncompliance identified based on FFY 2008 and FFY 2007 data is correctly implementing the specific regulatory requirement(s),</p>	<p>One of the two LEAs identified with uncorrected noncompliance based on the FFY 2008 and FFY 2007 data, corrected the noncompliance. The second LEA failed to do so. See "Correction of FFY 2008 Findings of Noncompliance" section above.</p>

Indicator 4B of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

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 Individualized Education Programs (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:

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 (# of districts in the State)] times 100.

Overview of the Indicator:

The State utilized its September 2009 enrollment count and data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) for the school year 2009-2010 due, November 1, 2010.

Definition of Significant Discrepancy and Methodology:

As a result of the Office of Special Education (OSEP) and the Data Accountability Center (DAC) review of Indiana's FFY 2009 Significant Discrepancy definition for Indicator 4B, Indiana was required to change its 4B definition of Significant Discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with disabilities by race and ethnicity. On January 13, 2012 the Indiana Special Advisory Council (SAC) reviewed and provided input on Indiana's revised Indicator 4B significant discrepancy definition. As directed by OSEP, the State changed its calculation methodology to assure compliance with 20 U.S.C. 1412(a)(22). The State also elected to lower the risk ratio threshold from greater than 2.5 to greater than 2.0. Due to the OSEP required changes in the State's calculation methodology and the lower threshold, the State is reporting new baseline data for FFY 2010 (see Indiana Part B State Performance Plan (SPP), page 26 for revised baseline data).

Indiana's revised definition identifies Significant Discrepancy of racial and ethnic groups (*American Indian, Asian/Pacific Islander, African American, Hispanic, White*) in discipline (suspensions/ expulsions) as a risk ratio for a given racial/ethnic group that is greater than 2.0 for two consecutive years. Sample "n" size is set at a minimum of 10 students in a given population. A review of policies, procedures and practices is conducted on those Local Educational Agencies (LEAs) designated as having significant discrepancy to determine if the discrepancy is due to the LEA failure to comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Indiana compares the rates of suspensions and expulsions of

greater than 10 days in a school year for children with IEPs among LEAs in the State when determining if significant discrepancies are occurring (34 CFR §300.170(a)).

Indicator 4B: Measurable and Rigorous Target for FFY 2010 based on FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) data.

FFY	Measurable and Rigorous Target
FFY 2010 (using 2009-2010 data)	Percent of districts reporting 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 will be 0%.

Actual target Data for FFY 2010 (SY 10-11) based on FFY 2009 (SY 09-10) and FFY 2008 (SY 08-09) Data:

Indiana’s significant discrepancy definition requires an LEA to exceed the established 2.0 risk ratio threshold for two consecutive years; therefore the State utilized the FFY 2008 (SY 08-09) and FFY 2009 (SY 09-10) when reporting significant discrepancy in the FFY 2010 (SY 10-11) APR.

LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates for Suspension and Expulsion:

Upon review of the FFY 2009 (SY 09-10) method of calculating Indicator 4B significant discrepancy, OSEP determined that Indiana’s reported FFY 2009 (SY 09-10) methodology did not meet regulatory requirements. Indiana received technical assistance in revising its methodology on several occasions from the Data Accountability Center (DAC) during the month of August 2011. The State also participated in the OSEP sponsored Indicator 4B technical assistance webinar on September 19, 2011.

4B(a). LEAs with Significant Discrepancy, by Race or Ethnicity*, in Rates of Suspension and Expulsion:

Year	Total Number of LEAs ²³	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent ²⁴
FFY 2010 (using 2009-2010 data)	346	13	3.76%

The data indicates 3.76% of the Indiana LEAs (13 out of 346 for the FFY 2010 (SY 10-11) had significant discrepancies, by race/ethnicity, in rates for suspension and expulsion during the reporting period. 288 LEAs were excluded from the calculation because they did not meet the required “n” size of 10 or more students with disabilities in any of the racial ethnic groups suspended or expelled for more than 10 days in a school year.

²³ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

²⁴ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

4B(b). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and 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.

Year	Total Number of LEAs ²⁵	Number of LEAs that have Significant Discrepancies, by Race or Ethnicity, and 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. ²⁶	Percent ²⁷
FFY 2010 (using 2009-2010 data)	346	To be reported during the FFY 2010 clarification period ²⁸	To be reported during the FFY 2010 clarification period ²⁹

Review of Policies, Procedures, and Practices (completed in FFY 2010 (SY 10-11) using 2009-2010 data):

While the State was able to determine that 13 LEAs had significant discrepancies by race/ethnicity, prior to the February 1, 2012, FFY 2010 (SY10-11) APR due date, the State was not able to complete the review and analysis of the 13 LEAs' policies, procedures and practices to determine if the significant discrepancies complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

The State looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period:

- a. Describing how the State reviewed policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards assuring compliance with 34 CFR §300.170(b);
- b. Reporting if the State identified any noncompliance with Part B requirements as a result of the review required by 34 CFR §170(b) and this Indicator; and,
- c. If the State, through reviewing of policies, practices, and procedures identified policies, procedures, or practices that do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describing how the State revised (or required the affected LEA(s) to revise) policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA.

²⁵ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum "n" size in the denominator.

²⁶ The state looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

²⁷ The state looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

²⁸ The state looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

²⁹ The state looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

Discussion of Progress or Slippage that occurred in FFY 2010:

As previously described, the State was required to revise its calculation methodology and elected to lower the threshold for determining significant discrepancy of suspensions/expulsion of students with disabilities from a risk ratio greater than 2.5 to a risk ratio greater than 2.0, therefore the State is not able to report FFY 2010 (SY 10-11) progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013.

Correction of FFY 2009 Findings of Noncompliance:

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) using 2008-2009 data	5
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	5

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	5
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0³⁰
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	5³¹

Verification of Correction (either timely or subsequent):

At this time, the State is not able to verify timely correction. The State looks forward to reporting on the on subsequent correction (if any) during the FFY 2010 clarification period.

Actions Taken if Noncompliance Not Corrected:

The five LEAs that were determined to have FFY 2009 (SY09-10) Indicator 4B noncompliance due to inappropriate policies, procedures and practices, were required to review and modify their policies, procedures and practices to assure compliance with 34 CFR §300.170(b). As previously described, the State had to change its methodology for calculating significant discrepancy of discipline by race/ethnicity. Once confirmation was received that the revised methodology was acceptable, the State was not able to complete the analysis within one year from the date of notification to determine if the LEAs had corrected within the timeframe.

The State looks forward to reporting on any FFY 2009 noncompliance subsequently corrected beyond the one year timeline, as well as the actions taken if noncompliance not corrected (if any) during the FFY 2010 clarification period.

³⁰ The state looks forward to reporting on the results of any FFY 2009 noncompliance subsequently corrected beyond the one year timeline during the FFY 2010 clarification period.

³¹ The state looks forward to reporting on the results of any FFY 2009 noncompliance subsequently corrected beyond the one year timeline during the FFY 2010 clarification period.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
<p>Develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how Positive Behavior Interventions and Support (PBIS) impacts student achievement, family engagement, dropout rate and least restrictive environment placements.</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>PBIS Indiana technical assistance center is developing and establishing a statewide network of culturally responsive positive behavior supports. The project is working with emerging model sites to develop a state-of-the-art model of culturally responsive PBIS. The center is collaborating closely with national leaders and a state advisory team to establish a statewide PBIS network, including training and technical assistance.</p>
<p>Continue to gather data on significant discrepancy of racial and ethnic groups in special education and disseminate to stakeholders through a variety of formats, including the Indiana Department of Education (IDOE) website.</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>The State has continued to gather suspension/expulsion data. Each LEA is able to obtain their specific LEA suspension /expulsion data via the Equity Project website: http://www.iub.edu/~equity/equity/discipline.php</p> <p>Information has also been disseminated via conferences (ICASE), local/regional trainings and Policy Briefs.</p>
<p>Provide targeted, comprehensive support to schools across the State to improve teaching and learning via the six IRN centers whose areas of focus are:</p> <ul style="list-style-type: none"> • Autism; • Effective assessment and instruction; • Effective evaluations; • Effective and compliant IEPs; • Positive behavior supports; and, • Transition to adulthood. <p>In additional statewide support DOE will be provide on:</p> <ul style="list-style-type: none"> • Parent training and information; • Assistive and accessible technologies; and, • Training for teachers of students who are deaf, blind or have low vision. 	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY12-13)</p>	<p>Information regarding the IRN centers a can be found at:http://www.irn.indiana.edu/index.php?pageId=Center S.</p> <p>The following IRN centers are providing technical assistance related to significant discrepancy issues:PBIS Indiana: Positive Behavior Interventions & Supports Resource Center:</p> <p>The Indiana University Equity Project at the Center for Evaluation and Education Policy (CEEP) in collaboration with the Center for Education and Lifelong Learning at the Indiana Institute on Disability and Community (IIDC) is the IRN center whose focus is to develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how PBIS impacts student achievement, family engagement, dropout rate and least restrictive environment placements. The center is working on the following activities:</p> <ul style="list-style-type: none"> • Development of an expanded RTI-based model of PBIS that addresses issues of culture and contributes to improved outcomes in achievement, graduation, and LRE; • Development of six model demonstration sites committed to the full implementation of the PBIS Indiana framework; • Working with sites assigned by the IDOE to

Improvement Activities	Timelines	Status
		<p>address identified insufficiencies through the implementation of the PBS Indiana framework;</p> <ul style="list-style-type: none"> • Working with schools partially implementing PBIS, providing professional development and technical assistance as needed to move schools at any level of implementation to more complete implementation; • Increasing capacity by building the knowledge base; and, • Development of a fully functioning and sustainable network of culturally responsive PBIS in Indiana. <p>The center has developed an extensive list of tools that include web-base modules, publications and other resources on:</p> <ul style="list-style-type: none"> • Culturally responsive practices; • Disproportionality in school discipline; • Leadership teams; and, • PBIS frameworks. <p>Effective Evaluation Processes Resource Center: The Effective Evaluation Processes resource center focuses on increasing Indiana educators' use of skills that ensure targeted and high quality interventions and strategies for struggling students, promote the use of appropriate special education evaluation tools and methods for all students, and assist LEAs in the correction of noncompliance and implementation of systemic changes to prevent future noncompliance</p> <p>HANDS (Helping Answer Needs by Developing Specialists) in Autism Resource Center: The HANDS in Autism resource center provides unique learning opportunities designed to integrate and understand autism and related disorders through hands-on and coaching experiences. Training and/or consultation requests are received from all areas of the State representative of different locales (e.g., urban, suburban, rural). When addressing such requests, an appraisal of the local needs and current levels of knowledge and practice are determined in order to construct an appropriate and practical training or response on requested topics. Such appraisal may range from a needs assessment of participants, schools, or the district, verbal feedback, historical review of trainings, and/or verbal discussion with stakeholders requesting such trainings and/or consultation. A customized training is then provided by HANDS trainers who represent a combination of professionals from the fields of special education,</p>

Improvement Activities	Timelines	Status
		<p>general education, behavioral analysis, school psychology, public health, and clinical psychology. With such a broad range of experience, trainings are customizable to different populations and groups and are illustrative of the necessary collaboration involved with successful Culturally Responsive School Wide Positive Behavior Supports (CRSWPBS) and multidisciplinary teams. Trainings are based upon evidence-based practices in autism, as reported by the National Standards Project and National Autism Center, and in line with the proactive and positive behavioral plans promoted within CRSWPBS. These foundational components (i.e., proactive and positive behavioral plans) are a natural tie to the HANDS training curriculum and evidence based practices purported by the aforementioned report.</p> <p><u>IN*SOURCE:</u> IN*SOURCE continued to provide ongoing activities statewide to help support the parent to parent volunteer network of 437 Regional Parent Resources (RPRs). IN*SOURCE has maintained this volunteer network for 30 years. This program has successfully supported many thousands of parents of children with disabilities statewide, using a parent to parent service delivery mode. IN*SOURCE provided information and ongoing training and support to these parent volunteers (RPRs) through the Statewide network of paid staff (Regional Program Specialist). Individual support to parent volunteers is available on an “as needed” basis and covers many different topics or issues including suspensions and expulsions of students with IEPs. During this twelve month period, this parent volunteer statewide network provided training and assistance to 1,038 families and other contacts statewide. This training and assistance included support to families concerning expulsion and suspension of students with IEPs. IN*SOURCE staff began to develop an online training program for potential parent volunteers during the SY 10-11 project year. Planning for this training began in the fall of 2010 and the completed eight part training program for IN*SOURCE volunteers went on line in April of 2011. Included in this online training program is a discussion of suspension and expulsion for students with IEPs.</p> <p>IN*SOURCE continued the maintenance of 20 regional offices to insure an appropriate level of support for parents and educators in their communities. Statewide support to families and educators reflected in this activity are generally provided on an individual basis, and may include assistance provided by email, telephone or on a face to face basis. This assistance to families covers a range of topics concerning the education of students with disabilities including</p>

Improvement Activities	Timelines	Status
		<p>suspension and expulsion. During this twelve month period, IN*SOURCE provided assistance to 13,923 family and other contacts statewide. From this number of total contacts, 509 contacts included information and support to families concerning suspension and expulsion.</p> <p><u>PATINS Project:</u> The Promoting Achievement through Technology and Instruction for all Students Project (PATINS Project) statewide technical assistance network for the provision of assistive/accessible technology supports to assist Indiana's local educational agencies. As a sole source provider for the Indiana Department of Administration and the Indiana Department of Education, the PATINS Project works with local educational agencies to create flexible curricula and utilize technology tools that will support students with disabilities and reduce the existing learner barriers in the classroom. By addressing learner barriers in the classroom through technology and instruction, the project provides resources (assistive technologies and training) to local educational agencies to develop compensatory strategies and access to tools to reduce the effects of student's disabilities and thereby allowing students to focus their ability on the specific demands of academic tasks and successfully demonstrate acceptable behaviours. The PATINS Project works with schools to reduce potential triggers of undesirable behaviour through the use of assistive technology by:</p> <ul style="list-style-type: none"> • Utilizing specific assistive technology tools to monitor behaviour during assigned classroom tasks; • Utilizing strategies and assistive technology tools to self-regulate behaviour during academic task performance; and, • Utilizing assistive technology to help students manage behaviours associated with social components of classroom activities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011(if applicable):

There are no changes in the proposed targets, improvement activities, timelines or resources for FFY 2011. However, as previously described, since the State had to revise its rate methodology as well as the State decision to lower the significant discrepancy threshold, the State did revise its baseline data. See page 26 in the Indiana SPP.

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

Statement from the Response Table	State's Response
<p>Because the State reported less than 100% compliance for the FFY 2009 (greater than 0% actual target data for this Indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this Indicator.</p>	<p>As indicated above, five LEAs that were determined to have FFY 2009 Indicator 4B noncompliance due to inappropriate policies, procedures and practices were required to review and modify their policies, procedures and practices to assure compliance with 34 CFR §300.170(b). As previously described, OSEP required the State to change its methodology for calculating significant discrepancy of discipline by race/ethnicity. Once confirmation was received that the revised methodology was acceptable, the State was not able to complete the analysis within one year from the date of notification to determine if the LEAs had timely corrected.</p> <p>The State looks forward to reporting on any FFY 2009 noncompliance subsequently corrected beyond the one year timeline, as well as the actions taken if noncompliance not corrected (if any) during the FFY 2010 clarification period.</p>

Indicator 5 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with Individualized Education Programs (IEPs) aged 6 through 21 served:

- A. Inside the general education class 80% or more of the day;
- B. Inside the general education 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 = $[(\# \text{ of children with IEPs served inside the general education class 80\% or more of the day}) \div (\text{total \# of students aged 6 through 21 with IEPs})] \times 100$
- B. Percent = $[(\# \text{ of children with IEPs served inside the general education class less than 40\% of the day}) \div (\text{total \# of students aged 6 through 21 with IEPs})] \times 100$
- C. Percent = $[(\# \text{ of children with IEPs served in separate schools, residential facilities or homebound/hospital placements}) \div (\text{total \# of students aged 6 through 21 with IEPs})] \times 100$

Overview of the Indicator:

For the December 1 child count during FFY 2010 (SY 10-11), every Local Educational Agency (LEA) was responsible for entering placement data for all students within each LEA into the Student Test Number (STN) Application Center. The Indiana Department of Education IDOE staff disaggregated the data from FFY 2010 (SY 10-11) to analyze the distribution of students by setting. Data reported for this Indicator is the same data reported in Indiana's 618 Table 3 submissions.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	<ul style="list-style-type: none"> A. The percent of students with IEPs inside the general education classroom more than 80% of the day is $\geq 60.40\%$ B. The percent of students with IEPs inside the general education classroom less than 40% of the day is $\leq 15.27\%$ C. The percent of students with disabilities served in separate schools, residential facilities or homebound/hospital placements is $\leq 1.19\%$

Actual Target Data for FFY 2010 (SY 10-11):

Breakdown and Calculation of FFY 2010 (SY 10-11) LRE by Setting		
LRE Category	FFY 2010 (SY 10-11)³²	
Inside the general education class 80% of more of the day (5A)	99,988	67.86%
Inside the general education class less than 40% of the day (5B)	18,571	12.60%
Inside separate schools, residential facilities or homebound/hospital placements (5C) ³³	3,403	2.25%
<ul style="list-style-type: none"> • Separate School 	1,534	
<ul style="list-style-type: none"> • Homebound/Hospital 	1,014	
<ul style="list-style-type: none"> • Residential 	855	

Indiana met its target for Indicators 5A and 5B, but did not meet its target for Indicator 5C. See the table above for the breakdown and calculation of the distribution of students aged 6-21 with IEPs by setting.

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

The IDOE met its target of $\geq 60.40\%$ for Indicator 5 in FFY 2010 (SY 10-11). Indiana reports 67.86% for Indicator 5A for FFY 2010 (SY 10-11). This represents progress of 2.97% from the score of 64.89% in FFY 2009 (SY 09-10).³⁴

The IDOE met its target of $\leq 15.27\%$ for Indicator 5 in FFY 2010 (SY 10-11). Indiana reports 12.60% for Indicator 5B for FFY 2010 (SY 10-11). This represents slippage of .09% from the score of 12.51% in FFY 2009 (SY 09-10).³⁵

The IDOE reports 2.25% for Indicator 5C for FFY 2010 (SY 10-11). While the target was not met for Indicator 5C, this does represent progress of .21% from the score 2.46% in FFY 2009 (SY 09-10).³⁶

The IDOE attributes the continued progress in Indicator 5 to an increased focus around the State on appropriate (Least Restrictive Environment) LRE placements. The IDOE began making onsite visits to the lowest performing LEAs on Indicator 5 in FFY 2010. The IDOE continues monitoring LRE and the other performance based Indicators in order to ensure improvement from year to year. From the inception of the onsite LRE monitoring program in FFY 2009 (SY 09-10), the IDOE has noted that the amount of time students spend in the general education setting has continued to rise.

In addition to Indiana's improvement in raising the number of hours students spend in the general education setting, Indiana also demonstrated growth in the area of ensuring that students who have been placed in a separate school, residential setting or homebound setting (5C) are returning to a lesser restrictive environment. Indiana considers the improvement in 5C to be a direct result of the attention the

³² These percentages do not include those students in the general education setting 40% to 79% of the day. This accounts for the total percentage not totaling to 100%.

³³ The totals for 5C include the sum of Separate School, Homebound/Hospital and Residential

³⁴ Please see the table entitled, "Breakdown and Calculation of FFY 2010 (SY 10-11) LRE by Setting" above for more information.

³⁵ Please see the table entitled, "Breakdown and Calculation of FFY 2010 (SY 10-11) LRE by Setting" above for more information.

³⁶ Please see the table entitled, "Breakdown and Calculation of FFY 2010 (SY 10-11) LRE by Setting" above for more information.

LRE monitoring team put on identifying schools without a full continuum of services. This progress also had a direct effect on 5B and attributed to the slippage in that area.

After the review of the data and the completion of onsite verification visits, it has been concluded that students who were originally reported in the 5C category have been returned to a lesser restrictive environment, thus increasing the data in the 5B category. When reviewing IEPs related to this data, it was found that students, who had been placed in a separate school, residential setting, or homebound setting (5C) when returned to the LEA, were placed in the general education setting less than 40% of their day. Despite the slippage that is noted for the 5B category, Indiana remains above the State target.

Despite not meeting its target for students who are placed in a separate school, residential setting or homebound setting (5C), Indiana still improved in all areas of Indicator 5.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance):
 Level of compliance (actual target data) State reported for FFY 2009 for this Indicator: **98.0%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	3
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	2
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	1
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	1
6. Number of FFY 2009 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Verification of Correction of FFY 2009 noncompliance (either timely or subsequent):

For FFY 2009 (SY 09-10) Indiana issued 3 findings under Indicator 5. Of the 3 findings that were issued, 2 were verified as having corrected the noncompliance within one year of the issuance of the finding. In order to verify correction, IEPs that were initially determined to be out of compliance for items relating to LRE were reviewed and each individual case of noncompliance was verified as corrected. In addition, the LEA's policies, procedures, practices as well as FFY 2010 (SY 10-11) child count data were reviewed to ensure that regulatory requirements were being met. To satisfy that the systemic correction of noncompliance had occurred, a random sample of the LEA's IEPs were harvested from the State's electronic IEP tool and evaluated for areas related to LRE. In 2 out of the 3 LEAs this evaluation showed that each LEA was correctly implementing specific regulatory requirements at 100%.

For the third LEA, the random sample of IEPs did not show 100% compliance, thus the findings remained past the one year of correction. For this LEA IEPs that were determined to be out of compliance for items relating to LRE were reviewed and each individual case of noncompliance was verified as corrected. During a follow up onsite verification visit for this LEA it was found that professional development had been conducted but had not yet been fully implemented and therefore was not reflected within IEPs evaluated. When a new sample of IEPs were evaluated 3 months later, it was determined that the LEA

Indicator 5

was implementing all regulatory requirements at 100% and were subsequently able to be released from the Indicator 5 finding.

Actions Taken if Noncompliance from FFY 2009 was Not Corrected:

All FFY 2009 (SY 09-10) findings issued for Indicator 5 were verified as corrected.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Support training and information sharing sessions conducted by other public or private agencies on LRE for families and school/agency personnel.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	During FFY 2010 (SY 10-11) the IDEA 2004 grantee and parent advocacy group, the Indiana Resource Center for Families with Special Needs (IN*SOURCE), conducted a variety of presentations and workshops across the State. The training sessions often focused on helping parents and educators understand the special education process and concepts. The training events were conducted in collaboration with other agencies such as the IDOE, Parent Information and Resource Center (PIRC), About Special Kids (ASK), Indiana Institute for Disability and Community (IIDC) and many LEAs from across the State.
Conduct parent/family support in LRE through training and material dissemination.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	IN*SOURCE maintains an agency website for the distribution of help for parents. The online resources provided parents easy access to important information and provided a forum to exchange ideas and information with other parents. In addition to the website and social networking resource, IN*SOURCE also published and distributed an agency newsletter to parents and educators across the State via mail and e-mail. Information can be obtained regarding IN*SOURCE by going to http://www.insource.org/ IN*SOURCE also participated in the onsite monitoring process for LRE in order to lead parent forums that allow the IDOE to gather information pertaining to the onsite monitoring visit.
Indiana Resource Network (IRN)	FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)	The IRN is utilized to provide technical assistance to those LEAs who have reported data that does not meet State targets for Indicator 5. Technical assistance is offered to all LEAs but is assigned to those LEAs that have received an onsite verification visit and have had findings issued to them for Indicator 5 to ensure timely correction of noncompliance.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indicator 5 data for FFY 2010 (SY 10-11) reflects that the State improved for 5A, 5B and 5C. For the aforementioned reasons, Indiana has no revisions to its existing improvement activities for Indicator 5 at this time.

OSEP Response Table for FFY 2009 (2009-2010):

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.	No response required

Indicator 6 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with Individualized Education Programs (IEPs) attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

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

Measurement:

A. 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) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Overview of the Indicator:

The requirements for collecting and reporting early childhood Least Restrictive Environment (LRE) data under Section 618 of the Individuals with Disabilities Education Act of 2004 (IDEA 2004) have been revised. The new collection is significantly different from previous collections. Therefore, the Office of Special Education Programs (OSEP) will require Indicator 6 reporting consistent with the amended Section 618 requirements in the FFY 2011 (SY 11-12) submission of the State Performance Plan (SPP)/APR, due February 1, 2013.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
2010 (SY 10-11)	Not applicable

Actual Target Data for FFY 2010 (SY 10-11):
 Not applicable.

Explanation of Progress or Slippage and Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):
 Not applicable.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):
 Not applicable.

OSEP Response Table for FFY 2009 (2009-2010):

Statement from the Response Table	State's Response
The State is not required to report on this Indicator in the FFY 2010 APR, due February 1, 2012.	No response required

Indicator 7 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See General Overview of the Annual Performance Report (APR).

Monitoring Priority: FAPE in the LRE

- Indicator 7:** Percent of preschool children aged 3 through 5 with Individualized Education Programs (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)
 - C. Use of appropriate behaviors to meet their needs

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

Measurement:

Outcomes:

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

Progress categories for A, B and C:

- 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 = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

Targets and Actual Data for Preschool Children Exiting in FFY 2010 (2010-11):

Summary Statements ³⁷	Actual FFY 2009 (% and # children)	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)
Outcome A: Positive social-emotional skills (including social relationships)			
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program. Formula: c+d/ a+b+c+d	66.1% (1168)	64.2% (1896)	53%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Formula: d+e/ a+b+c+d+e	36.1% (696)	20.4% (657)	41.5%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)			
1 Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program. Formula: c+d/ a+b+c+d	65.0% (1128)	72.6% (2217)	66%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Formula: d+e/ a+b+c+d+e	32.4% (624)	15.4% (494)	48.5%
Outcome C: Use of appropriate behaviors to meet their needs			
1 Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program. Formula: c+d/ a+b+c+d	63.1% (1120)	74.5% (2254)	77.5%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Formula: d+e/ a+b+c+d+e	31.5% (608)	16.9% (544)	65%

³⁷ The IDOE used the Early Childhood Outcome's Center (ECO) I-7 tool to calculate each summary statement, located here: http://www.fpg.unc.edu/~eco/pages/fed_req.cfm#TargetSetting
 Part B State Annual Performance Report FFY 2010 (SY 10-11)

Progress Data for Preschool Children FFY 2010:

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	223	6.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	834	25.9%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1503	46.7%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	393	12.2%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	264	8.2%
Total	N= 3,217	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):		
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	75	2.3%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	763	23.7%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1885	58.6%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	332	10.3%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	162	5.0%
Total	N= 3,217	100%
C. Use of appropriate behaviors to meet their needs:		
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	98	3.0%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	675	21.0%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1900	59.1%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	354	11.0%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	190	5.9%
Total	N= 3,217	100%

Target Data and Actual Target Data for FFY 2010:

From August 2004 until August 2008, the Indiana Department of Education (IDOE) utilized the Indiana Standards Tools for Alternate Reporting (ISTAR)³⁸ to measure and monitor individual child progress and to report on the three early childhood outcomes. Beginning with the spring of FFY 2008 (SY 08-09), the instrument was improved and standardized based on the findings of studies conducted through a General Supervision Enhancement Grant (GSEG). The new version was named the Indiana Standard Tool for

³⁸ Details regarding the criteria for us of the ISTAR assessment in lieu of ISTEP+ can be accessed at: <http://www.doe.in.gov/achievement/assessment/istar>
 Part B State Annual Performance Report FFY 2010 (SY 10-11)

Indicator 7

Reporting – Kindergarten Readiness (ISTAR-KR). For the FFY 2010 (SY 10-11) submission of the APR, there were no students who entered Indiana’s preschool programs using the ISTAR assessment tool and all evaluations (from entrance to exit) were completed within the ISTAR-KR for all students exiting early childhood programs.

The ISTAR-KR scoring rubric and cut scores were established by a standard setting task force comprised of a diverse range of stakeholders including parents, professionals from First Steps, Local Educational Agencies (LEAs), Family and Social Services Administration (FSSA), health care providers and child development specialists. Beginning with the new ISTAR-KR, the three outcome areas are featured rather than the discipline and domain areas of the previous early childhood assessment. ISTAR-KR utilizes an improved method for capturing the statistical construct of achievement with peers. Based on a student’s birth data, a score that is equal to or above this expected score would be considered evidence of achievement at a level that is “comparable to same age peers”. The new ISTAR-KR represents a system based on rigorous high standards for student achievement.

In FFY 2010 (SY 10-11) Indiana met with the State Advisory Council (SAC) and members of Indiana Council Administrators of Special Education (ICASE) to establish new baselines, targets and improvement activities for Indicator 7. The consensus was that these elements were accurately reflective of the data from students who took the entrance and exit assessment exclusively in ISTAR-KR at this time. Therefore baselines, targets and improvement activities will remain the same during the FFY 2010 (SY 10-11). Indiana will continue to review and analyze the results from ISTAR-KR in the following reporting year, FFY 2011 (SY 11-12), and discuss the possible establishment of new baseline data, targets and improvement activities at that time.

Discussion of Summary Statements and a-e Progress Data for FFY 2010:

Outcome A exceeded the target for Summary Statement 1 by 11.2% and missed the target for Summary Statement 2 by 21.1%. Outcome B exceeded the target for Summary Statement 1 by 6.6% and missed the target for Summary Statement 2 by 33.1%. Outcome C missed the target for Summary Statement 1 by 3.0% and missed the target for Summary Statement 2 by 48.1%. Indiana reported both students who took an entrance assessment using ISTAR and an exit using the ISTAR-KR in FFY 2009 (SY 09-10). For FFY 2010 (SY 10-11) all student entrance and exit assessments were reported using ISTAR-KR. Actual target data from FFY 2009 and FFY 2010 reflect a decrease from FFY 2008. Indiana expected this result due to the stabilization of data as the transition from an outdated early childhood assessment method to a rigorous assessment tool continues.

The ‘a’ through ‘e’ progress data for all three outcomes shows a pattern where the majority of students fall into categories ‘b’ through ‘d’ showing improvement. The State’s percentages for ‘a’ through ‘e’ were to be expected based on the fact that the majority of the students that went through the ISTAR-KR assessment improved. For Outcome A, 84.86% of students assessed in ISTAR-KR improved. For Outcome B, 92.63% of students assessed in ISTAR-KR improved. For Outcome C, 91.05% of students assessed in ISTAR-KR showed improvement.

As previously mentioned, Indiana changed the process of collecting and analyzing data for Indicator 7 in the FFY 2010 (SY 10-11) reporting year. Due to this change Indiana is not able to report FFY 2010 (SY 10-11) progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013.

Discussion of Improvement Activities Completed in FFY 2010:

Improvement Activities	Timelines	Status
Provide child progress data to LEAs by LEA, reported disability and by the length of time in service.	FFY 2009 (SY 09-10) through FFY 2012 (SY 12-13)	The IDOE Office of Student Assessment, Office of Learning Technologies, and the Office of Special Education developed an interface to display progress data over time to the LEAs. This interface was built into the ISTAR-KR system, and allows for customizable data so LEAs may analyze progress data and target programs towards improving outcomes in areas of deficiency. This project was fully developed in FFY 2010 (SY 10-11)
Utilize the IDOE's data collection system to verify that all early childhood students are being assessed at the time of entry and exit.	FFY 2009 (SY 09-10) through FFY 2012 (SY 12-13)	The IDOE's Office of Learning Technologies and Office of Special Education ran logic and data checks to verify that 100% of students entering and exiting early childhood services receive an assessment. The IDOE Office of Learning Technologies also added a secondary level of data verification by collecting student exit information for preschool children similar to what is required for Table 4, Exiting of the 618 data submissions. This allows the State to verify that 100% of students exiting preschool were assessed and included in Indicator 7 data.
The IDOE's Office of Student Assessment and Office of Special Education will provide regional training opportunities, video modules, FAQ's, newsletters, conferences, onsite training when requested, reference materials and ISTAR-KR troubleshooting.	FFY 2009 (SY 09-10) through FFY 2012 (SY 12-13)	The IDOE's Office of Student Assessment employs specialists trained to provide and facilitate the training of ISTAR-KR. The specialists continue to develop resources for the continuing education of individuals using the ISTAR-KR. The specialists also work with the IDOE's monitoring team in order to share performance data with LEAs and to monitor progress on the Indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indicator 7 data for FFY 2010 (SY 10-11) represents missed targets in several areas; however, as noted above, the missed targets are due to the migration of early childhood assessment tools across the State. Accurate representation of whether or not slippage or progress occurred in FFY 2010 (SY 10-11) cannot be shown due to the fact that FFY 2009 (SY 09-10) numbers represented a sample of the ISTAR-KR assessment students, while the FFY 2010 (SY 10-11) data represents the entire ISTAR-KR assessment population.

FFY 2010 (SY 10-11) APR
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After receiving stakeholder input from the SAC as well as ICASE, it was determined that the current baseline, targets and improvement activities were accurately reflective of the data from students who took the entrance and exit assessment exclusively in ISTAR-KR. Therefore it was determined that these elements would remain the same during the FFY 2010 (SY 10-11). Indiana will continue to review and analyze the results from ISTAR-KR in the following reporting year, FFY 2011 (SY 11-12), and discuss the possible establishment of new baseline data, targets and improvement activities at that time.

OSEP Response Table for FFY 2010 (SY 10-11):

Statement from the FFY 2009 Response Table	Indiana's Response
The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.	Indiana has included the section entitled "Target Data and Actual Target Data for FFY 2010" above.

Indicator 8 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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) ÷ (total # of respondent parents of children with disabilities)] x 100.

Overview of the Indicator:

Indiana reported in the Part B FFY 2008 (SY 08-08) APR that the Indicator 8 sampling plan and collection was not yielding the quantity of responses that Indiana originally anticipated when the sampling plan was approved by the Office of Special Education Programs of the US Department of Education (OSEP). The Indiana Department of Education (IDOE) discussed the sampling plan with the State Advisory Council (SAC), Indiana's stakeholder advisory panel, and, subsequently, issued a Request for Proposal (RFP) for a vendor to conduct Indiana's parent survey as a census of the total population of parents and/or guardians of students with disabilities. The census method replaced Indiana's previous sampling method beginning in FFY 2009 (SY 09-10). For this reason, Indiana established a new baseline in its FFY 2009 (SY 09-10) submission of the State Performance Plan (SPP) for Indicator 8.

The IDOE used the National Center for Special Education Accountability Monitoring (NCSEAM) survey with state specific questions added and this survey has been deemed a valid and reliable instrument for the purposes of this Indicator. For the complete survey, please see Attachment 8.1 located immediately following this Indicator.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	42.4% of parents with a child receiving special education services report that schools facilitated parent involvement.

Indicator 8

Actual Target Data for FFY 2010 (SY 10-11):

Parent Involvement*³⁹	
Parents who report that the school facilitated parent involvement	8,394
Parents surveyed	12,060
Percent	69.6%

Whereas once it was sufficient for states to simply conduct a survey to gauge “parent satisfaction,” this is no longer the case. SPP Indicator 8 requires that states initiate a process that utilizes contemporary survey methodology to systematically collect, analyze, and report data selected from a representative sample. The primary aim of this process is to assess the extent to which “schools” (e.g., special and general educators and administrators) have facilitated the involvement of parents in their child’s educational program (e.g., parent conferences, (Individualized Education Program) IEP meetings).

WestEd conducted the 2009-2010 and 2010-2011 Parent Survey for the IDOE to help the State of Indiana generate improvement activities which can be incorporated into the APR to ensure that parents are involved in the planning and implementation of their child’s special education program. Overall, the project involved three general phases of activity. The first phase of the project revolved around the initial project planning and design activities. The second phase of involved the administration of the parent survey to parents throughout the State, and the third phase of the project centered on the data analysis and report generation activities.

The original scope of work called for WestEd to implement the OSEP approved sampling plan for the Indicator 8 parent survey as described in the SPP to obtain a representative sample of the parents or caregivers of children receiving special education services in Indiana. The original sampling plan used a two-fold stratified sampling technique: stratification by (Local Educational Agency)LEA category (i.e., school corporations/charter schools and state run schools) and LEA enrollment. By use of the two-fold stratification method, Indiana’s sampling process would have allowed the State to select a sample that was representative of the age, gender, race/ethnicity, disability category and community of its students with IEP’s. According to the SPP, there are a total of 337 LEAs in Indiana: 293 School Corporations, 40 Charter Schools and 4 State-operated Schools. One fourth of these (“n” = 85) were to have been sampled according to the original 2009-2010 parent survey research design.

After the selection of the 85 LEAs for 2009-2010 data collection, a second stage of sampling would have selected the eligible parents of students with disabilities. WestEd would have been provided with the decision rules regarding the process for selecting a student(s) whose parents were to be asked to complete the survey. The resultant sample would have included 383 parents, based on a desired confidence interval of 95% and a confidence level of + / – 5%.

For a number of reasons, the sampling plan for the 2009-2010 parent survey was modified during the planning and design activities to include all parents throughout the State for a total of approximately 171,500 parents. The 2010-2011 Parent Survey was similarly administered to all parents throughout the State.

The strategy Indiana has decided to utilize is the series of parent involvement surveys developed by the NCSEAM. The NCSEAM Family Survey protocol for special education was constructed around four broad domains: school efforts to partner with parents, quality of services, parent participation, and impact of special education services on your family. The first domain – school efforts to partner with parents – addresses the Part B Indicator 8 reporting requirement. Available in multiple languages and formats, the

³⁹ The results of this survey have been disaggregated and are publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/individualized-learning/indiana-parent-survey-results-ffy-2010-sy-10-11.pdf>.

Indicator 8

NCSEAM parent involvement questionnaire items were developed using scientifically-based metric strategies that can be adapted to meet the specific needs of states.

Prior to the start of the 2009-2010 survey project, the IDOE had developed a questionnaire using the NCSEAM questions, and this questionnaire was used again for the 2009-2010 survey as a means of maintaining continuity with previous data collection efforts. In general, the questionnaire asked parents to rate the extent to which they agree/disagree with a series of 31 statements (using a scale of 1= Strongly Disagree / 2=Disagree / 3=Neutral / 4=Agree / 5=Strongly Agree) pertaining to your experience and your child's experience with special education throughout the 2009-2010 academic year. Parents were also asked to respond to a number of demographic questions: child's primary exceptionality/disability, child's race/ethnicity, child's school, child's age in years, and child's grade level. The questionnaire contained one open-ended question to which parents could add any additional comments they had.

The questionnaire used for the 2010-2011 Parent Survey was modified slightly to better meet the information-making needs of the IDOE. More specifically, the response options for 11 of the 31 statements were changed to a "yes/no" format, and the five-point rating scale for the remaining statements was changed to a four-point scale (1= Strongly Disagree / 2=Disagree / 3=Agree / 4=Strongly Agree).

The 2010-2011 Parent Survey asked parents to respond to eleven "yes/no" questions, and to rate the extent to which they agree/disagree with a series of 20 statements (using a scale of 1= Strongly Disagree / 2=Disagree / 3=Agree / 4=Strongly Agree) pertaining to your experience and your child's experience with special education throughout the 2010-2011 academic year.

Roughly 70% of parents on average responded favorably to the 11 "yes/no" questions. In general, parents were the most likely to report that they had discussed options concerning services in the Least Restrictive Environment (92%), received reports about my child's progress toward goals as outlined in his or her Individualized Education Program (91%) and discussed and planned for accommodations and modifications that their child would need (91%). On the other hand, parents were the least likely to report that they had attended training sessions relating to the needs of children with disabilities and their families (29%), discussed extended school year options (49%), and been given information about organizations that offer support for parents of students with disabilities (51%).

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

Parent Involvement⁴⁰	
Parents who report that the school facilitated parent involvement	8,394
Parents surveyed	12,060
Percent	69.6%

In the FFY 2008 (SY 08-09) APR, Indiana received 91 responses to the parent survey from a sample group of Indiana LEAs. In the FFY 2009 (SY 09-10) Indiana received 12,948 valid responses to the parent survey. In the reporting year FFY 2010 (SY 10-11), Indiana received a total of 12,060 usable questionnaires. However, Indiana made appropriate changes to the survey used for Indicator 8 during FFY 2010 (SY 10-11) and therefore the State is not able to report FFY 2010 progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013⁴¹.

⁴⁰ The results of this survey have been disaggregated and are publicly posted at the following web address: <http://www.doe.in.gov/sites/default/files/individualized-learning/indiana-parent-survey-results-ffy-2010-sy-10-11.pdf>.

⁴¹ This change is reflected in the FFY 2010 (SY 10-11) submission of the SPP for Indicator 8 which can be found on page 54.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
<p>a. Continue funding for IN*SOURCE and ASK b. Increase number of returned parent surveys c. Notify planning districts of results of parent surveys</p>	<p>FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)</p>	<p>a. According to the FFY 2007 (SY 07-08) APR, the parent population has been hard to reach and get to respond to parent feedback mechanisms. In order to obtain an acceptable response rate and representative sample of respondents, WestEd and the IDOE enlisted the help of INSOURCE, ASK, CEL, PIRCs and PRC.</p> <p>b. To further support an improved response rate, WestEd and the IDOE provided multiple response mechanisms for respondents. Parents were able to respond to a web-based survey or via a paper survey.</p> <p>c. The results of the parent surveys were publicly posted on the IDOE's website at the following address: http://www.doe.in.gov/sites/default/files/individualized-learning/indiana-parent-survey-results-ffy-2010-sy-10-11.pdf</p>
<p>Analyze survey results for trends regarding consistently low-scoring and high-scoring areas of parent involvement.</p>	<p>FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)</p>	<p>Data is disaggregated to show consistently low-scoring and high-scoring areas so that LEAs can utilize this information to improve where parents report seeing the most need. http://www.doe.in.gov/sites/default/files/individualized-learning/indiana-parent-survey-results-ffy-2010-sy-10-11.pdf</p>
<p>Training and technical assistance to strengthen family, school, and community partnerships will be provided to local educational agencies as a means to increase student achievement and parental involvement.</p>	<p>FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)</p>	<p>IN*SOURCE conducted a variety of presentations and workshops across the State. The training sessions often focused on helping parents and educators understand the special education process. Individual assistance was also an important part of the support provided to families in pursuit of assistance for their children with disabilities. This assistance and consultation was provided through meetings, phone calls, email and letters. IN*SOURCE staff provided individual assistance and consultation.</p>
<p>Embed Indiana's standards for family, school, and community partnerships into the training and technical assistance for statewide educational initiatives.</p>	<p>FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)</p>	<p>Utilizing Indiana's standards for family, school, and community partnerships, workshops and presentations represented another form of assistance the IDOE and IN*SOURCE provided to students with disabilities and their families across the State. These types of activities were requested by local family support groups, schools or other service providers in the community to address the needs of the LEA.</p>
<p>Train parents through Indiana's Academy for Parent Leadership and other parent organizations throughout Indiana to be a part of training and technical assistance to statewide initiatives.</p>	<p>FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)</p>	<p>Parents continue to be trained through Indiana's Academy for Parent Leadership by the Indiana Parent Information and Resource Center (PIRC). Every academy session focused on a different topic area, including special education overview; gaining knowledge about Indiana's standards and assessments; examining parental rights and responsibilities under the No Child Left Behind Act (NCLB) and Indiana Public Law 221; and developing effective</p>

Improvement Activities	Timelines	Status
		communication and group facilitation skills. In addition, each participant collaborated with his or her school community to create and implement a leadership project using the school's data with the potential to increase parent involvement and support student achievement.
Provide information sessions to increase awareness of statewide initiatives and effective educational practices among families and communities.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	The IDOE and the Indiana PIRC collaborated on a resource guide called A Parent's Guide to Understanding IDEA 2004: An Overview of Topic Areas. This guide was distributed throughout FFY 2010 (SY 10-11).
Indiana Resource Network (IRN)	FFY 2008 (SY 08-09) Through FFY 2012 (SY12-13)	The Indiana Resource Network (IRN) is comprised of six centers that provide targeted, comprehensive support to schools across the State to improve teaching and learning. The areas addressed through the IRN are: autism, effective assessment and instruction, effective evaluations, effective and compliant individualized education programs (IEPs), positive behavior supports, and transition to adulthood. Information regarding the IRN centers a can be found at: http://www.irn.indiana.edu/index.php?pageId=Centers . Additionally, LEAs are supported by three sole source projects that focus on: parent training and information, assistive and accessible technologies, and training for teachers of students who are deaf, blind or have low vision.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indiana has met targets set for Indicator 8 for FFY 2010 (SY 10-11) and therefore has no revisions to its targets, improvement activities, timelines, or resources for this Indicator at this time.

Additional Information Required by OSEP APR Response Table for this Indicator:

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts to improve performance.	No response required.

Attachment 8.1



Indiana Department of Education
SUPPORTING STUDENT SUCCESS

Parent Survey 2010-2011

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 select one response choice by placing an in the appropriate box for each question. In responding to each statement, think about your experience and your child's experience with special education throughout the past academic year (2010-2011). If you would like to complete the survey online please go to <http://surveys.wested.org/s3/inps>. **When prompted for the Survey Security Code, type the number located in the upper right corner of this survey.** Thank you.

Question	Yes	No
1) At the Case Conference Committee meeting, we discussed options concerning services in the Least Restrictive Environment.	<input type="checkbox"/>	<input type="checkbox"/>
2) At the Case Conference Committee meeting, we discussed how my child would participate in statewide assessments (ISTEP, ISTAR).	<input type="checkbox"/>	<input type="checkbox"/>
3) At the Case Conference Committee meeting, we discussed and planned for accommodations and modifications that my child would need (i.e. tests read aloud, preferential seating, scribe, strategies to deal with behavior).	<input type="checkbox"/>	<input type="checkbox"/>
4) Written justification was given for the extent that my child would not receive services in the general classroom.	<input type="checkbox"/>	<input type="checkbox"/>
5) At the Case Conference Committee meeting, we discussed extended school year options.	<input type="checkbox"/>	<input type="checkbox"/>
6) I receive reports about my child's progress toward goals as outlined in his or her Individualized Education Program.	<input type="checkbox"/>	<input type="checkbox"/>
7) The school explains what options I have if an issue cannot be resolved in a Case Conference Committee meeting.	<input type="checkbox"/>	<input type="checkbox"/>
8) The school provides information on agencies that can assist my child in transitions.	<input type="checkbox"/>	<input type="checkbox"/>
9) I was given information about organizations that offer support for parents of students with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>
10) I participate in school sponsored activities.	<input type="checkbox"/>	<input type="checkbox"/>
11) I attend training sessions relating to the needs of children with disabilities and their families.	<input type="checkbox"/>	<input type="checkbox"/>

Question	Strongly Agree	Agree	Disagree	Strongly Disagree
12) I am treated like an equal partner with teachers and other professionals in planning my child's special education needs and goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13) When scheduling Case Conference Committee meeting, consideration was given to my availability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14) Teachers and administrators ensure that I have fully understood the Procedural Safeguards (the rules in federal law that protect the rights of parents).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15) General education personnel make accommodations and modifications as indicated on my child's Individualized Education Program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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16) Special education personnel make accommodations and modifications as indicated on my child's Individualized Education Program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17) All staff understands my child's needs and their role in implementing my child's Individualized Education Program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18) My child receives all the supports and services documented in his or her Individualized Education Program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19) My child's Individualized Education Program tells how progress towards goals will be measured.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20) My child's evaluation report is written in terms and language I understand.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21) Teachers are available to communicate with me in a variety of ways (i.e. phone, email, notes, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22) The school shows sensitivity to the needs of my child and other students with disabilities and their families.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23) Written information I receive is understandable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24) Teachers and administrators respect my cultural heritage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25) I know who to contact if a special education issue arises.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26) Teachers are knowledgeable about my child's disability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27) The principal supports appropriate special education services in the school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28) General education and special education personnel work together to assure that my child's Individualized Education Program is being implemented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29) The school encourages student involvement in Case Conference Committee meetings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30) I am knowledgeable about federal and state laws that affect special education.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31) Over the past year, special education services have helped me and/or my family understands how the special education system works.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Child's School:</u>	Check One: <u>Child's Primary Exceptionality/Disability:</u> <input type="checkbox"/> Autism Spectrum Disorder <input type="checkbox"/> Blind or Low Vision <input type="checkbox"/> Cognitive Disability <input type="checkbox"/> Deaf or Hard of Hearing <input type="checkbox"/> Deaf-Blind <input type="checkbox"/> Developmental Delay <input type="checkbox"/> Emotional Disability <input type="checkbox"/> Language or Speech Impairment <input type="checkbox"/> Multiple Disabilities <input type="checkbox"/> Other Health Impairment <input type="checkbox"/> Orthopedic Impairment <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Traumatic Brain Injury	Check One: <u>Child's Race / Ethnicity:</u> <input type="checkbox"/> White <input type="checkbox"/> Black or African-American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Multi-racial
<u>Child's Age in Years:</u>		
<u>Child's Grade: Prekindergarten, Kindergarten, or 1 thru 12:</u>		
<u>Comments:</u>		

Indicator 9 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See general Overview of the Annual Performance report (APR).

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.

Over of the Indicator:

In regards to Indicator 9, the student enrollment demographics and disability data is obtained from the State's September, 2010 enrollment count and December 1, 2010 Child Count for the FFY 2010 (SY 10-11) State Performance Plan (SPP)/APR submission. As required, the State utilized data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act (IDEA), as amended) for all children with disabilities aged 6 through 21 served under IDEA.

When reporting disproportionate representation in the FFY 2010 (SY 10-11) APR, Indiana utilizes two years of data, FFY 2010 (SY 10-11) and FFY 2009 (SY 09-10). As required, beginning with the FFY 2010 (SY 10-11) Indiana reports race and ethnicity data using the new racial and ethnic categories (Hispanic/Latino, American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, White, and two or more races). However in FFY 2009 (SY 09-10) Indiana utilized the five racial ethnic categories (American Indian or Alaskan Native, Asian or Pacific Islander, Hispanic, Black, not Hispanic, and White, not Hispanic). Since it is possible to crosswalk from the seven new categories to the five old categories, but not from the five old to the seven new, Indiana will report under the five old categories in the FFY 2010 (SU 10-11) APR. Indiana looks forward to reporting under the new seven racial ethnic categories in the FFY 2011 APR due February 1, 2013.

Definition of "Disproportionate Representation" and Methodology:

On October 21, 2010, the Office of Special Education Programs of the US Department of Education (OSEP) conducted a conference call with the State of Indiana inquiring about its disproportionate representation calculation methodology. On October 26, 2010, as requested, the State submitted written justification to OSEP regarding its method of calculating disproportionality in regards to Indicators 9 and 10. On July 19, 2011 the State received written notification from the OSEP indicating, based on their review of Indiana's October 26, 2010 written explanation, the State's method of calculating disproportionate representation, specifically the State's utilization of the risk index may not be race neutral and requested the State to revise its methodology to assure race neutrality. During the month of August 2011, Indiana sought and received technical assistance from the Data Accountability Center (DAC) to assist the State in developing a race neutral methodology for determining disproportionate representation.

Indicator 9

On September 15, 2011 Indiana submitted to OSEP its proposed methodology for determining disproportionate representation. On September 30, 2011 the State participated in a teleconference with OSEP to respond to several inquiries, including implementation timelines for the revised methodology. On October 3, 2011, as requested, the State submitted a written response regarding OSEPs September 30th questions. On January 5, 2012, the State received written notification from OSEP stating that Indiana’s proposed revision of its methodology for calculating disproportionate representation resolved OSEPs concerns with race neutrality.

On January 13, 2012 the Indiana State Advisory Council (SAC) reviewed and provided input on Indiana’s proposed revisions to its disproportionate representation definition. As directed by OSEP, the State changed its calculation mythology to assure compliance with 34 CRF §300.600(d)(3).

Indiana defines *disproportionate representation (or disproportionality)* of racial and ethnic groups in special education & related services as a risk ratio greater than 2.0 or a risk ratio less than 0.5 in special education and related services, for two consecutive years. Sample “n” size is set at a minimum of 30 students in a given population. A review of policies, procedures and practices is conducted on those Local Educational Agencies (LEAs) designated as having disproportionate representation to determine if the disproportionality is the result of inappropriate identification.

Previously, Indiana’s logic for utilizing the risk index in the manner it did was to add stability to the utilization of a risk ratio to avoid seemingly random fluctuations in the LEAs that exceeded the disproportionality threshold. The potential instability of risk ratios in low “n” size situations has been noted consistently (see e.g., Bollmer et al., 2007). Indiana has been concerned with this problem, and for the FFY 2010 (SY 10-11) data collection elected to raise the minimum “n” size from 10 to 30, which is the same “n” size that is utilized for similar purposes in No Child Left Behind⁴².

Indicator 9: Measurable and Rigorous Target for FFY 2010 based on FFY 2010 SY (10-11) and FFY 2009 (SY 09-10) data:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	Percent of districts that report disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0%.

Actual Target Data for FFY 2010 (SY 10-11) based on FFY 2010 SY (10-11) and FFY 2009 (SY 09-10) data:

When determining disproportionate representation, Indiana’s definition requires an LEA to exceed the established 2.0 risk ratio for overrepresentation or 0.5 risk ratio for underrepresentation thresholds for two consecutive years; therefore the State utilized the FFY 2010 (SY 10-11) and FFY 2009 (SY 09-10) data when reporting disproportionate representation in the FFY 2010 (SY 10-11) APR.

⁴² Since 2002, the federal No Child Left Behind Act of 2001 (NCLB), has required public schools to make Adequate Yearly Progress (AYP) for both the overall student population and any demographic group within the school that includes 30 or more students (often called “subgroups”). These student subgroups include economic background, race/ethnicity, limited English proficiency and special education.

Indicator 9

Step One: LEAs with Disproportionate Representation by Race or Ethnicity, in Special Education and Related Services:

Year	Total Number of LEAs⁴³	Number of LEAs with Disproportionate Representation, by Race or Ethnicity, in Special Education and Related Services	Percent⁴⁴
FFY 2010 (using 2009-2010 data)	346	9	2.60%

Based upon Indiana’s definition of disproportionate representation as described above, the FFY 2010 (SY 10-11) data indicates 2.60% of the Indiana LEAs (9 out of 346) had disproportionate representation, by race or ethnicity, in special education and related services during the FFY 2010 (SY 10-11) reporting period.

Twenty-five LEAs were excluded from the calculation because they did not meet the required minimum “n” size of 30.

NUMBER OF LEAS WITH RACIAL/ETHNIC DISPROPORTIONATE REPRESENTATION IN SPEICAL EDUCATION AND RELATED SERVICES (OVER AND UNDER REPRESENTATION)					
	Black/ Non Hispanic	White/ Non Hispanic	Hispanic	American Indian or Alaskan Native	Asian or Pacific Islander
SPEICAL EDUCATION AND RELATED SERVICES	3 Under	1 Over	2 Under	none	3 Under

Of the nine LEAs with disproportionality of racial/ethnic groups in special education, one had over-representation of White/Non-Hispanic students. Of the remaining eight LEAs, three had under-representation of Asian/Pacific Islander students, three had under-representation of Black/Non-Hispanic students and two had under-representation of Hispanic students.

⁴³ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

⁴⁴ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

Indicator 9

Step Two: LEAs with Disproportionate Representation by Race or Ethnicity, in *Special Education and Related Services* that may be the Result of Inappropriate Identification:

Year	Total Number of Districts ^{45*}	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2010 (2010-2011)	346	9	To be reported during the FFY 2010 clarification period ⁴⁶	To be reported during the FFY 2010 clarification period ⁴⁷

As previously explained, the State had to change its methodology for calculating disproportionate representation to assure race neutrality for the FFY 2010 (SY 10-11) reporting period. The State did not receive written notification that its revised methodology resolved OSEPs race neutrality concerns until January 9, 2012, therefore the State did not have time to complete “Step Two” prior to the February 1, 2012 reporting deadline. During the FFY 2010 (SY 10-11) APR clarification period, the State looks forward to:

1. reporting on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification; and,
2. describing how the State made its annual determination that the disproportionate representation of racial and ethnic groups in special education and related services was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a). The State will use monitoring data; review policies, practices, and procedures, etc. to determine whether districts with disproportionate representation of racial and ethnic groups in special education and related services are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311, and include that information in its APR.

Discussion of Progress or Slippage that occurred in FFY 2010:

Indiana was required to revise its calculation methodology determining disproportionate representation by racial/ethnic groups of students with disabilities; therefore the State is not able to report FFY 2010 (SY 10-11) progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013.

⁴⁵ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

⁴⁶ The State looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

⁴⁷ The State looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2009 for this Indicator: **100%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	0
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Verification of Correction (either timely or subsequent):

Not Applicable. There were no FFY 2009 findings of noncompliance.

Actions Taken if Noncompliance Not Corrected:

Not Applicable. There were no FFY 2009 findings of noncompliance.

Correction of Remaining FFY 2008 Findings of Noncompliance (if applicable):

Not Applicable. There were no remaining FFY 2008 findings of noncompliance.

1. Number of remaining FFY 2008 findings noted in OSEP's June 2010 FFY 2009 APR response table for this Indicator	0
1. Number of remaining FFY 2008 findings the State has verified as corrected	0
2. Number of remaining FFY 2008 findings the State has not verified as corrected [(1) minus (2)]	0

Verification of Correction of Remaining FFY 2008 findings:

Not Applicable. There were no remaining FFY 2008 findings of noncompliance.

Actions Taken if Noncompliance Not Corrected:

Not Applicable. There were no remaining FFY 2008 findings of noncompliance.

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

Not Applicable. There were no remaining FFY 2007 findings of noncompliance.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
<p>Develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how Positive Behavior Interventions and Support (PBIS) impacts student achievement, family engagement, dropout rate and least restrictive environment placements</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>PBIS Indiana technical assistance center is developing and establishing a statewide network of culturally responsive positive behavior supports. The project is working with emerging model sites to develop a state-of-the-art model of culturally responsive PBIS. The center is collaborating closely with national leaders and a state advisory team to establish a statewide PBIS network, including training and technical assistance.</p>
<p>Continue to gather data on disproportionality of racial and ethnic groups in special education and disseminate to stakeholders through a variety of formats, including the Indiana Department of Education (IDOE) website.</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>The State has continued to gather disproportionality data. Each LEA is able to obtain their specific LEA disproportionality data via the Equity Project website: http://www.iub.edu/~equity/equity/disproportionality.php Information has also been disseminated via conferences (ICASE), local/regional trainings and Policy Briefs.</p>
<p>Provide targeted, comprehensive support to schools across the State to improve teaching and learning via the six Indiana Resource Network (IRN) centers whose areas of focus are:</p> <ul style="list-style-type: none"> • Autism; • Effective assessment and instruction; • Effective evaluations; • Effective and compliant IEPs; • Positive behavior supports; and, • Transition to adulthood. <p>In additional statewide support DOE will be provide on:</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY12-13)</p>	<p>Information regarding the IRN centers a can be found at:http://www.irn.indiana.edu/index.php?pagelid=Centers The following IRN centers are providing technical assistance related to disproportionality issues: PBIS Indiana: Positive Behavior Interventions & Supports Resource Center The Indiana University Equity Project at the Center for Evaluation and Education Policy (CEEP) in collaboration with the Center for Education and Lifelong Learning at the Indiana Institute on Disability and Community (IIDC) is the IRN center whose focus is to develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how PBIS impacts student achievement, family engagement, dropout rate and least restrictive environment placements. The center is working on the following activities:</p> <ul style="list-style-type: none"> • Development of an expanded RTI-based model of PBIS that addresses issues of culture and contributes to improved outcomes in achievement, graduation, and LRE; • Development of six model demonstration sites committed to the full implementation of the PBIS Indiana framework; • Working with sites assigned by the IDOE to address identified insufficiencies through the implementation of the PBS Indiana framework; • Working with schools partially implementing PBIS,

Improvement Activities	Timelines	Status
<ul style="list-style-type: none"> • Parent training and information; • Assistive and accessible technologies; and, • Training for teachers of students who are deaf, blind or have low vision. 		<p>providing professional development and technical assistance as needed to move schools at any level of implementation to more complete implementation;</p> <ul style="list-style-type: none"> • Increasing capacity by building the knowledge base; and, • Development of a fully functioning and sustainable network of culturally responsive PBIS in Indiana. <p>The center has developed an extensive list of tools that include web-base modules, publications and other resources on:</p> <ul style="list-style-type: none"> • Culturally responsive practices; • Disproportionality; • Leadership teams; and, • PBIS frameworks. <p>Effective Evaluation Processes Resource Center The Effective Evaluation Processes resource center focuses on increasing Indiana educators' use of skills that ensure targeted and high quality interventions and strategies for struggling students, promote the use of appropriate special education evaluation tools and methods for all students, and assist LEAs in the correction of noncompliance and implementation of systemic changes to prevent future noncompliance.</p> <p>HANDS (Helping Answer Needs by Developing Specialists) in Autism Resource Center The HANDS in Autism resource center provides unique learning opportunities designed to integrate and understand autism and related disorders through hands-on and coaching experiences. Training and/or consultation requests are received from all areas of the State representative of different locales (e.g., urban, suburban, rural). When addressing such requests, an appraisal of the local needs and current levels of knowledge and practice are determined in order to construct an appropriate and practical training or response on requested topics. Such appraisal may range from a needs assessment of participants, schools, or the district, verbal feedback, historical review of trainings, and/or verbal discussion with stakeholders requesting such trainings and/or consultation. A customized training is then provided by HANDS trainers who represent a combination of professionals from the fields of special education, general education, behavioral analysis, school psychology, public health, and clinical psychology. With such a broad range of experience, trainings are customizable to different populations and groups and are illustrative of the necessary collaboration involved with successful Culturally Responsive School Wide Positive Behavior Supports (CRSWPBS) and multidisciplinary teams. Trainings are based upon evidence-based practices in autism, as reported by the National Standards Project and National Autism Center, and in line with the proactive and positive behavioral plans promoted within CRSWPBS. These foundational components (i.e.,</p>

Improvement Activities	Timelines	Status
		<p>proactive and positive behavioral plans) are a natural tie to the HANDS training curriculum and evidence based practices purported by the aforementioned report.</p> <p>IN*SOURCE IN*SOURCE continued to provide ongoing activities statewide to help support the parent to parent volunteer network of four hundred and thirty-seven (437) Regional Parent Resources (RPRs). IN*SOURCE has maintained this volunteer network for thirty (30) years. This program has successfully supported many thousands of parents of children with disabilities statewide, using a parent to parent service delivery mode. IN*SOURCE provided information and ongoing training and support to these parent volunteers (RPRs) through the Statewide network of paid staff (Regional Program Specialist). Individual support to parent volunteers is available on an “as needed” basis and covers many different topics or issues including suspensions and expulsions of students with IEPs. During this twelve month period, this parent volunteer statewide network provided training and assistance to one thousand, thirty-eight (1,038) families and other contacts statewide. This training and assistance included support to families concerning expulsion and suspension of students with IEPs. IN*SOURCE staff began to develop an online training program for potential parent volunteers during the SY 10-11 project year. Planning for this training began in the fall of 2010 and the completed eight (8) part training program for IN*SOURCE volunteers went on line in April of 2011. Included in this online training program is a discussion of suspension and expulsion for students with IEPs.</p> <p>IN*SOURCE continued the maintenance of twenty (20) regional offices to insure an appropriate level of support for parents and educators in their communities. Statewide support to families and educators reflected in this activity are generally provided on an individual basis, and may include assistance provided by email, telephone or on a face to face basis. This assistance to families covers a range of topics concerning the education of students with disabilities including suspension and expulsion. During this twelve month period, IN*SOURCE provided assistance to thirteen thousand, nine hundred and twenty-three (13,923) family and other contacts statewide. From this number of total contacts, five hundred and nine (509) contacts included information and support to families concerning suspension and expulsion.</p> <p>PATINS Project The Promoting Achievement through Technology and Instruction for all Students Project (PATINS Project) statewide technical assistance network for the provision of assistive/accessible technology supports to assist Indiana’s local educational agencies. As a sole source provider for the Indiana Department of Administration and the Indiana Department of Education, the PATINS Project works with</p>

Improvement Activities	Timelines	Status
		<p>local educational agencies to create flexible curricula and utilize technology tools that will support students with disabilities and reduce the existing learner barriers in the classroom. By addressing learner barriers in the classroom through technology and instruction, the project provides resources (assistive technologies and training) to local educational agencies to develop compensatory strategies and access to tools to reduce the effects of student's disabilities and thereby allowing students to focus their ability on the specific demands of academic tasks and successfully demonstrate acceptable behaviours. The PATINS Project works with schools to reduce potential triggers of undesirable behaviour through the use of assistive technology by:</p> <ul style="list-style-type: none"> • Utilizing specific assistive technology tools to monitor behaviour during assigned classroom tasks; • Utilizing strategies and assistive technology tools to self-regulate behaviour during academic task performance; and, • Utilizing assistive technology to help students manage behaviours associated with social components of classroom activities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12) (if applicable):

There are no revisions to proposed targets, improvement activities, timelines, or resources for FFY 2011.

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

Statement from the Response Table	State's Response
<p>OSEP appreciates the State's efforts to improve performance.</p>	<p>No additional response required</p>

Indicator 10 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See general Overview of the Annual Performance report (APR).

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.

Overview of the Indicator:

Student enrollment demographics and disability data is obtained from the State's September, 2010 enrollment count and December 1, 2010 Child Count for the FFY 2010 (SY 10-11) SPP/APR submission. As required, the State utilized data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act (IDEA), as amended) for all children with disabilities aged 6 through 21 served under IDEA. The State provides these data for Indicator 10 for children in the following six disability categories: cognitive disabilities, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism.

When reporting disproportionate representation in the FFY 2010 APR, Indiana utilizes two years of data, FFY 2010 (SY 10-11) and FFY 2009 (SY 09-10). As required, beginning with the FFY 2010 (SY 10-11) Indiana reports race and ethnicity data using the new racial and ethnic categories (Hispanic/Latino, American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, White, and two or more races). However in FFY 2009 (SY 09-10) Indiana utilized the five racial ethnic categories (American Indian or Alaskan Native, Asian or Pacific Islander, Hispanic, Black, not Hispanic, and White, not Hispanic). Since it is possible to crosswalk from the seven new categories to the five old categories, but not from the five old to the seven new, Indiana will report under the five old categories in the FFY 2010 (SY 10-11) APR. Indiana looks forward to reporting under the new seven racial ethnic categories in the FFY 2011 APR due February 1, 2013.

Definition of "Disproportionate Representation" and Methodology:

On October 21, 2010, the Office of Special Education programs of the US Department of Education (OSEP) conducted a conference call with the State of Indiana inquiring about its disproportionate representation calculation methodology. On October 26, 2010, as requested, the State submitted written justification to OSEP regarding its method of calculating disproportionality in regards to Indicators 9 and 10. On July 19, 2011 the State received written notification from OSEP indicating, based on their review of Indiana's October 26, 2010 written explanation, the State's method of calculating disproportionate representation, specifically the State's utilization of the risk index may not be race neutral and requested the State to revise its methodology to assure race neutrality. During the month of August 2011, Indiana sought and received technical assistance from the Data Accountability Center (DAC) to assist the State in developing a race neutral methodology for determining disproportionate representation.

Indicator 10

On September 15, 2011 Indiana submitted to OSEP its proposed revision of its method of determining disproportionate representation. On September 30, 2011 the State participated in a teleconference with OSEP to respond to several inquiries, including implementation timelines for the revised methodology. On October 3, 2011, as requested, the State submitted a written response regarding OSEPs September 30th questions. On January 5, 2012, the State received written notification from OSEP stating that Indiana’s proposed revision of its methodology for calculating disproportionate representation resolved OSEPs concerns with race neutrality.

On January 13, 2012 the Indiana State Advisory Council (SAC) reviewed and provided input on Indiana’s purposed revisions to its disproportionate representation definition. As directed by OSEP, the State changed its calculation mythology to assure compliance with 34 CRF §300.600(d)(3).

Indiana defines *disproportionate representation (or disproportionality)* of racial and ethnic groups in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 in special education and related services, for two consecutive years. Sample “n” size is set at a minimum of 30 students in a given population. A review of policies, procedures and practices is conducted on those Local Educational Agencies (LEAs) designated as having disproportionate representation to determine if the disproportionality is the result of inappropriate identification.

Previously, Indiana’s logic for utilizing the risk index in the manner it did was to add stability to the utilization of a risk ratio to avoid seemingly random fluctuations in the LEAs that exceeded the disproportionality threshold. The potential instability of risk ratios in low “n” size situations has been noted consistently (see e.g., Bollmer et al., 2007). Indiana has been concerned with this problem, and for the FFY 2010 (SY 10-11) data collection elected to raise the minimum “n” size from 10 to 30, which is the same “n” size that is utilized for similar purposes in No Child Left Behind⁴⁸.

Indicator 10: Measurable and Rigorous Target for FFY 2010 based on FFY 2010 SY (10-11) and FFY 2009 (SY 09-10) data:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	Percent of districts that report disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0%.

Actual Target Data for FFY 2010 (SY 10-11) based on FFY 2010 SY (10-11) and FFY 2009 (SY 09-10) data:

When determining disproportionate representation, Indiana’s definition requires an LEA to exceed the established 2.0 risk ratio for overrepresentation or 0.5 risk ratio for underrepresentation thresholds for two consecutive years; therefore the State utilized the FFY 2010 (SY 10-11) and FFY 2009 (SY 09-10) data when reporting disproportionate representation in the FFY 2010 (SY 10-11) APR.

⁴⁸ Since 2002, the federal No Child Left Behind Act of 2001 (NCLB), has required public schools to make AYP for both the overall student population and any demographic group within the school that includes 30 or more students (often called “subgroups”). These student subgroups include economic background, race/ethnicity, limited English proficiency and special education.

Indicator 10

Step One: LEAs with Disproportionate Representation by Race or Ethnicity, in Specific Disability Categories (Cognitive Disabilities, Specific Learning Disabilities, Emotional Disturbance, Speech or Language Impairments, Other Health Impairments, and Autism):

Year	Total Number of LEAs⁴⁹	Number of LEAs with Disproportionate Representation, by Race or Ethnicity, in <i>Special Education and Related Services</i>	Percent⁵⁰
FFY 2010 (using 2009-2010 data)	346	56	16.18%

Based upon Indiana’s definition of disproportionate representation as described above, the FFY 2010 (SY 10-11) data indicates 16.19% of Indiana LEAs (56 out of 346) had disproportionate representation, by race or ethnicity, in specific disability categories during the FFY 2010 (SY 10-11) reporting period.

Fifty-seven LEAs were excluded from the calculation because they did not meet the required “n” size of 30.

NUMBER OF LEAS WITH RACIAL/ETHNIC DISPROPORTIONATE REPRESENTATION BY SPECIAL EDUCATION ELIGIBILITY CATEGORY (OVER AND UNDER REPRESENTATION)						
	Black/ non Hispanic	White/ non Hispanic	Hispanic	American Indian or Alaskan Native	Asian or Pacific Islander	Total Instances by Eligibility Category
Cognitive Disability	13 over	3 over 6 under	-	-	-	22
Specific Learning Disability	-	2 over 2 under	2 under	-	-	6
Emotional Disability	5 over	7 over 3 under	-	-	-	15
Speech Language Impairment	3 under	6 over 2 under	-	-	-	11
Other Health Impairment	1 over	10 over 2 under	-	-	-	13
Autism	2 under	5 over	-	-	-	7
Total Instances by Race/Ethnicity	24	48	2	0	0	

(Duplicative Count: 56 LEAs had a total of 74 instances of over or under disproportionate representation of racial ethnic groups in specific eligibility categories)

⁴⁹ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

⁵⁰ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum “n” size in the denominator.

Of the 56 LEAs with disproportionality, there were 44 LEAs with instances of over-representation of racial ethnic groups in specific eligibility categories and 17 LEAs with instances of under-representation of racial ethnic groups in specific eligibility categories. It is important to note that some LEAs had multiple instances of over and or under representation in multiple racial ethnic groups as well as in multiple disability categories.

Step Two: LEAs with Disproportionate Representation by Race or Ethnicity, in *Specific Disability Categories* that may be the Result of Inappropriate Identification:

Year	Total Number of Districts ⁵¹	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification	Percent of Districts
FFY 2010 (2010-2011)	346	56	To be reported during the FFY 2010 clarification period ⁵²	To be reported during the FFY 2010 clarification period ⁵³

As previously explained, the State had to change its methodology for calculating disproportionate representation to assure race neutrality for the FFY 2010 (SY 10-11) reporting period. The State did not receive written notification that its revised methodology resolved OSEP's race neutrality concerns until January 9, 2012, therefore the State did not have time to complete "Step Two" prior to the February 1, 2012 reporting deadline. During the FFY 2010 APR clarification period, the State looks forward to:

3. reporting on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification; and,
4. describing how the State made its annual determination that the disproportionate representation of racial and ethnic groups in specific disability categories was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a). The State will use monitoring data; review policies, practices, and procedures, etc. to determine whether districts with disproportionate representation of racial and ethnic groups in specific disability categories are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §300.111, 300.201 and 300.301 through 300.311, and include that information in its APR.

Discussion of Progress or Slippage that occurred in FFY 2010:

As previously described, the State was required to revised its calculation methodology determining disproportionate representation by racial/ethnic groups of students with disabilities in specific disability categories, therefore the State is not able to report FFY 2010 (SY 10-11) progress or slippage. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013.

⁵¹ Indiana utilizes the total number of LEAs (346) in the State including those that do not meet the minimum "n" size in the denominator.
⁵² The State looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.
⁵³ The State looks forward to reporting on the results of the review of the policies, procedures and practices and the issuance of findings of noncompliance (if any) during the FFY 2010 clarification period.

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2009 for this Indicator: **100%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	0
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Verification of Correction (either timely or subsequent):

Not Applicable. There were no FFY 2009 findings of noncompliance.

Actions Taken if Noncompliance Not Corrected:

Not Applicable. There were no FFY 2009 findings of noncompliance.

Correction of Remaining FFY 2008 Findings of Noncompliance (if applicable):

Not Applicable. There were no remaining FFY 2008 findings of noncompliance.

2. Number of remaining FFY 2008 findings noted in OSEP's June 2010 FFY 2009 APR response table for this Indicator	0
3. Number of remaining FFY 2008 findings the State has verified as corrected	0
4. Number of remaining FFY 2008 findings the State has not verified as corrected [(1) minus (2)]	0

Verification of Correction of Remaining FFY 2008 findings:

Not Applicable. There were no remaining FFY 2008 findings of noncompliance.

Actions Taken if Noncompliance Not Corrected:

Not Applicable. There were no FFY 2008 findings of noncompliance.

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

Not Applicable. There were no remaining FFY 2007 findings of noncompliance.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
<p>Develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how PBIS impacts student achievement, family engagement, dropout rate and least restrictive environment placements</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>PBIS Indiana technical assistance center is developing and establishing a statewide network of culturally responsive positive behavior supports. The project is working with emerging model sites to develop a state-of-the-art model of culturally responsive PBS. The center is collaborating closely with national leaders and a state advisory team to establish a statewide PBS network, including training and technical assistance.</p>
<p>Continue to gather data on disproportionality of racial and ethnic groups in special education and disseminate to stakeholders through a variety of formats, including the IDOE website.</p>	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)</p>	<p>The State has continued to gather disproportionality data. Each LEA is able to obtain their specific LEA disproportionality data via the Equity Project website: http://www.iub.edu/~equity/equity/disproportionality.php Information has also been disseminated via conferences (ICASE), local/regional trainings and Policy Briefs.</p>
<p>Provide targeted, comprehensive support to schools across the State to improve teaching and learning via the six IRN centers whose areas of focus are:</p> <ul style="list-style-type: none"> • Autism; • Effective assessment and instruction; • Effective evaluations; • Effective and compliant IEPs; • Positive behavior supports; and, • Transition to adulthood. <p>In additional statewide support DOE will be provide on:</p> <ul style="list-style-type: none"> • Parent training and information; • Assistive and 	<p>FFY 2008 (SY 08-09) through FFY 2012 (SY12-13)</p>	<p>Information regarding the IRN centers a can be found at:http://www.irn.indiana.edu/index.php?pagelD=Centers The following IRN centers are providing technical assistance related to disproportionality issues: PBIS Indiana: Positive Behavior Interventions & Supports Resource Center The Indiana University Equity Project at the Center for Evaluation and Education Policy (CEEP) in collaboration with the Center for Education and Lifelong Learning at the Indiana Institute on Disability and Community (IIDC) is the IRN center whose focus is to develop and establish a statewide network of culturally responsive school-wide positive behavior support sites and increase educators' knowledge and understanding of how PBIS impacts student achievement, family engagement, dropout rate and least restrictive environment placements. The center is working on the following activities:</p> <ul style="list-style-type: none"> • Development of an expanded RTI-based model of PBIS that addresses issues of culture and contributes to improved outcomes in achievement, graduation, and LRE; • Development of six model demonstration sites committed to the full implementation of the PBIS Indiana framework; • Working with sites assigned by the IDOE to address identified insufficiencies through the implementation of the PBS Indiana framework; • Working with schools partially implementing PBIS, providing professional development and technical assistance as needed to move schools at any level of implementation to more complete implementation; • Increasing capacity by building the knowledge base;

Improvement Activities	Timelines	Status
<p>accessible technologies; and,</p> <ul style="list-style-type: none"> • Training for teachers of students who are deaf, blind or have low vision. 		<p>and,</p> <ul style="list-style-type: none"> • Development of a fully functioning and sustainable network of culturally responsive PBIS in Indiana. <p>The center has developed an extensive list of tools that include web-base modules, publications and other resources on:</p> <ul style="list-style-type: none"> • Culturally responsive practices; • Disproportionality; • Leadership teams; and, • PBIS frameworks. <p>Effective Evaluation Processes Resource Center The Effective Evaluation Processes resource center focuses on increasing Indiana educators' use of skills that ensure targeted and high quality interventions and strategies for struggling students, promote the use of appropriate special education evaluation tools and methods for all students, and assist LEAs in the correction of noncompliance and implementation of systemic changes to prevent future noncompliance</p> <p>HANDS (Helping Answer Needs by Developing Specialists) in Autism Resource Center The HANDS in Autism resource center provides unique learning opportunities designed to integrate and understand autism and related disorders through hands-on and coaching experiences. Training and/or consultation requests are received from all areas of the State - representative of different locales (e.g., urban, suburban, rural). When addressing such requests, an appraisal of the local needs and current levels of knowledge and practice are determined in order to construct an appropriate and practical training or response on requested topics. Such appraisal may range from a needs assessment of participants, schools, or the district, verbal feedback, historical review of trainings, and/or verbal discussion with stakeholders requesting such trainings and/or consultation. A customized training is then provided by HANDS trainers who represent a combination of professionals from the fields of special education, general education, behavioral analysis, school psychology, public health, and clinical psychology. With such a broad range of experience, trainings are customizable to different populations and groups and are illustrative of the necessary collaboration involved with successful Culturally Responsive School Wide Positive Behavior Supports (CRSWPBS) and multidisciplinary teams. Trainings are based upon evidence-based practices in autism, as reported by the National Standards Project and National Autism Center, and in line with the proactive and positive behavioral plans promoted within CRSWPBS. These foundational components (i.e., proactive and positive behavioral plans) are a natural tie to the HANDS training curriculum and evidence based practices purported by the aforementioned report.</p>

Improvement Activities	Timelines	Status
		<p>IN*SOURCE IN*SOURCE continued to provide ongoing activities statewide to help support the parent to parent volunteer network of four hundred and thirty-seven (437) Regional Parent Resources (RPRs). IN*SOURCE has maintained this volunteer network for thirty (30) years. This program has successfully supported many thousands of parents of children with disabilities statewide, using a parent to parent service delivery mode. IN*SOURCE provided information and ongoing training and support to these parent volunteers (RPRs) through the Statewide network of paid staff (Regional Program Specialist). Individual support to parent volunteers is available on an “as needed” basis and covers many different topics or issues including suspensions and expulsions of students with IEPs. During this twelve month period, this parent volunteer statewide network provided training and assistance to one thousand, thirty-eight (1,038) families and other contacts statewide. This training and assistance included support to families concerning expulsion and suspension of students with IEPs. IN*SOURCE staff began to develop an online training program for potential parent volunteers during the SY 10-11 project year. Planning for this training began in the fall of 2010 and the completed eight (8) part training program for IN*SOURCE volunteers went on line in April of 2011. Included in this online training program is a discussion of suspension and expulsion for students with IEPs.</p> <p>IN*SOURCE continued the maintenance of twenty (20) regional offices to insure an appropriate level of support for parents and educators in their communities. Statewide support to families and educators reflected in this activity are generally provided on an individual basis, and may include assistance provided by email, telephone or on a face to face basis. This assistance to families covers a range of topics concerning the education of students with disabilities including suspension and expulsion. During this twelve month period, IN*SOURCE provided assistance to thirteen thousand, nine hundred and twenty-three (13,923) family and other contacts statewide. From this number of total contacts, five hundred and nine (509) contacts included information and support to families concerning suspension and expulsion.</p> <p>PATINS Project The Promoting Achievement through Technology and Instruction for all Students Project (PATINS Project) state-wide technical assistance network for the provision of assistive/accessible technology supports to assist Indiana’s local educational agencies. As a sole source provider for the Indiana Department of Administration and the Indiana Department of Education, the PATINS Project works with local educational agencies to create flexible curricula and utilize technology tools that will support students with</p>

Improvement Activities	Timelines	Status
		<p>disabilities and reduce the existing learner barriers in the classroom. By addressing learner barriers in the classroom through technology and instruction, the project provides resources (assistive technologies and training) to local educational agencies to develop compensatory strategies and access to tools to reduce the effects of student's disabilities and thereby allowing students to focus their ability on the specific demands of academic tasks and successfully demonstrate acceptable behaviours. The PATINS Project works with schools to reduce potential triggers of undesirable behaviour through the use of assistive technology by:</p> <ul style="list-style-type: none"> • Utilizing specific assistive technology tools to monitor behaviour during assigned classroom tasks; • Utilizing strategies and assistive technology tools to self-regulate behaviour during academic task performance; and, • Utilizing assistive technology to help students manage behaviours associated with social components of classroom activities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12) (if applicable):

There are no revisions to proposed targets, improvement activities, timelines, or resources for FFY 2011.

Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement from the Response Table	State's Response
<p>Within 90 days of receipt of this response table, the State must provide a copy of its monitoring procedures demonstrating that the State verifies correction of noncompliance under this Indicator consistent with OSEP Memo 09-02, i.e., that the State verifies that each LEA identified with disproportionate representation that is the result of inappropriate identification in compliance with the requirements in 34 CFR §§300.111, 300.201 and 300.301-300.311 is: (1) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.</p>	<p>As required, Indiana submitted the response within 90 days (on September 19, 2011) to the Director of OSEP regarding the State's verification of correction of noncompliance procedures consistent with OSEP Memo 09-02.</p>

Indicator 11 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children who were evaluated within 60⁵⁴ 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))

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 timeline).
 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.

Overview of the Indicator:

In FFY 2010 (SY 10-11) the data for this Indicator was collected for the Indiana Department of Education (IDOE) by Indiana’s student data system, the Student Test Number (STN) Application Center. By state statute, each Local Educational Agency (LEA) in Indiana is either a single entity or is part of a parent special education cooperative. Each entity must use the STN Application Center to submit child count as well as performance and compliance data. This data is then used for state and federal funding, performance Indicators and compliance Indicators.

Indicator 11 data was collected through the DOE-EV (Evaluation) report on July 1, 2011. Data collected on July 1, 2011 ranged from July 1, 2010 to June 30, 2011 in order to encompass the entire reporting year.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010	100% of all referrals are processed within the prescribed state timeline.

⁵⁴ The IDEA 2004 states at 34 CFR § 300.301(c)(1) that initial evaluations “Must be conducted within 60 days of receiving parental consent for the evaluation; or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.” Indiana therefore rigorously requires that LEAs conduct initial evaluations within 50 days of receiving parental consent for the evaluation.

Actual Target Data for FFY 2010:

Children Evaluated Within 60 Days (or state-established timeline)	
a. Number of children for whom parental consent to evaluate was received	30,234
b. Number of children whose evaluations were completed within 60 days (or state-established timeline)	29,784
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or state-established timeline) (Percent = [(b) divided by (a)] times 100)	98.5%
The Number and Range of Days of Initial Evaluations Outside Required Timeline	
a. 1-5 Instructional Days	142
b. 6-10 Instructional Days	108
c. 11-15 Instructional Days	47
d. 16 + Instructional Days	151

Explanation of Progress or Slippage that Occurred for FFY 2010:

FFY	Target	Indicator 11 Actual Percentage
FFY 2010 (SY 10-11)	100%	98.5%
FFY 2009 (SY 09-10)	100%	98.0%
FFY 2008 (SY 08-09)	100%	92.3%
FFY 2007 (SY 07-08)	100%	87.7%

Overall progress for this Indicator has improved by 0.5% since FFY 2009 (SY 09-10). Though the target of 100% was not met, Indiana anticipates reporting continuous progress in the FFY 2011 (SY 11-12) submission of the APR. For additional information, please see the chart above.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance):
 Level of compliance (actual target data) State reported for FFY 2009 for this Indicator: **98.0%**

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	24
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	24
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Verification of Correction of FFY 2009 noncompliance (either timely or subsequent):

The 24 LEAs that were issued Indicator 11 findings in FFY 2009 (SY 09-10) were assigned an IDOE consultant and required to do a corrective action plan (CAP) in order to identify the root cause(s) of noncompliance and to change and update policies, procedures, and practices in order to correctly implement all regulatory requirements of the Indicator during the course of FFY 2010 (SY 10-11). The IDOE consultant collected the updated policies, procedures, and practices from the 27 LEAs and verified that the appropriate changes were made.

Unless the child no longer remained under the jurisdiction of the initiating LEA, all outstanding noncompliant initial evaluations were completed, although late, pursuant to OSEP Memorandum 09-02.⁵⁵ The IDOE verified the completion of the outstanding noncompliant timelines by collecting updated evaluation information from LEAs on each individual case through the State's data system. The correction and subsequent verification of correction by the IDOE included each noncompliant timeline that occurred during FFY 2009 (SY 09-10).

Indicator 11 initial evaluation data from April 1, 2011 to June 30, 2011⁵⁶ was reviewed from each of the 27 LEAs issued Indicator 11 findings in FFY 2009 (SY 09-10). Compliance was measured in order to verify that corrective action plans and State Education Agency (SEA) consultation had corrected LEA noncompliance. This gave LEAs the opportunity to demonstrate correction by submitting current evaluation data more representative of revised evaluation processes. The IDOE collected and verified the data using the State's data collection system. A total of 24 LEAs showed correction by submitting initial evaluation timeline data showing 100% compliance during the reporting window.

⁵⁵ Indiana required all LEAs to complete all identified noncompliant timelines unless the child was no longer under the jurisdiction of the LEA, although late, pursuant to OSEP Memorandum 09-02 and commonly known as "prong one" of verification of correction of noncompliance.

⁵⁶ Indiana used the time period of April 1, 2011 to June 30, 2011 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as "prong two" of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

Actions Taken if Noncompliance from FFY 2009 was Not Corrected:

All identified noncompliance from FFY 2009 (SY 09-10) has been corrected and verified as noted in the information above.

Correction of Remaining FFY 2008 Findings of Noncompliance:

1. Number of remaining FFY 2008 findings noted in OSEP's June 2011 FFY 2009 APR response table for this Indicator	2*
2. Number of remaining FFY 2008 findings the State has verified as corrected	1
3. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	1

Verification of Correction of Remaining FFY 2008 findings:

During FFY 2009 (SY 09-10) and FFY 2010 (SY 10-11), the State of Indiana verified that 87 of 89 (97.8%) LEAs that received a finding of noncompliance for Indicator 11 in FFY 2008 (SY 08-09) corrected the finding of noncompliance. Two Indiana LEAs were unable to verify and demonstrate the correction of an Indicator 11 finding within one year of the date of the issuance of the finding. The two LEAs that were identified as having remaining noncompliance were mandated to update policies, procedures and practices as well as create a CAP that included technical assistance from the Effective Evaluation Resource Center that is funded by the IDOE Office of Special Education. This CAP was supervised by an IDOE compliance monitor as well as the activities that were being conducted jointly between the LEA and the technical assistance provider, were evaluated to ensure that correction could occur.

Indicator 11 initial evaluation data from April 1, 2011 to June 30, 2011⁵⁷ was reviewed from the two LEAs issued Indicator 11 findings in FFY 2008 (SY 08-09) with outstanding noncompliance. The IDOE collected and verified the data using the State's data collection system and verified that one of the LEAs demonstrated meeting the requirement of completing all initial evaluations within the allotted timeframe with 100% accuracy.

***Note:** In the FFY 2009 submission of the APR, it was reported that in FFY 2008 Indiana issued 90 Indicator 11 findings and verified that 87 of the 90 had corrected the noncompliance within one year. Upon review of the data, the FFY 2009 APR should have reported that Indiana issued 89 Indicator 11 findings and verified that 87 of the 89 had corrected the noncompliance within one year. The above data table reflects the accurate numbers relating to correction of remaining FFY 2008 findings of noncompliance.

Actions Taken if Noncompliance from FFY 2008 was Not Corrected:

For the one LEA that failed to show correction of noncompliance during the evaluation period of April 1, 2011 to June 30, 2011 the data was assessed and it was determined that the LEA failed to correctly implement the regulatory requirements of this Indicator by failing to complete 1 initial evaluation. The LEA with the remaining noncompliance reported 875 initial evaluations for FFY 2010 (SY10-11) and reported missing one evaluation during the review period. Additionally the review of the LEA revealed that in FFY 2009 (SY 09-10) the LEA had a percentage of 83% for Indicator 11 and has shown substantial improvement for FFY 2010 (SY 10-11) with a reported percentage of 98%. Due to the analysis of the aforementioned data, the IDOE determined that the LEA had made significant progress in implementing new policies, practices and procedures relating to initial evaluations despite its inability to show correction

⁵⁷ Indiana used the time period of April 1 to June 30 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as "prong two" of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

at 100%. No additional sanctions were imposed for FFY 2010 (SY10-11) due to the sizeable progress that was displayed.

Correction of Any Remaining Findings of Noncompliance from FFY 2007:

1. Number of remaining FFY 2007 findings noted in OSEP's June 2011 FFY 2009 APR response table for this Indicator	1
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)]	1

Verification of Correction of Remaining FFY 2007 findings:

In April of 2009, Indicator 11 initial evaluation data from January 1, 2009 to March 31, 2009 was reviewed from each of the 295 LEAs issued Indicator 11 findings in FFY 2007 (SY 07-08). Compliance was measured in order to verify that CAPs and SEA consultation had corrected LEA noncompliance. This gave LEAs the opportunity to demonstrate correction by submitting current evaluation data more representative of revised evaluation processes. The IDOE collected and verified the data using the State's data collection system. A total of 260 LEAs showed correction by submitting data showing 100% compliance during the reporting window.

In July of 2010, the IDOE collected data, utilizing the State's data collection system, from the remaining 35 LEAs that failed to correct FFY 2007 (SY 07-08) noncompliance within one year. The time period of April 1, 2010 to June 30, 2010 was evaluated for each of the remaining 35 LEAs that had failed to show correction of noncompliance. After the review of the data, a total of 23 LEAs showed correction by submitting data showing 100% compliance during the reporting window. After that review one LEA remained as having failed to correct noncompliance from FFY 2007.

In July of 2011, the IDOE collected data, utilizing the State's data collection system, from the remaining LEA that failed to correct FFY 2007 (SY 07-08) noncompliance within one year. The time period of April 1, 2011 to June 30, 2011 was evaluated for each of the remaining 1 LEA that had failed to show correction of noncompliance. After the review of the data, the one LEA remained as having failed to correct noncompliance from FFY 2007(SY 07-08). For the description of actions taken for the one LEA that failed to correct noncompliance for the finding issued in FFY 2007 (SY 07-08), please see the section below.

Pursuant to OSEP Memorandum 09-02, the IDOE verified that, unless the child no longer remained under the jurisdiction of the initiating LEA, all outstanding noncompliant initial evaluations were completed, although late. The IDOE verified the completion of the outstanding noncompliant timelines by collecting updated evaluation information from LEAs on each individual case through the State's data system. The correction and subsequent verification of correction by the IDOE included each noncompliant timeline that occurred during FFY 2010 (SY 10-11).

Actions Taken if Noncompliance from FFY 2007 was Not Corrected:

As outlined in the overview of the FFY 2009 (SY 09-10) APR, Indiana, in conjunction with Indiana's State Advisory Panel and stakeholders, redesigned its Local Determination scoring system in order to heighten the level of sanctions and penalties against LEAs that fail to correct noncompliance within one year. For this single LEA that has not yet corrected noncompliance on multiple Indicators from FFY 2007 (SY 07-08) and FFY 2008 (SY 08-09) they received a Local Determination score of "Needs Intervention" from the IDOE and had special conditions and sanctions put into place during the course of FFY 2010 (SY10-11). When designing the special conditions and sanctions, Indiana took advantage of the technical assistance offered through the Data Accountability Center (DAC) and completed a two day onsite training completed by the staff at DAC that focused Indiana's efforts on issuing meaningful special conditions and sanctions. In addition, Indiana sought the advice of its State Advisory Council (SAC) to ensure stakeholder input

regarding the special conditions that were being considered. As a result of the technical assistance provided by DAC and the recommendations of the SAC the following special conditions and additional sanctions have been imposed over the course of FFY 2010 (SY10-11) for the LEA that has failed to correct the noncompliance identified in FFY 2008 (SY 08-09).

- The IDOE Office of Special Education issued monthly action plans to the LEA, which outlined requirements that had to be met in order for the LEA to submit for Part B reimbursement of funds. These requirements aligned to the 20 Federal Indicators and were designed to ensure that all requirements outlined in the IDEA as well as Indiana’s special education law, Article 7, were met. If the LEA failed to meet the requirements outlined each month, Part B funds were delayed until the LEA could show compliance with the requirements.
- Monthly meetings were initiated between the LEA and an IDOE Office of Special Education consultant. Members of the IDOE Office of Special Education staff completed monthly site visits to the LEA and facilitated meetings with a team of staff at the LEA to address the issues of noncompliance.
- The IDOE mandated technical assistance to the LEA via three of the Indiana Resource Network (IRN) centers. This technical assistance focused on effective evaluation, effective and compliant IEPs, and behavior interventions for students. The LEA developed an overarching action plan with all three resource centers and those activities were monitored by the IDOE Office of Special Education. Additionally, onsite technical assistance was provided to the LEA on a monthly basis through the IRN centers.

These special conditions and sanctions will continue to be imposed and modified as needed until all identified noncompliance has been verified as corrected.

Discussion of Improvement Activities Completed FFY 2010 (SY 10-11):

Improvement Activity	Timeline	Status
LEAs identified as not meeting the required timeline for completing educational assessments will be required to develop a corrective action plan for ensuring compliance.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Each LEA issued a finding for Indicator 11 developed a CAP in coordination with an education specialist at the IDOE that was monitored during FFY 2010 (SY 10-11). For those LEAs that had identified noncompliance in FFY 2009 (SY 09-10) or earlier, the previously developed CAP was evaluated for effectiveness and updated to reflect more comprehensive activities.
With the Indiana Resource Network (IRN), assist LEAs and schools in reforming and improving their supports and services	FFY 2008 (SY 08-09) through FFY 2012 (SY 12-13)	LEAs that have been issued findings for Indicator 11 accessed technical assistance through universal supports as well as targeted supports via the IRN. For those LEAs that were issued Indicator 11 findings in FFY 2010 (SY 10-11) and showed egregious noncompliance, targeted technical assistance was assigned through the use of the Effective Evaluation Resource Center to ensure timely correction of noncompliance. Information pertaining to the IRN can be located at http://irn.indiana.edu

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

Indicator 11 data for FFY 2010 (SY 10-11) represents Indiana's highest score on the Indicator to date and the State's second consecutive year scoring greater than the 95% substantially compliant mark. The State also improved 0.5% from the previous year. Indiana has reviewed its improvement activities and, for the aforementioned reasons, has no revisions to its improvement activities, targets, timelines, or resources for Indicator 11.

OSEP Response Table for FFY 2009 (SY 09-10)

Indicator Status	Indiana's Response
<p>The State must report on the status of correction of noncompliance reflected in the data the State reported for this Indicator in the FFY 2009 APR.</p>	<p>Please see the section entitled "Correction of FFY 2009 Findings of Noncompliance" above.</p>
<p>The State must demonstrate, in the FFY 2010 APR that the remaining three uncorrected noncompliance findings identified in FFY 2008 and the remaining uncorrected noncompliance finding identified in FFY 2007 were corrected.</p>	<p>All LEAs have corrected findings for Indicator 11 issued during FFY 2008 (SY 08-09) and one LEA remains to have noncompliance that was identified in FFY 2007 (SY 07-08). While the LEA has completed all noncompliant evaluations, although late, from FFY 2007 (SY 07-08) to date, the LEA has failed to demonstrate 100% compliance during Indiana's annual data review, pursuant to OSEP Memorandum 09-02 and commonly referred to as "prong two" of correction.</p> <p>The special conditions and additional sanctions that the State has imposed are listed above under "Actions Taken if Noncompliance from FFY 2007 was Not Corrected"</p>
<p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this Indicator and each LEA with remaining noncompliance identified in FFY 2008 and FFY 2007: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p>Please see the comments directly above for Indiana's response and sanctions imposed against the LEA with uncorrected noncompliance from FFY 2007 (SY 07-08).</p> <p>Each LEA with uncorrected noncompliance from FFY 2007 (SY 07-08) and FFY 2008 (SY 08-09) has completed all noncompliant evaluations, although late, from FFY 2007 (SY 07-08) to date, commonly referred to as "prong one" of correction as outlined in OSEP Memorandum 09-02. For the two LEAs with remaining noncompliance from FFY 2008 (SY 08-08), one has demonstrated 100% compliance during Indiana's annual data review, pursuant to OSEP Memorandum 09-02 commonly referred to as "prong two" of correction while the one remaining LEA continues to demonstrate noncompliance. For information pertaining to this LEA please see the section above titled "Actions Taken if Noncompliance from FFY 2008 was Not Corrected"</p> <p>The LEA with identified noncompliance from FFY 2007 (SY 07-08), has failed to demonstrate 100% compliance during Indiana's annual data review, pursuant to OSEP Memorandum 09-02 and commonly referred to as "prong two" of correction.</p>

Indicator Status	Indiana's Response
<p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>	<p>Indicator 11 data for FFY 2010 (SY 10-11) represents Indiana's highest score on the Indicator to date and the State's second consecutive year scoring greater than the 95% substantially compliant mark. The State also improved 0.5% from the previous year. Indiana has reviewed its improvement activities however, for the aforementioned reasons; Indiana has no revisions to its improvement activities for Indicator 11 at this time.</p>

Indicator 12 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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 Individualized Education Program (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 or to whom exceptions under 34 CFR §300.301(d) applied.
- 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.

Overview of the Indicator:

In FFY 2010 (SY 10-11), the data for this Indicator was collected for the Indiana Department of Education (IDOE) by Indiana’s student data system, the STN Application Center. By State statute, each LEA in Indiana is either a single entity or is part of a parent special education cooperative. Each entity must use the STN Application Center to submit child count as well as performance and compliance data. This data is then used for state and federal funding, performance Indicators and compliance Indicators.

Indicator 12 data was collected through the DOE-EV (Evaluation) report on July 1, 2011. Data collected on July 1, 2011 ranged from July 1, 2010 to June 30, 2011 in order to encompass the entire reporting period.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	100% 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.

Actual Target Data for FFY 2010 (SY 10-11):

Measurement:	FFY 2010	FFY 2009	FFY 2008
a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	3827	4403	3632
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	582	649	500
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	2752	3497	2671
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	174	160	252
e. # of children who were referred to Part C less than 90 days before their third birthdays.	142	34	33
# in a but not in b, c, d, or e.	177	97	209
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 Percent = [(c) / (a-b-d-e)] * 100	93.96%	97.80%	92.74%

The children included in (a) but not included in (b), (c), (d) or (e) represent those students whose IEPs were implemented after their third birthdays.

The data reflects that there were 177 eligible children who did not receive a Free Appropriate Public Education (FAPE) by the age of three in Indiana. The data indicates that all 177 children did not receive a FAPE due to failure on the part of the LEA. Each LEA reporting noncompliance during FFY 2010 (SY 10-11) was required to perform a root-cause analysis of noncompliance, complete all outstanding noncompliant timelines and update procedures and policies to enable compliance.

The range of days for the children who did not receive a FAPE ranged from one day to 247 days.

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

FFY	Target	Indicator 12 Actual Percentage
FFY 2010 (SY 10-11)	100%	93.96%
FFY 2009 (SY 09-10)	100%	97.80%
FFY 2008 (SY 08-09)	100%	92.74%

The FFY 2010 (SY10-11) compliance rate of 93.96% shows slippage of 3.84 percentage points from FFY 2009 (SY 09-10). Indiana has investigated the slippage from FFY 2009 (SY 09-10) to FFY 2010 (SY10-11) and has found that there was a systemic issue with the reporting of the data on the DOE-EV. The data collection process for FFY 2010 (SY 10-11) was outlined for all LEAs through a data layout that gave

instructions for reporting necessary information that pertained to the transition of students from Part C to Part B. When investigating the slippage, it was determined that the language within the DOE-EV data layout was unclear and caused discrepancies in reporting.

Analysis of the FFY 2009 (SY 09-10) data for Indicator 12 revealed that the initial data evaluation was completed by a single entity within the IDOE and was not verified by any other mechanism. As this had not been the historical practice in Indiana, it was determined through the analysis that these issues contributed to the change in data in FFY 2009 (SY 09-10). In order to rectify the issues that surrounded the data reporting from the LEAs on the DOE-EV, the DOE-EV layout has been revised. This revision has included stakeholder input from the Indiana Council of Administrators of Special Education (ICASE) to ensure that directions and requirements were being clearly explained. Additionally, the IDOE has implemented policies, practices and procedures that will ensure that the analysis of data for Indicator 12 is completed by multiple entities and checked for reliability prior to reporting the information to the Office of Special Education Programs of the US Department of Education (OSEP). Based on the conclusions made after review, the numbers from FFY 2008 (SY 08-09) and FFY 2010 (SY 10-11) more accurately reflect the data for Indicator 12 pertaining to progress and slippage.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2009 APR):

Level of compliance (actual target data) State reported for FFY 2009 for this Indicator: 97.8%

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	7
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	7
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	0
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Verification of Correction (either timely or subsequent):

The seven Local Educational Agencies (LEAs) that were issued Indicator 12 findings in FFY 2009 (SY 09-10) were assigned an IDOE consultant and required to do a CAP in order to identify the root cause(s) of noncompliance and to change and/or update policies, procedures, and practices in order to correctly implement all regulatory requirements of the Indicator during the course of FFY 2010 (SY 10-11). The IDOE consultant collected the updated policies, procedures, and practices from the 7 LEAs and verified that the appropriate changes were made.

Unless the child no longer remained under the jurisdiction of the initiating LEA, all outstanding noncompliant initial evaluations were completed, although late, pursuant to OSEP Memorandum 09-02.⁵⁸ The IDOE verified the completion of the outstanding noncompliant timelines by collecting updated

⁵⁸ Indiana required all LEAs to complete all identified noncompliant timelines unless the child was no longer under the jurisdiction of the LEA, although late, pursuant to OSEP Memorandum 09-02 and commonly known as "prong one" of verification of correction of noncompliance.

Indicator 12

evaluation information from LEAs on each individual case through the State’s data system. The correction and subsequent verification of correction by the IDOE included each noncompliant timeline that occurred during FFY 2009 (SY 09-10).

Indicator 12 evaluation data from April 1, 2011 to June 30, 2011⁵⁹ was reviewed from each of the seven LEAs issued Indicator 12 findings in FFY 2009 (SY 09-10). Compliance was measured in order to verify that corrective action plans and SEA consultation had corrected LEA noncompliance. This gave LEAs the opportunity to demonstrate correction by submitting current evaluation data more representative of revised evaluation processes. The IDOE collected and verified the data using the State’s data collection system. A total of seven LEAs showed correction by submitting initial evaluation timeline data showing 100% compliance during the reporting window.

Actions Taken if Noncompliance Not Corrected:

All identified noncompliance from FFY 2009 (SY 09-10) has been corrected and verified as noted in the information above.

Correction of Remaining FFY 2008 Findings of Noncompliance:

4. Number of remaining FFY 2008 findings noted in OSEP’s June 2011 FFY 2009 APR response table for this Indicator	1
5. Number of remaining FFY 2008 findings the State has verified as corrected	1
6. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	0

Verification of Correction of Remaining FFY 2008 findings:

During FFY 2009 (SY 09-10) and FFY 2010 (SY 10-11), the State of Indiana verified that 94 of 95 (98.95%) LEAs that received a finding of noncompliance for Indicator 12 in 2008 (SY 08-09) corrected the finding of noncompliance. One Indiana LEA was unable to verify and demonstrate the correction of an Indicator 12 finding within one year of the date of the issuance of the finding. This LEA was mandated to update policies, procedures and practices as well as create a Corrective Action Plan (CAP) that included technical assistance from the Effective Evaluation Resource Center that is funded by the IDOE Office of Special Education. This CAP and technical assistance activities being conducted collaboratively between the LEA and technical assistance (TA) provider were supervised by an IDOE staff member to ensure that compliance and correction would occur.

Indicator 12 initial evaluation data from April 1, 2011 to June 30, 2011⁶⁰ was reviewed from the LEA issued an Indicator 12 finding in FFY 2008 (SY 08-09) with outstanding noncompliance. The IDOE collected and verified the data using the State’s data collection system and verified that the LEA demonstrated meeting the requirement of completing all initial evaluations within the allotted timeframe with 100% accuracy.

Actions Taken if Noncompliance Not Corrected:

All identified noncompliance from FFY 2008 (SY 08-09) has been corrected and verified as noted in the information above.

⁵⁹ Indiana used the time period of April 1, 2010 to June 30, 2010 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as “prong two” of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

⁶⁰ Indiana used the time period of April 1 to June 30 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as “prong two” of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activity	Timeline	Status
<p>Provide timely feedback on LEA submitted data through statistical reports and follow up to correct incomplete or inaccurate data.</p>	<p>FFY 2006 (SY 06-07) through FFY 2012 (SY12-13)</p>	<p>As part of providing feedback and monitoring the accuracy of the data reported on the DOE-EV for FFY 2010 (SY 10-11), Indiana issued 16 Indicator 20 findings for LEAs who failed to report accurate data. All LEAs that were issued an Indicator 20 finding were required to complete a root cause analysis. This was facilitated through the use of the tool that was provided on the Right IDEA website (http://therightidea.tadnet.org/assets/398) and adapted to meet the needs for Indiana.</p>
<p>The Office of Special Education Early Childhood Coordinator will provide statewide updates on LEA progress in meeting requirements for Indicator 12 to early childhood administrators at their annual Spring conference. Early childhood administrators representing LEAs that achieve 100% compliance on implementing IEPs by third birthday will receive a certificate of recognition. A statewide data showing LEAs with LEAs that did not achieve compliance shall be distributed. Early childhood administrators shall discuss noncompliance and share strategies that work to correct noncompliance.</p>	<p>FFY 2005 (SY 05-06) through FFY 2012 (SY12-13)</p>	<p>The Early Childhood Conference was cancelled for the FFY 2010 (SY 10-11) time period. The conference has been scheduled for the FFY 2011 (SY11-12) reporting period and the IDOE will be completing activities regarding this Indicator.</p>
<p>Utilize the evidence-based research and resources from the National Early Childhood Transition Center (NECTC) and the North Central Regional Resource Center (NCRRC).</p>	<p>FFY 2006 (SY 06-07) through FFY 2012 (SY 12-13)</p>	<p>The IDOE continues to use evidence-based research and resources from the NECTC and the NCRRC to further contribute to accurate data reporting by the SEA and LEAs.</p>
<p>The IDOE and First Steps will share transition data from each system to inform, verify, and correct inconsistencies. The information will be utilized to reconcile differences and inform local agencies of discrepancies in order to improve communication and data accuracy.</p>	<p>FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)</p>	<p>The IDOE has collaborated with the providers from First Steps to begin assigning Student Test Numbers (STNs) to children who are receiving services from First Steps. This unilateral mechanism for tracking students will allow for a more seamless transition from Part C to Part B and will provide more comprehensive information for state agencies as well as LEAs.</p>

Improvement Activity	Timeline	Status
Indiana Resource Network (IRN)	Through FFY 2012 (SY 12-13)	<p>The Indiana Resource Network (IRN) is comprised of six centers that provide targeted, comprehensive support to schools across the State to improve teaching and learning. The areas addressed through the IRN are: autism, effective assessment and instruction, effective evaluations, effective and compliant individualized education programs (IEPs), positive behavior supports, and transition to adulthood. Information regarding the IRN centers a can be found at: http://www.irn.indiana.edu/index.php?pageId=Centers.</p> <p>Additionally, LEAs are supported by three sole source projects that focus on: parent training and information, assistive and accessible technologies, and training for teachers of students who are deaf, blind or have low vision.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

Analysis of the FFY 2009 (SY 09-10) data for Indicator 12 revealed that the initial data evaluation was completed by a single entity within the IDOE and was not verified by any other mechanism. As this had not been the historical practice in Indiana, it was determined through the analysis that these issues contributed to the change in data in FFY 2009 (SY 09-10). In order to rectify the issues that surrounded the data reporting from the LEAs on the DOE-EV, the DOE-EV layout has been revised. This revision has included stakeholder input from the ICASE to ensure that directions and requirements were being clearly explained. Additionally, the IDOE has implemented policies, practices and procedures that will ensure that the analysis of data for Indicator 12 is completed by multiple entities and checked for reliability prior to reporting the information to OSEP. Based on the conclusions made after review, the numbers from FFY 2008 (SY 08-09) and FFY 2010 (SY 10-11) more accurately reflect the data for Indicator 12 pertaining to progress and slippage. Due to this analysis there are no revisions to the current improvement activities.

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

Statement from the Response Table	State's Response
<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this Indicator.</p>	<p>As shown in the Correction of FFY 2009 Findings of Noncompliance table above, all findings of noncompliance for FFY 2009 were corrected.</p>

Statement from the Response Table	State's Response
<p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>	<p>The issue of not reporting 100% compliance for Indicator 12 in FFY 2010 is addressed under Explanation of Progress or Slippage that occurred for FFY 2010. Due to the explanation above, the improvement activities will remain the same at this time.</p>
<p>The State must demonstrate, in the FFY 2010 APR, that the remaining uncorrected noncompliance finding identified in FFY 2008 was corrected.</p>	<p>As shown in the Correction of FFY 2008 Findings of Noncompliance table above, all findings of noncompliance for FFY 2008 were corrected.</p>
<p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this Indicator and each LEA with remaining noncompliance identified in FFY 2008: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify correction.</p>	<p>Reference section above entitled "Verification of Correction of Remaining FFY 2008 findings."</p>

Indicator 13 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
See General Overview of the Annual Performance Report (APR).

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with Individualized Education Programs (IEPs) aged 16⁶¹ and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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

Measurement:

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

Overview of the Indicator:

For Indicator 13 Indiana state rule requires transition plans begin at age 14, prior to the 9th grade, or earlier if determined appropriate by the case conference committee. As a component of the Continuous Improvement Focused Monitoring System (CIFMS), the Indiana Department of Education (IDOE), Office of Special Education contracted with the Center on Community Living and Careers (CCLC) at Indiana University for FFY 2010 (SY10-11) to conduct a compliance review of a randomly selected sample of students' transitional IEPs from all LEAs within the State. The review was conducted to ensure that IDOE could meet the reporting requirements and to inform ongoing assistance for school corporations with compliance rates less than 100%.

The IDOE has developed the *Indiana Transition Requirements Checklist*⁶² based on a data collection tool created by the National Secondary Transition Technical Assistance Center and approved by the Office of Special Education Programs of the US Department of Education (OSEP). The Indiana Secondary Transition Resource Center at the Center on Community Living and Careers, Indiana Institute on Disability and Community at Indiana University has created an on-line version of Indiana's data collection tool that was used to analyze Indiana's student records to determine compliance with Indicator 13. The ten-item Indiana Transition Requirements Checklist was utilized to assess if there was evidence in a

⁶¹ In Indiana, Indicator 13 is measured according to State statute. Article 7 of the Indiana State Board of Education Special Education Rules states at 511 IAC 7-43-4(a) that a Transition IEP must be in effect when every student with a disability turns 14 years of age or enters grade 9, whichever occurs first.

⁶² Indiana's Transition Requirement Checklist http://www.iidc.indiana.edu/styles/iidc/defiles/instrc/Transition_IEP_checklist.pdf or this can be found on the Indiana Department of Education website at <http://www.doe.in.gov/achievement/individualized-learning/publications-and-resources>

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student's IEP that the student had been provided the appropriate transition services to prepare him/her to successfully transition from secondary school to a post-secondary education and/or training program and to employment at an accuracy rate of 100%.

The IDOE provided CCLC with a population database of all students who were receiving special education services and met the Indiana transition plan age criteria for FFY 2010 (SY 10-11). The database included the Student Test Number (STN), which is the State of Indiana's student identification number and the Corporation Code Number. To generate the sample, CCLC used Microsoft Excel software to run a random sampling program. Following the IDOE sample-size parameters, the sample size for each corporation was 5 percent of the population. If the corporation had less than 100 students with disabilities five students were selected for the review. For corporations with more than 500 students 25 students were selected. In some cases, charter schools had sample sizes of less than five students because these schools were serving limited number of students or did not have large populations of students with disabilities. The final sample consisted of 2,940 students across 348 corporations.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010	100% of IEPs for students with disabilities aged 14⁶³ and above include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Actual Target Data for FFY 2010:

Year	Total number of youth aged 16 and above with an IEP	Total number of youth aged 16 and above with an IEP that meets the requirements	Percent of youth aged 16 ⁶⁴ and above with an IEP that meets the requirements
FFY 2010 (SY 10-11)	2940	2471	84.05%

Explanation of Progress or Slippage that occurred in FFY 2010:

FFY	Target	Indicator 13 Actual Percentage
FFY 2010 (SY 10-11)	100%	84.05%
FFY 2009 (SY 09-10)	100%	80.22%

Indicator 13 data for FFY 2010 (SY 10-11) represents Indiana's highest score on the Indicator to date. For the aforementioned reason, Indiana has no revisions to its improvement activities for Indicator 13. Indiana recognizes that despite the progress that has been made, the target of 100% has not been obtained. Due to not reaching the rigorous target of 100% Indiana has applied for the intensive technical assistance that is being offered by the National Secondary Transition Technical Assistance Center (NSTTAC). As of the submission of the FFY 2010 APR Indiana has only applied for this assistance and has not yet been awarded this opportunity.

⁶³ In Indiana, Indicator 13 is measured according to State statute. Article 7 of the Indiana State Board of Education Special Education Rules states at 511 IAC 7-43-4(a) that a Transition IEP must be in effect when every student with a disability turns 14 years of age or enters grade 9, whichever occurs first.

⁶⁴ In Indiana, Indicator 13 is measured according to State statute. Article 7 of the Indiana State Board of Education Special Education Rules states at 511 IAC 7-43-4(a) that a Transition IEP must be in effect when every student with a disability turns 14 years of age or enters grade 9, whichever occurs first.

Correction of FFY 2009 Findings of Noncompliance:

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	77
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	68
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	9

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	9
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	9

Verification of Correction of FFY 2009 noncompliance (either timely or subsequent):

Indiana reported baseline data in the FFY 2009(SY 09-10) APR at 80.2% (2218/2765) of youth with IEPs aged 14 and above have an IEP that met the requirements for Indicator 13. The State of Indiana issued 77 Indicator 13 findings in FFY 2009 (SY 09-10) that were identified through an Local Educational Agency (LEA) self-assessment using the Indiana Transition Requirements Checklist. Of those 77 LEAs a total of 68 LEAs demonstrated correction by submitting data showing 100% compliance during the reporting window. Each of the 68 LEAs were verified by the IDOE as having updated policies, procedures and practices and correcting each individual noncompliant transition IEP that had been identified from FFY2009 (SY 09-10). The IDOE collected and verified the data, by obtaining a new randomized sample youth with IEPs aged 14 and above, using *Indiana's Transition Requirements Checklist*⁶⁵ to ensure that the systemic noncompliance had been resolved. The LEAs were required to demonstrate 100% compliance during the IDOE's verification of correction data collection window, pursuant to the two required "prongs" of correction from OSEP Memorandum 09-02.

For FFY 2009 (SY 09-10) the findings for this Indicator were issued utilizing a self assessment completed by the LEA. When the SEA verified correction, a random sample of IEPs were harvested and evaluated by an external evaluator for compliance as the State had changed its mechanism for evaluating this Indicator. Given the change in data collection and methodology for determining systemic correction of noncompliance, 9 LEAs were unable to verify correction. Despite the 9 LEAs being unable to demonstrate correction within one year, it is believed that the updated manner in which systemic resolution is being determined will show greater success with implementation of all regulatory requirements.

Actions Taken if Noncompliance Not Corrected:

Of the 77 Indicator 13 findings issued in FFY 2009 (SY 09-10) 9 findings were not verified as corrected within one year nor were they verified as having corrected beyond the one-year timeline (subsequent correction). Of the 9 LEAs that failed to correct the noncompliance within one year of the date of the issuance of the Indicator 13 finding only four showed slippage in the percentage of youth aged 14 and

⁶⁵ Indiana's Transition Requirement Checklist http://www.iidc.indiana.edu/styles/iidc/defiles/instrc/Transition_IEP_checklist.pdf or this can be found on the Indiana Department of Education website at <http://www.doe.in.gov/achievement/individualized-learning/publications-and-resources>

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above with IEPs that met requirements for this Indicator. In all cases, two questions from the LEA self-assessment were most commonly missed. Those questions pertained to the utilization of an age appropriate transition assessment and identifying transition services that will enable the student to meet his/her post secondary goals. For the 9 LEAs that were unable to correct the noncompliance identified in FFY 2009 (SY 09-10) targeted technical assistance was delivered by the Indiana Secondary Transition Resource Center on all areas related to compliance with Indicator 13, however, particular focus was given to the two common areas that were most commonly missed during the review. Additionally, the 9 LEAs were required to work with an IDOE compliance monitor, submit an updated corrective action plan that included technical assistance with the Indiana Secondary Transition Resource Center, as well as update policies, procedures, and practices that were deemed to be impeding timely correction of noncompliance.

Correction of Any Remaining Findings of Noncompliance from FFY 2008 or Earlier:

All findings from FFY 2008 (SY 08-09) corrected and verified as noted in Indiana’s FFY 2009 (SY 09-10) Annual Performance Report (APR).

Discussion of Improvement Activities Completed in FFY 2010:

Improvement Activity	Timeline	Status
The transition school to work Interagency Coordinating Council, (known as the “290 Committee”) address statewide issues as they relate to transition.	FFY 2006 (SY 06-07) through FFY 2012 (SY 12-13)	The Statewide Transition Policy Work group met 4 times this past year to conduct a policy analysis between Article 7 and VRS Transition Policy. Once the analysis was completed, feedback and input was sought through all stakeholders (School personnel, VRS staff and family members) at the Statewide Transition Forum and the INAPSE Employment Conference from approximately 95 individuals. The purpose of the feedback was to gather data on what is actually occurring in practice and provide recommendations for changes in VRS Policy and Procedures. Currently, those recommendations are being reviewed by the Statewide Transition Policy Workgroup with an outcome a revised policy and/or procedures for school and VRS collaboration.
Indiana Secondary Transition Resource Center grant: Continue to work with school based transition personnel and other stakeholders to refine guidelines for CCCs in the development of the transition components of the IEP.	FFY 2005 (SY 05-06) through FFY 2012 (SY 12-13)	The Indiana Secondary Transition Resource Center continues to work directly with LEAs that have been issued findings for Indicator 13. Those LEAs, in conjunction with resource center staff, create action plans that are submitted and monitored by the IDOE to ensure timely correction of noncompliance.
Support best practice transition methods and services that increase secondary and postsecondary outcomes by sponsoring and supporting the Statewide Transition Forum Conference, hosted by the Indiana Resource Network’s Secondary Transition Resource Center.	FFY 2010 (SY 10-11) through FFY 2012 (SY 12-13)	The Statewide Transition Forum was held in August of 2011. Information pertaining to the Statewide Transition Forum Conference can be found at the following homepage: http://www.iidc.indiana.edu/?pageId=3416

Improvement Activity	Timeline	Status
Modify the Electronic IEP tool to include all of the Transition IEP Components. Completed as of FFY 2010 (SY 10-11)	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana has developed a new state sponsored electronic IEP tool named IndianaIEP. Along with stakeholder input as well as guidance from the Indiana Secondary Transition Resource Center, all items from the <i>Indiana Transition Requirements Checklist</i> have been embedded into the electronic IEP tool allowing for consistent monitoring of all areas related to compliance for Indicator 13.
Indiana Resource Network (IRN)	Through 2012 (SY 12-13)	The 6 IRNs will assist LEAs in reforming and improving their supports and services to students with disabilities. One of the IRNs is dedicated to secondary transition; however, many of the IRNs have expertise in this area and provide technical assistance to LEAs to ensure compliance in this area. LEAs can access technical assistance through universal supports as well as targeted supports via the IRN. Information pertaining to the IRN can be located at http://irn.indiana.edu

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12) (if applicable):

The improvement activity to “modify the Electronic IEP tool to include all of the transition IEP components” has been completed as of the submission of the FFY 2010 APR. Indiana has applied for the intensive technical assistance that is being offered by the National Secondary Transition Technical Assistance Center (NSTTAC) to assist in the State’s delivery of technical assistance as well as its ability to meet the rigorous target of 100%. As of the submission of the FFY 2010 APR Indiana has only applied for this assistance and has not yet been awarded this opportunity.

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

Statement from the Response Table	State’s Response
The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this Indicator. If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	See above information under “Correction of FFY 2009 Findings of Noncompliance”

Indicator 14 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

Measurable and Rigorous Targets:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	The percentage of students enrolled in higher education and had an IEP in effect upon leaving school will be ≥ 34.8%.
	The percentage of students enrolled in higher education or competitively employed within one year of leaving high school and had an IEP in effect upon leaving school will be ≥ 49.1%.
	The percentage of students enrolled in higher education, in some other postsecondary education or training program or competitively employed or in some other employment and had an IEP in effect upon leaving school with be ≥ 86.6%.

Actual Target Data for FFY 2010 (SY 10-11):

(A.) # of students enrolled in higher education within one year of leaving high school.	770	32.8%
(B.) # of students enrolled in higher education or competitively employed within one year of leaving high school.	1,333	56.7%
(C.) # of students 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.	1,789	76.1%

Measurement A as described by 20 U.S.C. 1416(a)(3)(B) asks for the percentage of youth enrolled in a 2- or 4-year college. A total of 869 respondents indicated they were enrolled in such a school, while eight responses in the “other” category also indicated this type of enrollment, for a total of 877 or 37.3% of the 2,351 responses. Measurement A also specifies that students should be enrolled for at least one full term. Of the 877 responses, 770, or 32.8%, of all 2,351 respondents were enrolled for at least one full term.

Measurement B of 20 U.S.C. 1416(a)(3)(B) asks for the number of youth enrolled in higher education (as described in Measurement A) or competitively employed. Competitive employment includes pay at or above the minimum wage for 20 hours a week or more for at least 90 days during the year since leaving high school. Military employment and other settings with others who are nondisabled are included. Family business, self-employment, and employment in jail or in a sheltered workshop are excluded.

A total of 1,108, or 47.1%, of all respondents indicated that they were employed at or above the minimum wage for 20 hours per week for at least 90 days in the previous year since leaving high school. Once students working in family business, self-employment, and employment while in jail or in a sheltered workshop are excluded, 853, or 36.3% of all respondents, are considered “competitively employed.” Of these, 563 were not also enrolled in higher education as described by Measurement A. Adding these to Measure A, 1,333, or 56.7%, of all respondents were competitively employed or enrolled in higher education (this number also includes those that were both competitively employed and enrolled in higher education).

Measurement C computes the percentage of respondents who were enrolled in higher education or some other postsecondary education or training program or competitively employed or held some other employment during the year after leaving high school. Any “yes” response to Question 3 was included as the type of education specified (as both definitions of enrollment in higher education and enrollment in some other form of post-secondary education or job training program was limited to those enrolled for at least one complete term) . Likewise, any “yes” response to Question 6 was considered as being competitively employed or holding employment of some form (as both definitions are limited to those employed for at least 90 days). To prevent double-counting respondents, any who responded “yes” to both questions will be subtracted from the total employed (as they would already be counted in the enrolled total). Of the 2,351 total respondents, 1,789, or 76.1%, were enrolled in higher education or some other postsecondary education or training program or competitively employed or held some other employment during the year after leaving high school.

Of the 2,351 respondents to the post-graduate survey, 698, or 29.7%, indicated that they were both enrolled in higher education or some other form of post-secondary education or job training **and** competitively employed or in some other form of employment.

FFY 2010 (SY 10-11) APR
Indicator 14

Indiana

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

This being the first year reporting on Indicator 14 is required; Indiana cannot accurately report progress or slippage for the FFY 2010 (SY 10-11) reporting year. The State looks forward to reporting progress or slippage in the FFY 2011 APR due February 1, 2013.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Work with Indiana Resource Center for Families with Special Needs (IN*SOURCE) to produce the college and postsecondary resource directory annually.	FFY 2009 (SY 09-10) through FFY 2012 (SY 12-13)	The directory was created and administered via the IDOE website at http://www2.doe.in.gov/sites/default/files/individualized-learning/colleges-and-post-secondary-services-persons-disabilities-indiana-2011-2012-edition.pdf .
Work with the Indiana Resource Network (IRN) to plan and hold a post-secondary transition and postsecondary conference annually.	FFY 2009 (SY 09-10) through FFY2012 (SY 12-13)	The 6 IRNs will assist LEAs in reforming and improving their supports and services to students with disabilities. One of the IRNs is dedicated to secondary transition; however, many of the IRNs have expertise in this area and provide technical assistance to LEAs to ensure compliance in this area. LEAs can access technical assistance through universal supports as well as targeted supports via the IRN. Information pertaining to the IRN can be located at http://irn.indiana.edu .

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indiana has met targets set for Indicator 14 for FFY 2010 (SY 10-11) and therefore has no revisions to its targets, improvement activities, timelines, or resources for this Indicator at this time.

OSEP Response Table for FFY 2009 (SY 09-10)

Statement from the FFY 2009 Response Table	Indiana's Response
The State must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.	Please see section entitled "Actual Target Data for FFY 2010 (SY 10-11)" above.

Indicator 15 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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.

Actual Target Data for FFY 2010:

FFY	Measurable and Rigorous Target	Actual Target
FFY 2010 SY (10-11)	100% Noncompliance corrected within one year	89.5%

Describe the process for selecting LEAs for Monitoring:

During FFY 2009 (SY 09-10) the State of Indiana made findings of noncompliance by utilizing the State's data reviews, onsite monitoring visits and desk-audits. The information and data input into the Indicator 15 worksheet below was collected, generated and tracked using the STN Application Center, in addition to the Indiana Department of Education (IDOE) Due Process database, desk audits and the IDOE's Compliance Monitoring Database. Findings related to Dispute Resolution were made by each individual hearing or compliant investigator under the related requirements of the Indicator. All findings below were based upon timely and accurate data and include findings for both systemic and individual cases of noncompliance.

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma.</p> <p>2. Percent of youth with IEPs dropping out of high school.</p> <p>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.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p> <p>0</p>	<p>0</p> <p>0</p>	<p>0</p> <p>0</p>
<p>3. Participation and performance of children with disabilities on statewide assessments.</p> <p>7. Percent of preschool children with IEPs who demonstrated improved outcomes.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>	<p>0</p> <p>0</p>	<p>0</p> <p>0</p>	<p>0</p> <p>0</p>
<p>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.</p> <p>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.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>	<p>5</p> <p>7</p>	<p>5</p> <p>7</p>	<p>0</p> <p>7</p>

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 - educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	3	3	2
	Dispute Resolution: Complaints, Hearings	7	7	7
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	12	12	12
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories 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
	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	24	24	24
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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	8	8	8
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth 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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	77	77	68
	Dispute Resolution: Complaints, Hearings	0	0	0
Sum the numbers down Column a and Column b			143	128
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	89.5%

Explanation of Progress or Slippage that Occurred for FFY 2010:

FFY	Actual Target for Indicator 13
FFY 2010 SY (10-11)	89.5%
FFY 2009 SY (09-10)	97.9%

For FFY 2009 (SY 09-10) Indiana reported 97.9% of LEAs issued findings corrected those findings within one year of the issuance. For FFY 2010 (SY 10-11) Indiana is reporting 89.5% of LEAs issued findings corrected those findings within one year of the issuance, representing slippage of 8.4%. Review of the

FFY 2010 (SY 10-11) data revealed that the uncorrected noncompliance stems from two data points that are collected in the State's compliance monitoring activities, these two Indicators were Indicators 4B and Indicator 13. All uncorrected noncompliance remained in these isolated categories, indicating that the State's onsite monitoring component as well as general supervision system ensured timely correction.

Slippage pertaining to the uncorrected noncompliance is explained in two ways. For Indicator 4B, the five LEAs that were determined to have FFY 2009 (SY 09-10) Indicator 4B noncompliance due to inappropriate policies, procedures and practices, were required to review and modify their policies, procedures and practices to assure compliance with 34 CFR §300.170(b). As reported in Indicator 4B, the State had to change its methodology for calculating significant discrepancy of discipline by race/ethnicity. Due to the mandated change in process the State was unable to complete the analysis within one year from the date of notification to determine if the LEAs had timely corrected, thus having to count all Indicator 4B findings as uncorrected noncompliance.

For FFY 2009 (SY 09-10) the findings for this Indicator were issued utilizing a self assessment completed by the LEA. When the State Educational Agency (SEA) verified correction, a random sample of IEPs were harvested and evaluated by an external evaluator for compliance as the State had changed its mechanism for evaluating this Indicator. Given the change in data collection and methodology for determining systemic correction of noncompliance, 9 LEAs were unable to verify correction. Despite the 9 LEAs being unable to demonstrate correction within one year, it is believed that the updated manner in which systemic resolution is being determined will show greater success with implementation of all regulatory requirements.

Notwithstanding slippage within Indicator 15 Indiana has determined that in both Indicator 4B and Indicator 13, that even though the change of calculation method and data collection process impacted the LEAs ability to show correction within one year, the updated manner in which the data is being collected and evaluated with show long term systemic correction thus improving results for students with disabilities.

Timely Correction of FFY 2009 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State identified in FFY 2009 (the period from July 1, 2009 through June 30, 2010) (Sum of Column a on the Indicator B15 Worksheet)	143
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)	128
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	15

FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	15
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	1
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	14

Verification of Correction for findings of noncompliance identified in FFY 2009 (either timely or subsequent):

- **Indicator 4B:**

The five LEAs that were determined to have FFY 2009 (SY 09-10) Indicator 4B noncompliance due to inappropriate policies, procedures and practices, were required to review and modify their policies, procedures and practices to assure compliance with 34 CFR §300.170(b). As previously described, the State had to change its methodology for calculating significant discrepancy of discipline by race/ethnicity. Once confirmation was received that the revised methodology was acceptable, the State was unable to complete the analysis within one year from the date of notification to determine if the LEAs had corrected within the timeframe.

The State looks forward to reporting on any FFY 2009 (SY 09-10) noncompliance subsequently corrected beyond the one year timeline, as well as the actions taken if noncompliance is not corrected (if any) during the FFY 2010 clarification period

- **Indicator 5:**

For FFY 2009 (SY 09-10) Indiana issued 3 findings under Indicator 5. Of the 3 findings that were issued, 2 were verified as having corrected the noncompliance within one year of the issuance of the finding. In order to verify correction, IEPs that were initially determined to be out of compliance for items relating to LRE were reviewed and each individual case of noncompliance was verified as corrected. In addition, the LEA's policies, procedures, and practices as well as FFY 2010 (SY 10-11) child count data were reviewed to ensure that regulatory requirements were being met. To satisfy that the systemic correction of noncompliance had occurred, a random sample of the LEA's IEPs were harvested from the State's electronic IEP tool and evaluated for areas related to LRE. In 2 out of the 3 LEAs this evaluation showed that each LEA was correctly implementing specific regulatory requirements at 100%.

For the third LEA, the random sample of IEPs did not show 100% compliance, thus the findings remained past the one year of correction. For this LEA, IEPs that were determined to be out of compliance for items relating to LRE were reviewed and each individual case of noncompliance was verified as corrected. During a follow up onsite verification visit for this LEA it was found that professional development had been conducted but had not yet been fully implemented and therefore was not reflected within IEPs evaluated. When a new sample of IEPs were evaluated 3 months later, it was determined that the LEA was implementing all regulatory requirements at 100% and were subsequently able to be released from the Indicator 5 finding.

- **Indicator 13:**

Indiana reported baseline data in the FFY 2009 APR at 80.2% (2218/2765) of youth with IEPs aged 14 and above have an IEP that met the requirements for Indicator 13. The State of Indiana issued 77 Indicator 13 findings in FFY 2009 (SY 09-10) that were identified through an LEA self-assessment using the Indiana Transition Requirements Checklist. Of those 77 LEAs a total of 68 LEAs showed correction by submitting data showing 100% compliance during the reporting window. Each of the 68 LEAs were verified by the IDOE as having updated policies, procedures and practices and correcting each individual noncompliant transition IEP that had been identified from FFY2009 (SY 09-10). The IDOE collected and verified the data, by obtaining a new randomized sample of youth with IEPs aged 14 and above, using Indiana's Transition Requirements Checklist 66 to ensure that the systemic noncompliance had been resolved. The LEAs were required to demonstrate 100% compliance during the IDOE's verification of correction data collection window, pursuant to the two required "prongs" of correction from OSEP Memorandum 09-02.

⁶⁶ Indiana's Transition Requirement Checklist http://www.iidc.indiana.edu/styles/iidc/defiles/instrc/Transition_IEP_checklist.pdf or this can be found on the Indiana Department of Education website at <http://www.doe.in.gov/achievement/individualized-learning/publications-and-resources>

Actions Taken if Noncompliance Not Corrected:

- **Indicator 4B:**

The five LEAs that were determined to have FFY 2009 Indicator 4B noncompliance due to inappropriate policies, procedures and practices, were required to review and modify their policies, procedures and practices to assure compliance with 34 CFR §300.170(b). As previously describe, the State had to change its methodology for calculating significant discrepancy of discipline by race/ethnicity. Once confirmation was received that the new methodology was acceptable, the State was not able to complete the analysis within one year from the date of notification to determine if the LEAs had timely corrected.

The State looks forward to reporting on any FFY 2009 (SY 09-10) noncompliance subsequently corrected beyond the one year timeline, as well as the actions taken if noncompliance is not corrected (if any) during the FFY 2010 clarification period.

- **Indicator 13:**

Of the 77 Indicator 13 findings issued in FFY 2009 (SY 09-10) 9 findings were not verified as corrected within one year nor were they verified as having corrected beyond the one-year timeline (subsequent correction). Of the 9 LEAs that failed to correct the noncompliance within one year of the date of the issuance of the Indicator 13 finding only four showed slippage in the percentage of youth aged 14 and above with IEPs that met requirements for this Indicator. In all cases, two questions from the LEA self-assessment were most commonly missed. Those questions pertained to the utilization of an age appropriate transition assessment and identifying transition services that will enable the student to meet his/her post secondary goals. For the 9 LEAs that were unable to correct the noncompliance identified in FFY 2009 (SY 09-10) targeted technical assistance was delivered by the Indiana Secondary Transition Resource Center on all areas related to compliance with Indicator 13. However, particular focus was given to the two common areas that were most commonly missed during the review. Additionally, the 9 LEAs were required to work with an IDOE compliance monitor, submit an updated corrective action plan that included technical assistance with the Indiana Secondary Transition Resource Center, as well as update policies, procedures, and practices that were deemed to be impeding timely correction of noncompliance.

Correction of Remaining FFY 2008 Findings of Noncompliance:

1. Number of remaining FFY 2008 findings noted in OSEP's FFY 2009 APR response table for this Indicator	7
2. Number of remaining FFY 2008 findings the State has verified as corrected	4
3. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	3

Verification of Correction for findings of noncompliance identified in FFY 2008 (either timely or subsequent):

- **Indicator 4A:**

The one LEA that corrected the FFY 2008 finding of noncompliance was assigned to work directly with the PBIS Indiana Resource center. The PBIS Indiana project directors, in a series of meetings, met with the LEA's administrators and staff to discuss their out of compliance rates as well as policies, procedures and practices concerning of suspension and expulsion. The LEA leadership did extensive reflection on the issue and as required by 34 CFR §300.170(b), reviewed and revised the policies, procedures and practices on suspensions and expulsions and developed an extensive new alternative program. As a result of these new policies, procedures and practices the LEA did not have any suspensions/ expulsions of students with disabilities for more than 10 cumulative days during FYY 2010 (SY 10-11). The LEA was notified on January 31, 2012, that while the LEA had failed to correct the FFY 2008 (SY 08-90) finding of noncompliance within one year of the January 29, 2010 notification, the LEA had subsequently corrected.

The FFY 2008 (SY 08-09) findings of noncompliance were based on identified systematic procedure and policy flaws that caused noncompliance in the LEA. Indiana's FFY 2008 (SY 08-09) significant discrepancy and monitoring process did not identify student specific cases of noncompliance, therefore there were no identified student specific cases to correct. However, as indicated above, Indiana and its contracted agent verified the correction of the FFY 2008 (SY 08-09) noncompliance pursuant to OSEP Memorandum 09-02 for the LEA by verifying correction of the systemic case of noncompliance, correction of procedures and practices.

- **Indicator 11:**

During FFY 2009 (SY 09-10) and FFY 2010 (SY 10-11), the State of Indiana verified that 87 of 89 (97.8%) LEAs that received a finding of noncompliance for Indicator 11 in 2008 (SY 08-09) corrected the finding of noncompliance. Two Indiana LEAs were unable to verify and demonstrate the correction of an Indicator 11 finding within one year of the date of the issuance of the finding. The two LEAs that were identified as having remaining noncompliance were mandated to update policies, procedures and practices as well as create a corrective action plan that included technical assistance from the Effective Evaluation Resource Center that is funded by the Indiana Department of Education Office of Special Education. This corrective action plan was supervised by an IDOE compliance monitor as well as the activities that were being conducted collaboratively between the LEA and the technical assistance provider to ensure that correction could occur.

Indicator 11 initial evaluation data from April 1, 2011 to June 30, 2011⁶⁷ was reviewed from the two LEAs issued Indicator 11 findings in FFY 2008 (SY 08-09) with outstanding noncompliance. The IDOE collected and verified the data using the State's data collection system and verified that one of the LEAs demonstrated meeting the requirement of completing all initial evaluations within the allotted timeframe with 100% accuracy, thus correcting the outstanding FFY 2008 (SY 08-09) finding.

***Note:** In the FFY 2009 submission of the APR, it was reported that in FFY 2008 the State of Indiana issued 90 Indicator 11 findings and verified that 87 of the 90 had corrected the noncompliance within one year. Upon review of the data, the FFY 2009 APR should have reported that the State of Indiana issued 89 Indicator 11 findings and verified that 87 of the 89 had corrected the noncompliance within one year. The above data table reflects the accurate numbers relating to correction of remaining FFY 2008 findings of noncompliance.

- **Indicator 12:**

The 7 LEAs that were issued Indicator 12 findings in FFY 2009 (SY 09-10) were assigned an IDOE consultant and required to do a Corrective Action Plan (CAP) in order to identify the root cause(s) of noncompliance and to change and update policies, procedures, and practices in order to correctly implement all regulatory requirements of the Indicator during the course of FFY 2010 (SY 10-11). The IDOE consultant collected the updated policies, procedures, and practices from the 7 LEAs and verified that the appropriate changes were made.

Unless the child no longer remained under the jurisdiction of the initiating LEA, all outstanding noncompliant initial evaluations were completed, although late, pursuant to OSEP Memorandum 09-02.⁶⁸ The IDOE verified the completion of the outstanding noncompliant timelines by collecting updated evaluation information from LEAs on each individual case through the State's data system.

⁶⁷ Indiana used the time period of April 1 to June 30 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as "prong two" of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

⁶⁸ Indiana required all LEAs to complete all identified noncompliant timelines unless the child was no longer under the jurisdiction of the LEA, although late, pursuant to OSEP Memorandum 09-02 and commonly known as "prong one" of verification of correction of noncompliance.

The correction and subsequent verification of correction by the IDOE included each noncompliant timeline that occurred during FFY 2009 (SY 09-10).

Indicator 12 evaluation data from April 1, 2011 to June 30, 2011⁶⁹ was reviewed from each of the 7 LEAs issued Indicator 12 findings in FFY 2009 (SY 09-10). Compliance was measured in order to verify that corrective action plans and SEA consultation had corrected LEA noncompliance. This gave LEAs the opportunity to demonstrate correction by submitting current evaluation data more representative of revised evaluation processes. The IDOE collected and verified the data using the State's data collection system. A total of 7 LEAs showed correction by submitting initial evaluation timeline data showing 100% compliance during the reporting window.

Actions Taken if Noncompliance Not Corrected of Remaining FFY 2008

- **Indicator 4A:**

The analysis of the LEA with uncorrected FFY 2008 Indicator 4A noncompliance determined the significant discrepancy noncompliance was the result of a broad range of issues with policies, procedures and practices. Due to the extent of the issues, the LEA was assigned to work with three of the Indiana Resource Network (IRN) centers (Effective Evaluation, Effective and Compliant IEPs, and HANDS in Autism). These three centers, along with IDOE staff, worked with the LEA administrative team that included representation from the superintendent's office, general and special education administrators, building principals, district supervisors and consultants, federal programs, nursing, social work, IT, school psychologists and an independent hearing officer. Information regarding LEA data related to suspension and expulsion was presented and discussed to increase awareness and understanding of the noncompliance. The IRN centers provided guidance and support for the LEA to develop and implement an extensive corrective action plan that the IDOE continues to monitor. For this single LEA that has not yet corrected noncompliance on Indicator 4A for FFY 2008 (SY 08-09) they received a Local Determination score of "Needs Intervention" from the IDOE and had special conditions and sanctions put into place during the course of FFY 2010 (SY10-11). When designing the special conditions and sanctions, Indiana took advantage of the technical assistance offered through the Data Accountability Center (DAC) and completed a two day onsite training completed by the staff at DAC that focused Indiana's efforts on issuing meaningful special conditions and sanctions. In addition, Indiana sought the advice of State Advisory Council (SAC) to ensure stakeholder input regarding the special conditions that were being considered. As a result of the technical assistance provided by DAC and the recommendations of the SAC the following special conditions and additional sanctions have been imposed over the course of FFY 2010 (SY10-11) for the LEA that has failed to correct the noncompliance identified in FFY 2008 (SY 08-09).

- The IDOE Office of Special Education issued monthly action plans to the LEA, which outlined requirements that had to be met in order for the LEA to submit for Part B reimbursement of funds. These requirements aligned to the 20 Federal Indicators and were designed to ensure that all requirements outlined in IDEA as well as Indiana's special education law, Article 7, were met. If the LEA failed to meet the requirements outlined each month, Part B funds were delayed until the LEA could show compliance with the requirements.
- Monthly meetings were initiated between the LEA and an IDOE Office of Special Education consultant. Members of the IDOE Office of Special Education staff completed monthly site visits to the LEA and facilitated meetings with a team of staff at the LEA to address the issues of noncompliance.
- The IDOE mandated technical assistance to the LEA via three of the IRN centers. This technical assistance focused on effective evaluation, effective and compliant IEPs, and

⁶⁹ Indiana used the time period of April 1, 2010 to June 30, 2010 as the period of verification that is required by OSEP Memorandum 09-02 and commonly known as "prong two" of verification of correction of noncompliance. Indiana chose the time period because statewide data indicates that approximately 1/3 of evaluations are completed during the reporting window. In order for an LEA to correct noncompliance, all timelines from April 1 to June 30 must be compliant.

behavior interventions for students. The LEA developed an overarching action plan with all three resource centers and those activities were monitored by the IDOE Office of Special Education. Additionally, onsite technical assistance was provided to the LEA on a monthly basis through the IRN centers.

These special conditions and sanctions will continue to be imposed and modified as needed until all identified noncompliance has been verified as corrected.

- **Indicator 11:**

For the one LEA that failed to show correction of noncompliance during the evaluation period of April 1, 2011 to June 30, 2011 the data was assessed and it was determined that the LEA failed to correctly implement the regulatory requirements of this Indicator by failing to complete one initial evaluation. The LEA with the remaining noncompliance reported 875 initial evaluations for FFY 2010 (SY10-11) and reported missing one evaluation during the review period. Additionally the review of the LEA revealed that in FFY 2009 (SY 09-10) the LEA had a percentage of 83% for Indicator 11 and has shown substantial improvement for FFY 2010 (SY 10-11) with a reported percentage of 98%. Due to the analysis of the aforementioned data, the IDOE determined that the LEA had made significant progress in implementing new policies, practices and procedures relating to initial evaluations despite its inability to show correction at 100%. No additional sanctions were imposed for FFY 2010 (SY 10-11) due to the sizeable progress that was displayed.

Correction of Any Remaining Findings of Noncompliance identified in FFY 2007 or Earlier:

1. Number of remaining FFY 2007 findings noted in OSEP’s FFY 2009 APR response table for this Indicator	1
2. Number of remaining FFY 2008 findings the State has verified as corrected	0
3. Number of remaining FFY 2008 findings the State has NOT verified as corrected [(1) minus (2)]	1

Verification of Correction for findings of noncompliance identified in FFY 2007 (either timely or subsequent):

- **Indicator 11:**

In May of 2011, The IDOE collected data, utilizing the State’s data collection system, from the remaining one LEA that failed to correct FFY 2007 (SY 07-08) noncompliance within one year. The time period of April 1, 2011 to June 30, 2011 was evaluated for the remaining LEA that had failed to show correction of noncompliance. After the review of the data, the one LEA remained as having failed to correct noncompliance from FFY 2007. For the description of actions taken for the one LEA that failed to correct noncompliance for the finding issued in FFY 2007 (SY 07-08), please see the section below.

Actions Taken if Noncompliance Not Corrected of Remaining FFY 2007

- **Indicator 11:**

As outlined in the overview of the FFY 2009 (SY 09-10) APR, Indiana, in conjunction with Indiana’s State Advisory Panel and stakeholders, redesigned its Local Determination scoring system in order to heighten the level of sanctions and penalties against LEAs that fail to correct noncompliance within one year. For this single LEA that has not yet corrected noncompliance from FFY 2007 (SY 07-08) they received a Local Determination score of “Needs Intervention” from the IDOE and had special conditions and sanctions put into place during the course of FFY 2010 (SY10-11). When designing the special conditions and sanctions, Indiana took advantage of the technical assistance offered through DAC and completed a two day onsite training completed by the staff at DAC that focused Indiana’s efforts on issuing meaningful special conditions and sanctions. In addition, Indiana sought the advice of SAC to ensure stakeholder input regarding the special conditions that were being considered. As a result of the technical assistance provided by DAC and the

recommendations of the SAC the following special conditions and additional sanctions have been imposed over the course of FFY 2010 (SY10-11) for the LEA that has failed to correct the noncompliance identified in FFY 200 (SY 07-08).

- The IDOE Office of Special Education issued monthly action plans to the LEA, which outlined requirements that had to be met in order for the LEA to submit for Part B reimbursement of funds. These requirements aligned to the 20 Federal Indicators and were designed to ensure that all requirements outlined in IDEA as well as Indiana’s special education law, Article 7, were met. If the LEA failed to meet the requirements outlined each month, Part B funds were delayed until the LEA could show compliance with the requirements.
- Monthly meetings were initiated between the LEA and an IDOE Office of Special Education consultant. Members of the IDOE Office of Special Education staff completed monthly site visits to the LEA and facilitated meetings with a team of staff at the LEA to address the issues of noncompliance.
- The IDOE mandated technical assistance to the LEA via three of the IRN centers. This technical assistance focused on effective evaluation, effective and compliant IEPs, and behavior interventions for students. The LEA developed an overarching action plan with all three resource centers and those activities were monitored by the IDOE Office of Special Education. Additionally, onsite technical assistance was provided to the LEA on a monthly basis through the IRN centers.

These special conditions and sanctions will continue to be imposed and modified as needed until all identified noncompliance has been verified as corrected.

Discussion of Improvement Activities Completed:

Improvement Activity	Timeline	Status
The IDOE Office of Special Education will collaborate with other states in the North Central Regional Resource Center (NCRRC) who have demonstrated successful achievement of IDEA 2004 required activities.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana continues to participate in activities that are provided by the North Central Regional Resource Center, such as the Cross Regional Summit, in order to learn necessary information to improve its general supervision and monitoring system.
Utilize available technical assistance from federally funded TA centers, including the NCRRC and DAC, by both attending TA coordinated conferences and by hosting TA center personnel for focused, one-on-one assistance.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana continued through FFY 2010 (SY10-11) to utilize the DAC as well as the NCRRC for universal supports as well as one-on-one technical assistance.
Coordinate and plan regular TA conference call with OSEP contacts and federally funded TA centers.	FFY 2007(SY 07-08) through FFY 2012 (SY 12-13)	Indiana continued through FFY 2010 (SY10-11) to utilize its OSEP state contact and continues to schedule biweekly to monthly phone calls to ensure accuracy in information as well as transfer of knowledge from OSEP to the SEA. Monthly calls with the TA centers have focused on disproportionality and fiscal responsibility.

Improvement Activity	Timeline	Status
Coordinate and plan regular TA conference calls with LEA contacts and federally funded TA centers on a variety of topics.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	The IDOE did not coordinate any calls between the local LEAs and the national TA centers during FFY 2010. The State is currently evaluating the appropriateness of this activity.
<p>Ensure quality LEA interventions and improvement in student outcomes by providing and supporting an external evaluator for the Indiana Resource Network efforts towards technical assistance, professional development and correction of noncompliance.</p> <p>ADDED For the FFY 2010 submission of the APR</p>	FFY 2010 (SY 10-11) through FFY 2012 (SY 12-13)	Indiana has a current contract in place for an external evaluator who has designed an electronic system that will allow the IDOE to ensure that the interventions and technical assistance being provided by the IRN target correction of noncompliance within one year.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

The State has reported 8.4% slippage for Indicator 15 from the FFY 2009 (SY 09-10) submission of the APR. Review of the FFY 2010 data revealed that the uncorrected noncompliance stems from two data points that are collected in the State’s compliance monitoring activities; these two Indicators were Indicator 4B and Indicator 13. All uncorrected noncompliance remained in these isolated categories, indicating that the State’s onsite monitoring component as well as general supervision system ensured timely correction. Notwithstanding slippage within Indicator 15 Indiana has determined that in both Indicator 4B and Indicator 13, that even though the change of calculation method and data collection process impacted the LEAs ability to show correction within one year, the updated manner in which the data is being collected and evaluated will show long term systemic correction thus improving results for students with disabilities.

To address the slippage within this Indicator Indiana has added an improvement activity that will allow the delivery of technical assistance to LEAs to be evaluated and thus assist the State in making informed decisions regarding its current service delivery model. This information will be utilized to make determinations regarding the renewal of contracts as well as the need for additional technical assistance providers to serve Indiana’s LEAs.

Additional Information Required by the OSEP FFY 2009 APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State’s Response
The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the remaining seven findings of noncompliance identified in FFY 2008 that were not reported as corrected in the FFY 2009 APR were corrected.	Please see the section above, “Correction of Remaining FFY 2008 Findings of Noncompliance.”

Statement from the Response Table	State's Response
<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, the State's data demonstrating that the State timely corrected noncompliance identified in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p>	<p>No response required.</p>
<p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 4B, 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those Indicators.</p>	<p>Please see section above labeled "Verification of Correction for findings of noncompliance identified in FFY 2009 (either timely or subsequent)."</p>

Indicator 16 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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: $\text{Percent} = [1.1(b) + 1.1(c) \div 1.1] \times 100$

Measurable and Rigorous Target:

FFY	Measurable and Rigorous Target
FFY 2010 (SY 10-11)	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, the target percentage will be 100%.

Actual Target Data for FFY 2010 (SY 10-11):

1.1	Complaints with reports issued	65
1.1 (b)	Reports within timeline	59
1.1 (c)	Reports within extended timelines	6
Measurement = [(59 + 6) ÷ 65] x 100 =		100%

For FFY 2010 (SY 10-11), there were 109 complaints filed in Indiana. Of those 109 complaints, 44 were withdrawn or dismissed.

Reports were issued for each of the 65 remaining complaints and out of the 65 complaints with reports issued, 59 were issued within the 60-day timeline. The 6 remaining complaint investigation reports exceeded 60 days due to exceptional circumstances and were granted an extension of time. All 6 reports granted an extension were completed within the extended timelines.

Indiana’s complaint investigators personally monitor not only the timelines for the issuance of compliance, but also ensure that corrective action arising from any complaint is completed within the required timelines.

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

The target of 100% for Indicator 16 was met for both FFY 2009 (SY 09-10) and FFY 2010 (SY 10-11). As a result Indiana shows no progress or slippage for this Indicator.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Develop and utilize a tracking system to track the status of complaints and automatically alert due process staff to approaching deadlines.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana is currently in process of writing a Request for Proposal(RFP) to implement a new tracking system that will provide more comprehensive reporting capabilities.
Review and revise complaint procedures. Provide ongoing technical assistance and training to complaint investigators.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	For FFY 2010 (SY10-11) the IDOE completed technical assistance and training for complaint investigators.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

For FFY 2010 (SY10-11) Indiana met its target for Indicator 16. For the aforementioned reason, Indiana has no revisions to its improvement activities for Indicator 16 at this time.

OSEP Response Table for FFY 2009 (SY 09-10):

Statement from the Response Table	Indiana's Response
OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.	No response required.

Indicator 17 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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 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: $\text{Percent} = [(3.2(a) + 3.2(b)) \div 3.2] \times 100$

Measurable and Rigorous Target:

FFY	Measurable and Rigorous Target
2010 (SY 10-11)	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 will be 100%.

Actual Target Data for FFY 2010 (SY 10-11):

3	Total Hearing Requests	63
3.2	Fully Adjudicated Hearings	9
3.2(a)	Decisions within timelines	1
3.2(b)	Decisions within extended timelines	6
Measurement = $[(1 + 6) \div 9] \times 100 =$		77.78%

For FFY 2010 (SY 10-11), the Indiana Department of Education (IDOE) sought to have 100% of all hearings conducted result in fully adjudicated hearings, decisions within timelines or decisions within extended timelines. Indiana’s actual target data shows that 77.78% of all hearings conducted resulted in fully adjudicated hearings, decisions within timelines or decisions within extended timelines. Therefore Indiana did not meet its target of 100% for Indicator 17.

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

The actual target data represents slippage of 2.22% on the Indicator from FFY 2009 (SY 09-10). This slippage results from issues with a specific Independent Hearing Officer (IHO) who has since been reprimanded and removed from the list of active IHOs. The IDOE hosts an annual in service training for hearing officers to train them on the federal regulations and timelines related to the timeliness of the issuance of hearing decisions.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Refine and utilize the due process database to ensure that necessary elements are included in the system and utilize the database to track the status of due process hearings.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana is currently in process of writing a Request for Proposal (RFP) to implement a new tracking system that will provide more comprehensive reporting capabilities.
Develop and utilize a tracking system to ensure that IHOs are provided with timely reminders when a case is at risk of failing to meet required timeline.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana is currently in process of writing an RFP to implement a new tracking system that will provide more comprehensive reporting capabilities as well as timeline management.
Conduct training sessions, at least annually, for IHOs. Information will be presented to the IHOs with respect to due process procedures and timelines.	FFY 2007 (SY 07-08) through FFY 2012 (12-13)	For FFY 2010 (SY10-11) the IDOE completed technical assistance and training for IHOs.
Monitor IHOs' caseloads and timelines and provide IHOs prompt and appropriate technical assistance and/or professional discipline for failure to document appropriate timelines.	FFY 2007 (SY 07-08) through FFY 2012 (12-13)	For FFY 2010 (SY 10-11), the IDOE staff continued to provide technical assistance as well as administer discipline for failure to document appropriate timelines.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

Indiana did not meet the required target of 100% for Indicator 17. One particular IHO continuously missed deadlines and prevented Indiana from meeting its target. Due to this issue, Indiana has decided to add steps to the monitoring of IHO's caseloads and timelines. Additionally, the IDOE will remove any Independent Hearing Officers from the rotation if they are in danger of missing timelines in FFY 2011 (SY 11-12). They may only be put back into rotation if timelines are met. The last improvement activity listed above has been revised to include these changes and has been updated in the State's submission of the State Performance Plan (SPP) for FFY 2010 (SY 10-11).

OSEP Response Table for FFY 2009 (SY 09-10)

Statement from the Response Table	Indiana's Response
The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that the State is in compliance with the due process hearing timeline requirements in 34 CFR §300.515.	See the section "Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (SY 10-11)" above.

Indicator 18 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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: $\text{Percent} = (3.1(a) \div 3.1) \times 100$

Measurable and Rigorous Target:

FFY	Measurable and Rigorous Target
2010 (SY 10-11)	Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements will be 31.0%.

Actual Target Data for FFY 2010 (SY 10-11):

3	Total Hearing Requests	63
3.1	Resolution Sessions	48
3.1 (a)	Settlement Agreements	40
3.2	Hearings Fully Adjudicated	9
Measurement = $[(40 \div 48) \times 100 =$		83.33%

For FFY 2010 (SY 10-11), the Indiana Department of Education (IDOE) sought to have 31.2% of resolution sessions conducted result in resolution session settlement agreements. The actual target data for FFY 2010 (SY 10-11) shows that 83.33% of resolution sessions conducted resulted in resolution session settlement agreements.

Explanation of Progress of Slippage that occurred for FFY 2010 (SY 10-11):

The IDOE's FFY 2010 (SY 10-11) percentage of 83.33% demonstrates progress of 17.33% in comparison to FFY 2009 (09-10) Indicator performance of 66%. Indiana continues to exceed its target for Indicator 18.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Refine and utilize the due process database to ensure that necessary elements are included in the system with respect to resolution sessions. For each due process request, the resolution process and the results of that process will be monitored.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana is currently in the process of writing a RFP to implement a new tracking system that will provide more comprehensive reporting capabilities.
Independent Hearing Officers (IHOs) will be trained and updated, at least annually, about resolution process and the procedures for monitoring the process.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	For FFY 2010 (SY10-11) the IDOE completed technical assistance and training for complaint investigators.
The Office of Special Education will work with parent organizations and LEAs to develop awareness of the option to resolve disputes through a resolution session.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	IDOE staff and members of the parent advocacy group, IN*SOURCE, work with parents to promote the use of mediation to resolve differences of opinion regarding the individual needs of students with disabilities. Information regarding the mediation process is located on the IDOE website at http://www.doe.in.gov/improvement/legal/special-education-mediation .

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

For FFY 2010 (SY10-11) Indiana met its target for Indicator 18. For the aforementioned reason, Indiana has no revisions to its improvement activities for Indicator 18 at this time.

OSEP Response Table for FFY 2009 (SY 09-10):

Statement from the Response Table	Indiana's Response
OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.	No action required.

Indicator 19 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

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: $\text{Percent} = [2.1(a)(i) + 2.1(b)(i) \div 2.1] \times 100$

Measurable and Rigorous Target:

FFY	Measurable and Rigorous Target
2010 (SY 10-11)	Percent of mediation requests that go to mediation will result in agreements 53.0% of the time.

Actual Target Data for FFY 2010 (SY 10-11):

2.1(a)(i)	Mediations related to due process that resulted in complete agreement:	1
2.1 (b)(i)	Mediations not related to due process that resulted in complete agreement:	18
2.1	Total number of mediations held:	32
2.3	Mediations not held	7
Measurement = $[(1 + 18) \div 32] \times 100 =$		59.38%

For FFY 2010 (SY 10-11), the Indiana Department of Education (IDOE) sought to have 53.2% of mediations conducted result in agreements. The actual target data for FFY 2010 (SY 10-11) shows that 59.38% of mediations resulted in complete agreement, including 1 agreement related to due process and 18 mediation agreements not related to due process.

Explanation of Progress or Slippage that occurred for FFY 2010 (SY 10-11):

The IDOE data for FFY 2010 (SY 10-11) shows 59.38% of mediations conducted resulted in agreements. This shows slippage of 9.17% from FFY 2009 (SY 09-10) data of 68.55%; however, Indiana still met its target of 53.2% for FFY 2010 (SY 10-11). The IDOE has addressed this slippage with the addition of two new mediators to improve timeliness and completion of mediations.

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activities	Timelines	Status
Review whether additional mediators are needed and recruit additional mediators if need increases.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	In FFY 2010 (SY 10-11) the IDOE Office of Legal Affairs recruited two new mediators. These new recruits shadowed veteran mediators through FFY 2010 and will begin working independently in February 2012.
Mediators will be surveyed for suggestions to improve process.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	The IDOE Office of Legal Affairs maintains communication with mediators to evaluate the mediation process.
Conduct training sessions, at least annually, for mediators in the following areas: <ul style="list-style-type: none"> • Special education rules and regulations; • Mediation procedures and practices; • Mediation techniques; and • Areas of special interest and hot topics. 	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	For FFY 2010 (SY10-11) the IDOE completed technical assistance and training for mediators.
Develop a plan to increase public awareness to parents and LEAs to explain and encourage the use of mediation. In addition, design and complete a mediation document to disseminate to LEAs and parents regarding the availability of mediation services as well as other dispute resolution methods available in Indiana.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	IDOE staff and members of the parent advocacy group, IN*SOURCE, work with parents to promote the use of mediation to resolve differences of opinion regarding the individual needs of students with disabilities. Information regarding the mediation process is located on the IDOE website at http://www.doe.in.gov/improvement/legal/special-education-mediation .
Develop and utilize a database to track progress in mediations, including the mediation dates, results, withdrawals, and timelines.	FFY 2007 (SY 07-08) through FFY 2012 (SY 12-13)	Indiana is currently in the process of writing a Request for Proposal (RFP) to implement a new tracking system that will provide more comprehensive reporting capabilities as well as timeline management. A community was created for mediators on Indiana's online tool for teachers and the education community, Learning Connection, and it is required that mediators provide all mediation documents electronically through this site to improve timeliness.

FFY 2010 (SY 10-11) APR

Indiana

Indicator 19

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12):

For FFY 2010 (SY10-11) Indiana met its target for Indicator 19. For the aforementioned reason, Indiana has no revisions to its improvement activities for Indicator 19 at this time.

OSEP Response Table for FFY 2009 (SY 09-10)

Statement from the Response Table	Indiana's Response
OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.	No action required.

Indicator 20 of the Part B State Annual Performance Report for FFY 2010

Overview of the Annual Performance Report Development:
 See General Overview of the Annual Performance Report (APR).

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:
 State reported data, including 618 data, State Performance Plan, 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 dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

Measurable and Rigorous Target:

FFY	Measurable and Rigorous Target
FFY 2010	100% accurate and timely data submission 100% of the time.

Actual Target Data for FFY 2010 (SY 10-11):

The following tables are a required reporting component for Indicator 20. In the rubric below a positive response from the State Educational Agency (SEA) receives a 1 and a negative response receives a 0. The Indiana Department of Education (IDOE) submits this data to the Office of Special Education Programs of the US Department of Education (OSEP) based on the information received during FFY 2010 (SY 10-11). For more information about the collection of data, please refer to the specific Indicator.

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 2010 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

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	45.00
C. APR Grand Total (A) + 618 Grand Total (B) =	90.00
Total N/A in APR	0
Total N/A in 618	0
Base	90.00
D. Subtotal (C divided by Base*) =	1.000
E. Indicator Score (Subtotal D x 100) =	100.00

Explanation of Progress of Slippage that occurred for FFY 2010 (SY 10-11):

The IDOE met its target for this Indicator when looking at the 618 data for state and federal funding (Child Count) purposes. Furthermore, the data for the Indicators in the SPP and APR is accurate and timely. As of the posting of the FFY 2009 (SY 09-10) APR, Indiana became an Education Data Exchange Network (EDEN) only state for 618 table submissions. This transition has greatly increased the congruency of information between the general education and special education data of Indiana and helped Indiana meet Indicator 20 targets for FFY 2008 (SY 08-09) and FFY 2009 (SY 09-10).

Discussion of Improvement Activities Completed for FFY 2010 (SY 10-11):

Improvement Activity	Timelines	Status
Implement and support the data verification and submission components of the Indiana Individualized Educational Program (IIEP), Indiana's electronic IEP development tool to ensure data accuracy and assist LEAs in identifying areas of noncompliance.	FFY 2011 (SY 11-12) through FFY 2012 (SY 12-13)	Statewide and LEA reports regarding Indicators 11, 12, and 13 can be harvested from the state sponsored IEP tool. The instances of untimely and inaccurate data submissions will be minimized at the SEA and LEA level with the implementation of data reporting from Indiana IEP.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (SY 11-12) (if applicable):

Indicator 20 data for FFY 2010 (SY 10-11) represents the third consecutive year Indiana has met its target for this Indicator. The Improvement Activity above has been added to reflect the current contract outlining the state sponsored IEP tool. This contract was developed in conjunction with stakeholder input from the State Advisory Council (SAC) as well as various other invested parties. Since the implementation of the state sponsored IEP tool, the IDOE has developed a workgroup consisting of members of the Indiana Council of Administrators of Special Education (ICASE) as well as technical assistance providers for the IDOE to evaluate the compliance portions of the state sponsored IEP tool.

Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement from the Response Table	State's Response
<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p>	<p>No response required.</p>
<p>In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric.</p>	<p>Please see the section entitled "Actual Target Data for FFY 2010 (SY 10-11)" above.</p>
<p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>	<p>Please see the section entitled "Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011" above.</p>